



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Agenda

December 10, 2012

City of Whitewater Municipal Building

312 W. Whitewater St., Whitewater, Wisconsin

6:00 p.m.

1.	Call to order and Roll Call.
2.	Hearing of Citizen Comments. No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item.
3.	Review proposed certified survey map for a lot division of the property located at 727 E. Clay Street for Tom Egnoski.
4.	Hold a public hearing for consideration of a conditional use permit for the conversion of a single family home into a duplex by the construction of an addition to the home located at 361 S. Scott Street for Whitewater Housing Services (R.L. Freiermuth).
5.	Hold a public hearing for consideration of a change of the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Title 9, specifically to create Section 9.06.015 Backyard Chicken Ordinance, to allow for a permitted use in Title 19 (Zoning Ordinance) for the keeping of a maximum number of 6 backyard chickens for single family dwellings in Whitewater residential zoning districts (R-1, R-1X, R-2, R-3 and R-4).
6.	Hold a public hearing for consideration of a change of the District Zoning Map for the following area to rezone from M-1 (General Manufacturing) Zoning District, under Chapter 19.36 of the Zoning Ordinance of the City of Whitewater; to WUTP (Whitewater University Technology Park) Zoning District, under Chapter 19.38 of the Zoning Ordinance of the City of Whitewater: the lots located in certified survey maps 4442 and 4443 in the City of Whitewater, Walworth and Jefferson Counties, Wisconsin.
7.	Information Items: a. Update on Zoning Rewrite. b. Possible future agenda items. c. Next regular Plan Commission Meeting – January 14, 2013
8.	Adjournment.

Anyone requiring special arrangements is asked to call the Zoning and Planning Office 24 hours prior to the meeting. Those wishing to weigh in on any of the above-mentioned agenda items but unable to attend the meeting are asked to send their comments to c/o Neighborhood Services Manager, 312 W. Whitewater Street, Whitewater, WI, 53190 or jwegner@whitewater-wi.gov.

The City of Whitewater website is: whitewater-wi.gov

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
October 8, 2012

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

Call to order and roll call.

Chairperson Meyer called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

Present: Greg Meyer, Lynn Binnie, Karen Coburn, Bruce Parker, Jacob Henley, Rod Dalee, Cort Hartmann.

Absent: None.

Others: Wallace McDonell (City Attorney), Latisha Birkeland (Neighborhood Services Manager/City Planner).

Hearing of Citizen Comments. There were no citizen comments.

Approval of the Plan Commission Minutes of September 10, 2012. Moved by Binnie and seconded by Coburn to approve the Plan Commission minutes of September 10, 2012. Motion approved by unanimous roll call vote.

Review proposed Extra-territorial Certified Survey Map for a land division to create two residential lots located on Piper Road for Steve Piper. City Planner Latisha Birkeland explained that the land for this certified survey map is located in Cold Spring Township, Jefferson County. They are just creating one lot, the most western lot. The remaining parcel is 32 acres. This land is outside the City sewer service area and immediate growth area. The township has already approved the certified survey map. The City has no issues with this proposal.

There were no citizen comments.

Moved by Binnie and seconded by Parker to approve the proposed extra-territorial certified survey map for a land division to create a residential lot located on Piper Road for Steve Piper subject to the conditions of the City Planner. (See attached Extra-Territorial Certified Survey Map approval.) Aye: Meyer, Binnie, Coburn, Parker, Henley, Dalee, and Hartmann. No: None Absent: None. Motion approved by unanimous roll call vote.

Public hearing for consideration of a conditional use permit to allow for an automotive repair business to be located at 648 S. Janesville Street for David S. Meyer. City Planner Latisha Birkeland explained that every year the City reviews inoperable vehicle licenses. Because of the inoperable vehicles sitting on the lot at Meyer's Auto Supply, Mr. Meyer was sent an application form. As there has not been a license for the property for a long time, City Staff researched and found that the Common Council had removed the inoperable license permit

at their September 5, 1995 meeting, requiring that all inoperable vehicles be removed, terminating the license and not allowing a renewal license as of November 6, 1995. The property was under different ownership at that time.

Meyer's Auto Supply has been performing auto repair work on this property, which is the reason for the inoperable vehicles on the lot. Auto repair work is considered a conditional use in the B-1 Zoning District. Mr. Meyer is requesting a conditional use permit for automobile repair and service so he can continue his business there.

The Plan Commission voiced concerns: that the fence should be an opaque fence; the fence on the west lot line should be installed yet this fall; the fence should not have to be installed until there is development; the fence would be important for the land behind the building with the trees which has a designation of R-1 Zoning.

David Meyer explained that he has had the repair shop for three years come December. He works on between 2 and 10 vehicles per day. The inoperable vehicles will be parked on the west portion of the lot.

City Planner Birkeland explained that the fence being installed now would insure that it would be there when there was development of the neighboring properties.

Plan Commission Member Parker explained that the critical fence to be installed would be the north lot line, from the northwest corner of the lot to the west lot line. This part of the fence should be installed as soon as possible. The opaque fence should be at least 6 feet tall.

Chairperson Meyer opened the hearing to the public.

Ann Zarinnia asked if the owner would be responsible for the cost to put up the fence.

City Attorney McDonell explained that with a Conditional Use Permit (CUP), the Plan Commission can put reasonable conditions on the permit. And it is the responsibility of the property owner to pay for those requirements. Non-conforming or grandfathering is a different issue and not what we have here.

Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Coburn to approve the conditional use permit to allow for an automotive repair business to be located at 648 S. Janesville Street subject to three conditions. (See attached Conditional Use Permit Approval.) Ayes: Binnie, Coburn, Meyer, Henley, Parker, Dalee. No: Hartmann. Motion approved.

Public hearing for consideration of a change of the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Chapter 9, specifically Section 9.06.010 Livestock, addressing an amendment to allow for a permitted use for the keeping of a small number of backyard chickens in Whitewater residential areas. Latisha Birkeland explained that there are two known properties that have

chickens. A stay was made to allow the chickens to remain where they are until an amendment to the livestock ordinance was considered. Other communities in the area have adopted ordinances to allow for chickens in residential areas.

Peter Underwood, 1638 W. Wildwood Road, wanted to include Christian Zaballos as part applicant, as he is very interested in allowing chickens in residential areas and wanted to give his allowance of \$25 to contribute toward the cost of the application. Peter Underwood stated that his and his wife's interest in chickens was related to their concern for community and environmental sustainability, and the fact that they have friends in other communities who have raised chickens.

Prior to investing in their own chickens, they contacted all their neighbors. They all were o.k. with idea. So he ordered his chickens (sexed chickens – which means he got all female chickens, no roosters). They wanted to be unobtrusive, so they made a mobile chicken tractor which can be moved to fresh grass every couple of days and had poultry netting which they used when they were home to allow the chickens a larger area to run. The violation of the chickens was not by complaint, but only that they existed. Underwood explained the extensive back up material he provided which included letters from Ron Kean, UW-Extension Poultry Specialist, from the College of Agriculture and Life Sciences at the University of Wisconsin, Madison, and from Shelby Molina D.V.M. , District Veterinarian, WI Dept. of Agriculture, Trade & Consumer Protection. Both gave a lot of information for raising chickens in an urban area. Peter Underwood also wrote a template for an ordinance for Whitewater. He suggested a minimum of 4 chickens, but 6 would be best. They are social animals. A small flock of birds would require a small structure. Chicken tractors can be moved every couple of days or put in the shade on hot days. Underwood was concerned about required setbacks for the structure. The larger the setback, the less room he would have to move his chicken tractor in.

Plan Commission Member Binnie thanked the Underwoods for all the work they put in. He agreed that backyard chickens should be allowed. He wanted some clarity of the fencing and was impressed with the recommendations of Shelby Molina D.V.M. for a model ordinance. A few items needed to be added to the proposed City Ordinance which include: no breeding or hatching; poultry feed and storage, waste composting. Binnie did not feel the City needed to have a permit or site plan.

Peter Underwood stated that he has seen a mix across the board for communities for permits and fees. He feels that the permits and fees just add a layer of work for the City Staff. He recommends that if there is a permit required that the property owner apply for the permit which would then be approved by the city.

Chairperson Meyer opened the public hearing for public comment.

Jeff Knight expressed his concerns of making sure having chickens in an urban area is done properly. The Underwoods are a good model for how to do it. Knight's Son and Daughter-in-law live in another community near a home that has chickens. The chickens are not very well taken care of and at times run loose around the neighborhood which is not a pristine opportunity.

Knight liked that fact that the Underwoods asked their neighbors about raising chickens in their back yard.

Ann Zarinnia, who lives next door to the Underwoods, stated that Peter Underwood had come to talk to them about having chickens. Since the chickens have lived there, the neighbors have enjoyed them. Their grandchildren love them. There are no smells or sounds. The chickens not only provide healthy food or are pets, but they provide for a better way of life. Whitewater has changed in the last 20 years. This is a huge opportunity for the City. It will help reaffirm what Whitewater is all about. It will be good for kids in Whitewater. Zarinnia also felt that it might be possible for the high school shop class to build chicken coops and then sell them.

Sharon & Rob Holden, 255 S. Indian Mound Parkway, thoroughly enjoy the chickens. They provide for a sense of community by bringing people together. They are very educational. There is no negative impact on property values.

Rollie Cooper, 1127 W. Walworth Ave., explained that he had started raising chickens when he was 10 years old as a 4H project. His family had 100 chickens every year. None of their projects generated complaints. He is very thankful for Whitewater and being able to raise animals and plants. He would encourage a limit of 8 chickens in order to feed a larger family or extended families. There is a period of time when chickens molt and during that time do not lay eggs. He is strongly in favor of the proposal.

Kristine Zaballos, lives in Whitewater and works for the UW-Extension which is responsive to people. The Extension writes for the community's best interest. Zaballos is also a former Plan Commission member. They have 1 1/3 acres in the City of Whitewater. In the recent past their property was an operating farm. The Zaballos family keeps bees. Prior to starting them, they did ask their neighbors. They have been doing this for four years. Zaballos feels that the less regulations we have, the better it is for the community. She thinks that as a community we can handle it. She supports the ordinance change.

Christian Zaballos expressed his support of the ordinance change, as being able to have chickens would help teach children responsibility; if there is an excess of eggs, they could be shared with neighbors; and the opportunity would build community.

Chairperson Meyer closed the public hearing.

Plan Commission Member Bruce Parker stated that he was 100 % for this proposal. He likes the coop design. Plan Commission must look at what will fit the entire community. There are homes within 2 feet of property lines, so there needs to be a setback (18 inches would be too close). Six or eight chickens would not make that much difference.

When asked what was the minimum area needed per chicken, Peter Underwood explained that the size of the enclosure should allow for 2 sq. ft. per hen (for the coop enclosure) with adequate run space. (You could allow 3 sq. ft.) The chickens do like to roost. It would be good to provide a perch in the upper area inside the enclosure. Peter felt that a 5 foot setback from the property line would be appropriate.

Plan Commission Member Hartmann questioned the number of chickens and had concerns of the other animals that may be attracted into neighborhoods because of them. The chicken droppings set in the ground become dust and then can become airborne and possibly cause disease. He was also concerned if a chicken gets loose and hurts someone, who is liable? Hartmann would also like to make sure a property owner checks with his neighbors before acquiring chickens.

Peter Underwood explained that there are potential diseases from most all animals. Injury potential by a hen is very minor. Hens are much safer than dogs or cats. Underwood also suggested that neighbor approval is not always the best way to work it. It can create difficulty in enforcement. It would be best to create the ordinance to minimize the nuisance.

Moved by Binnie and seconded by Meyer to have City Staff work on an ordinance amendment. Any public comments should be given to City Staff. Any permit would not be a conditional use. A staff permit would be made in perpetuity. The ordinance should include items from Shelby Molina, D.V.M.'s communication. The draft ordinance amendment will be presented to Plan Commission for their review and recommendation to the City Council. Ayes: Meyer, Binnie, Coburn, Parker, Henley, Dalee, Hartmann. No: None. Motion approved.

Review and make recommendation to the City Council for the discontinuation of the abandoned unpaved alley between East North Street and East Main Street West of and adjacent to the Oak Grove Cemetery in the City of Whitewater. City Planner Latisha Birkeland explained that the property owner who owns lots 6 & 7 on N. Wakely Street would like to make a lot facing E. North Street, and requested the alley way be vacated.

City Attorney McDonell stated that there is a lot on Wakely Street that has been deeded to the City that would receive part of the land. Once an alley is abandoned, one half of the property goes to each abutting property owner. This will be on the Common Council agenda for November 20, 2012. This is one of Plan Commission's miscellaneous duties. Whenever there is a change in an alley or street, Plan Commission reviews and comments, in this case, a recommendation to the Common Council if the alley should be discontinued.

Chairperson Meyer opened for public comment. There were no public comments. Chairperson Meyer closed public comment.

Plan Commission Member Parker suggested that the owner of lots 6 & 7 check into available utilities on E. North Street.

Moved by Parker and Seconded by Hartmann to approve and make recommendation to the Common Council to approve the discontinuation of the abandoned unpaved alley between E. North Street and E. Main Street west of and adjacent to the Oak Grove Cemetery in the City of Whitewater. Ayes: Meyer, Binnie, Coburn, Parker, Henley, Dalee, Hartmann. No: None. Motion approved.

Informational Items:

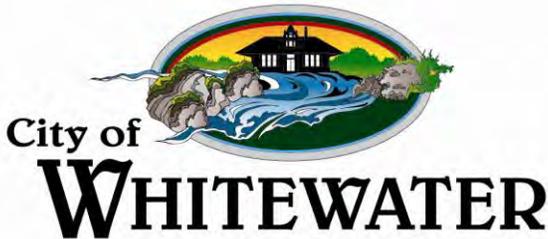
Zoning Rewrite. City Planner Latisha Birkeland explained that the last Zoning Rewrite Committee meeting was held on September 19th. Since that time, City Staff has been trying to determine what is best for public participation and how to move things along more smoothly. City Attorney McDonell explained that the Zoning Ordinance changes would come to the Plan Commission to hold the public hearing and then make recommendation to the City Council. When the ordinances come to the Plan Commission they will be very detailed.

Future agenda items. Plan Commission will hold a special meeting on October 22, 2012. Birkeland explained that the item that was to be on tonight's meeting, but by staff error, was not noticed properly. She thanked the Plan Commission members who would be available for that meeting and apologies to the applicant.

Next regular Plan Commission meeting – November 12, 2012.

Moved by Hartmann and seconded by Meyer to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 8:11 p.m.

Chairperson Greg Meyer



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

Extra-Territorial Certified Survey Map

Plan Commission Meeting Date : September 10, 2012
Property Owner: Steve Piper
Applicant: Steve Piper
Property ID Number: 004-0515-2244-000
Property Address: Piper Road, Town of Cold Spring, Jefferson County
Whitewater, WI 53190

REGARDING: An approval for Extra-Territorial Review of a Certified Survey Map for a land division to create a residential lot on Piper Road.

Approved subject to the following conditions:

1. The applicant shall meet all conditions set by Jefferson County for final approval.
2. Final Certified Survey Map shall be reviewed by City Staff and shall be recorded with Jefferson County.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Manager/City Planner



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

CONDITIONAL USE PERMIT

Plan Commission Meeting Date : October 8, 2012
Property Owner: David S. Meyer
Applicant: David S. and Christine Meyer
Property ID Number: /T 00022A
Property Address: 648 S. Janesville Street
Whitewater, WI 53190

REGARDING: An approval for a conditional use permit (CUP) to allow for an automotive repair business to be located at 648 S. Janesville Street for David S. Meyer.

Approved subject to the following conditions:

1. The conditional use permit shall run with the applicant and not the land. If the business is sold, the new owner/operator must return to the Plan Commission for approval of automobile repair and servicing.
2. For any storage of inoperable vehicles on the site, the applicant would need to request that the Common Council consider allowing this property to be eligible for an inoperable vehicle permit.
3. A 6 foot opaque fence is to be installed along the north property line by December 31, 2012. A 6 foot opaque fence is to be installed along the remaining side and rear property lines by June 30, 2013.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Manager/City Planner

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
October 22, 2012

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

Call to order and roll call.

Chairperson Meyer called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

Present: Greg Meyer, Bruce Parker, Jacob Henley, Rod Dalee, Cort Hartmann, Donna Henry (Alternate).

Absent: Lynn Binnie, Karen Coburn.

Others: Wallace McDonell (City Attorney), Latisha Birkeland (Neighborhood Services Manager/City Planner).

Hearing of Citizen Comments. There were no citizen comments.

Public hearing for consideration of a proposed lot division (Certified Survey Map) and a conditional use permit for the construction of a duplex on the new vacant lot for the property located at 478 W. Ann Street. City Planner Latisha Birkeland thanked the Plan Commission to be able to hold this special meeting. This project on W. Ann Street does not require a certified survey map for a lot division. The property already has two lots and will just require a lot line adjustment. This property is in a B-3 Zoning District which would require the west parcel with the single family home to meet the standards of the R-2 Zoning District. The new duplex lot would be required to meet the R-3 Zoning District standards. Both proposed projects meet the required standards. When reviewing this proposal with the Comprehensive Plan, B-3 Zoning District allows new residential R-3 Standards when mixed with commercial. Birkeland does not feel that a mixed use would be appropriate in this residential area, and she stated that she would not recommend that the Commission deny the permit because of the lack of mixed use. Parking lots of five stalls or larger are required to install a fence for screening, the Plan Commission would need to determine what is needed.

City Attorney McDonell explained that they will not be splitting the lot, as there are two lots 9 & 10. They are owned by the same owner and were taxed as one property. This does not change the fact that two parcels exist. Once the lot line adjustment is finalized, a separate tax parcel number will be assigned to each lot.

Attorney Mitch Simon explained how tax parcel numbering works. He had talked to Donna at Walworth County who told him if this proposal went through the two parcels would be assigned new tax parcel numbers. He also explained the ownership of the properties under different names.

Mike Kachel stated that as Mitch Simon had said, they are not creating two lots. The proposal is for a slab on grade duplex, 3 bedrooms in one unit and 4 bedrooms in the other. There will be two furnaces, two central air, and two water heaters. The building will be wood construction with asphalt shingle roof. The exterior will be cement and vinyl siding, earth tone colors.

Plan Commission members voiced concerns of: the duplex being a long building and if shutters could be installed to break up the length; snow removal; instead of fence along the city right of way, install a row of low shrubs; across the street are single family homes, would like to see some landscaping installed in the front yard of the duplex.

Chairperson Meyer opened the hearing for public comment.

Bob Freiermuth stated that he saw no need for the fence. The arborvitae and other landscaping would be sufficient. Freiermuth owns property on the other side of the street.

Attorney Mitch Simon explained that there was 15 feet to the parking space for persons with a physical disability so a fence on the Franklin Street side of the parking area would not be needed.

Chairperson Meyer closed the hearing for public comment.

City Attorney McDonell explained that for the record, when the application first came in, it was thought that the property was only one lot. When Attorney Simon got involved, he found that it was two existing lots. So the motion will be for the conditional use permit only.

Latisha went over her conditions and the additional items that were asked for at this meeting.

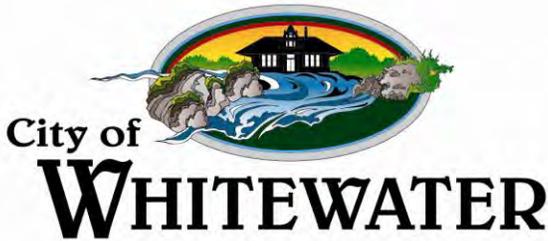
Moved by Henry and Parker to approve the conditional use permit for the construction of a duplex on the vacant parcel at the property located at 478 W. Ann Street for DLK Enterprises Inc. with the conditions of the City Planner as amended at the meeting. (See attached conditional use permit.) Ayes: Meyer, Parker, Henley, Dalee, Hartmann, Henry. No: None. Absent: Binnie, Coburn. Motion approved.

Informational Items:

Next regular Plan Commission meeting – November 12, 2012. City Planner Latisha Birkeland informed the Plan Commission of upcoming items: Applications for a conditional use permit for the Springbrook Apartments on Caine St. to add a one bedroom and an efficiency apartment to both buildings; an amendment to the conditional use permit at 224-226 S. Wisconsin St. to change the parking and dumpster area; a conditional use permit to add a unit to 361 S. Scott Street; and a conditional use permit for the construction of a detached garage larger than 800 sq. ft. at 555 E. Clay Street. The chicken ordinance may also be on.

Moved by Hartman and seconded by Dalee to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 6:25 p.m.

Chairperson Greg Meyer



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

CONDITIONAL USE PERMIT

Plan Commission Meeting Date: October 22 2012
Property Owner: DLK Enterprises Inc.
Applicant: DLK Enterprises Inc.
Property ID Number: /TR 00051
Property Address: 478 W. Ann Street
Whitewater, WI 53190

REGARDING: An approval to allow for a lot division by lot line adjustment and for a conditional use permit (CUP) for the construction of a duplex on the new vacant lot for the property located at 478 W. Ann Street.

Approved subject to the following conditions:

1. Establish the parking lot in accordance with the submitted plans and City Code. This includes grading and surfacing of the lot to be dust-free. Hard surface shall be required no later than August 1, 2013.
2. Shutters to be installed to dress up the building.
3. Arborvitae to be installed along the east side of the lot; and a short hedge to be installed along the west side of the lot.
4. Landscaping to be installed in the front yard.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Manager/City Planner

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
November 12, 2012

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

Call to order and roll call.

Chairperson Meyer called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

Present: Greg Meyer, Bruce Parker, Jacob Henley, Rod Dalee, Lynn Binnie, Karen Coburn, Donna Henry (Alternate).

Absent: Cort Hartmann.

Others: Wallace McDonell (City Attorney), Latisha Birkeland (Neighborhood Services Manager/City Planner).

Hearing of Citizen Comments. There were no citizen comments.

Public hearing for a conditional use permit for the construction of an 864 sq. ft. detached garage to be located at 555 E. Clay Street for Patrick McCormick. (This is 64 sq. ft. more than the maximum size (800 sq. ft.) allowed for a detached accessory structure.) City Planner Latisha Birkeland explained that the Board of Zoning Appeals had granted a variance on October 25, 2012 for the location of the proposed building for the applicant, Patrick McCormick. This proposal comes to the Plan Commission for a conditional use permit to allow for the structure to be more than 800 sq. ft. (864 sq. ft.) City staff received no comments in regard to this proposal. If the Plan Commission were to approve the conditional use permit, there were two conditions the City Planner recommended. 1) The requirement of a building permit and compliance with all building codes. 2) The building must have a 5 foot setback off property lines.

Patrick McCormick stated that the building will be the same color as the house and have the same pitch of the roof. The building will be mainly for storage.

Chairperson Meyer opened the public hearing for public comment. There were no comments. Chairperson Meyer closed the public hearing.

Plan Commission Member Binnie noted that there were larger outbuildings on the neighboring property.

Moved by Henley and Coburn to approve the conditional use permit with the conditions of the City Planner. (See attached conditional use permit.) Ayes: Meyer, Parker, Henley, Dalee, Binnie, Coburn, Henry. No: None. Absent: Hartmann. Motion approved.

Public hearing for an amendment to the conditional use permit for the addition of a one bedroom unit and a studio unit to each building at 533 and 539 W. Caine Street for Jay Myers. City Planner Latisha Birkeland explained that in 2007, two 20 unit apartment buildings were approved. The first floor in each of the buildings has a weight room and a common room. 2009-2010 a third building was approved but did not come to fruition. The applicant would like to change the weight rooms into studio apartments and the common rooms into one-bedroom apartments for a total of 4 units, two in each building. The parking requirement is 3 stalls per each unit. The site plan was approved with additional stalls allowed for in green space on the north end of the site, so that if ever the spaces were needed, they could be installed. With the four additional units the property still has over 2.68 stalls per unit. Staff is not recommending the installation of the additional parking area. City Council is looking at the parking on Caine Street to allow parking on the south side of the street with no parking from 2 to 5 a.m. They approved the first reading of the ordinance. Birkeland wanted to make sure the provision for the additional parking area carried through for this proposal so if needed, the parking could be added. This property is located in an R-3 (Multifamily Residence) Zoning District. The proposal will require State Approved plans in order to go forward. The Building Inspector has reviewed the plans and has no issues with them. There will be no exterior alterations to the building. As an added note, the approval in 2007 provided that the signage could come to City staff as long as it was within the guidelines, not to exceed 32 sq. ft. in area and 6 feet in height. The signage does not need to be a part of this approval.

Plan Commission voiced concerns of: the sidewalk next to the sign on the site plan is not there on the building closest to Caine Street, and the sidewalk near the private drive has not been installed; the studio apartment window is very small; what is the percentage of students living in the Springbrook Apartments.

City Planner Birkeland stated that anything in the prior approval (2007) must be taken care of.

Matt Kuehl, representing the owner of Springbrook Apartments LLC., stated that Jay Myers is the successor owner. Whatever was required regarding the bike path and sidewalks, he will comply. The purpose for the additional units in each building is to fill the need for more studio and one-bedroom apartments. The weight room and activity room are better used as apartments. A new weight room will be installed in a part of the storage area.

Bob Freiermuth stated that three storage places will be lost. He explained that the three bedroom units have more storage space than is needed, so the three places will not be missed. There are bicycle racks in the garages which are locked and heated. Bicycles are not allowed in the apartments. Freiermuth explained that there is a formula for the window size to the room and they will comply with all requirements. The tenants are either upper classmen, grad students or just graduated and working in Whitewater.

Chairperson Meyer opened the public hearing to public comment. There were no comments. Chairperson Meyer closed the public hearing.

Bob Freiermuth stated that the four sidewalks coming off the side of the building are to a sliding door with screen access to apartments. These sidewalks would be a maintenance hazard. There is no reason to go that way. It is a secured building and tenants are directed to use the south side of the building. They plan to have the new apartments ready for occupancy next fall.

Moved by Henry and seconded by Coburn to approve the amendment to the conditional use permit with the conditions of the City Planner and the additional condition that the two prior approved sidewalks next to the sign and near the private drive be installed on or before occupancy. (See attached conditional use permit.) Ayes: Meyer, Parker, Henley, Dalee, Binnie, Coburn, Henry. No: None. Absent: Hartmann. Motion approved.

Public hearing for a conditional use permit for the conversion of a single family home into a duplex by the construction of an addition to the home located at 361 S. Scott Street for Whitewater Housing Services (R.L. Freiermuth). This item was removed from the agenda by the applicant on Friday, November 9, 2012 at 10:00 a.m.

Review plat for acquisition and dedication of street easements for Milwaukee and Newcomb Streets. City Planner Latisha Birkeland explained that this plat for acquisition and dedication of street easements for Milwaukee and Newcomb Streets is in preparation for a right of way expansion for the Department of Transportation project scheduled to be completed in 2017. These easements are required for the project. The City will have to hire a right of way agent to negotiate with property owners in order to gain these easements. Strand has reviewed the plat and recommends that the Plan Commission recommend to the City Council to approve.

Moved by Parker and seconded by Binnie to recommend the plat for acquisition and dedication of street easements for Milwaukee and Newcomb Streets to the City Council. Ayes: Meyer, Parker, Henley, Dalee, Binnie, Coburn, Henry. No: None. Absent: Hartmann. Motion approved.

Work Session for the review of the draft of the Chicken Ordinance. City Planner Latisha Birkeland went through the draft of the proposed chicken ordinance with the Plan Commission. Some of the items the Plan Commission considered were: to limit the properties allowed to have chickens to single and duplex properties; to discourage scatter feeding to deter other critters from feeding in the area (use feeders); disposing of waste (composting, garbage); permit requiring site plan and charging for permit (initial one time fee of \$10).

Ann Zarinnia noted that the reason for the initial fee is for the responsibility factor, especially if you have children involved. It makes good sense to have an initial fee. Mrs. Zarinnia also noted that if the chickens were regulated as pets and a conditional use was required, it could escalate to then require all pets to require the same.

Chairperson Meyer asked about the sale of excess eggs and how to make sure you got a good product.

Peter Underwood stated that it is against the law to sell eggs unless you are licensed by the State.

Plan Commission Member Parker asked if there was any type of notice required to be sent to surrounding neighbors.

City Attorney McDonell explained that if the Plan Commission made it a conditional use, then notices to property owners would officially be made. Plan Commission can make it a simple or involved application. This ordinance was made to be simple. The public hearing could change the direction of the ordinance. Then we would adjust the proposed ordinance.

Kristine Zaballos suggested the City consider making a page with information about having chickens such as: suggesting residents check with the neighbors; and to let them know they need a license from the State in order to sell eggs, etc.

Peter Underwood stated that he liked the ordinance. It was very comprehensive. If the ordinance is followed, the potential for nuisance is very small. He endorses the current draft of the ordinance with the additional comments from the Plan Commission. He feels it is a practical solution/ordinance which allows residents to have chickens, and is protective of other residents.

City Planner Birkeland and City Attorney McDonell will prepare the proposed ordinance for the public hearing.

Discussion of Site Plan Review. City Planner Latisha Birkeland put this item on the agenda to check in with the Plan Commission to make sure she is giving them the information they need to do their job.

Plan Commission Member Coburn stated that she feels that the Commissioners would like to see appropriate plans for landscaping. The Urban Forestry Committee members like to be aware of these plans also. She also requested information on approving, for example, a new driveway, and how to deal with permeable surfaces.

City Planner Birkeland indicated that all major landscaping plans are reviewed by City Forester Chuck Nass and the Urban Forestry Committee if needed. Coburn acknowledged.

Plan Commission Member Binnie asked when landscaping plans are required. City Planner Birkeland responded that they would be required if there are standards in the code for a particular project in a specific area.

Plan Commission Member Parker said he feels that the site plan and landscaping plans are critical to the Plan Commission and the Urban Forestry Committee. Sizes of trees over 4 inches in diameter and existing landscaping should be shown on plans.

City Attorney McDonell stated that the Plan Commission can have a training session on types of information in areas which the Plan Commission members would like to take a look at. Plan Commission can have an information session to talk about things.

Informational Items:

Update of Zoning Rewrite. City Planner Latisha Birkeland explained that staff had addressed the City Council at their last meeting. The Consultants proposed an agenda and adjustment to the schedule. The proposal was to have two work sessions, 3 hours long with a break at 1 1/2 hours. Items to be discussed would be guidelines and ways to streamline for commercial, industrial and manufacturing. Staff will also be meeting with Mitch Simon to go over individual challenges with the code, to bring up to the consultants. Then back to the zoning text changes. They want to make sure they hit the intent of what the project is about. The next Zoning Rewrite Committee meeting will be after January 1, 2013.

Possible Future Agenda Items. City Planner Birkeland stated that there were a few items for the December Plan Commission meeting: a certified survey map for a lot split at 727 E. Clay Street; 361 S. Scott Street for a conditional use permit for an addition to create more dwelling units; and possibly the public hearing for the chicken ordinance.

Next regular Plan Commission meeting – December 10, 2012.

Moved by Coburn and seconded by Henley to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 8:00 p.m.

Chairperson Greg Meyer



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

CONDITIONAL USE PERMIT

Plan Commission Meeting Date : November 12, 2012
Property Owner: Patrick A. McCormick Trust
Carol A. McCormick Trust
Applicant: Patrick McCormick
Property ID Number: /A1366 00001
Property Address: 555 E. Clay Street
Whitewater, WI 53190

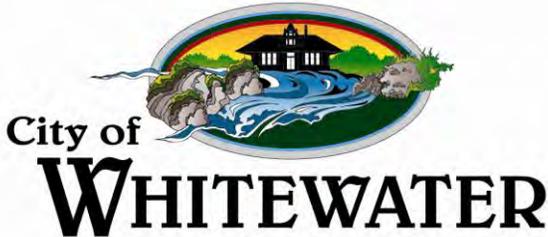
REGARDING: An approval for a conditional use permit (CUP) for the construction of an 864 sq. ft. detached garage to be located at 555 E. Clay Street. (This is 64 sq. ft. more than the maximum size (800 sq. ft.) allowed for a detached accessory structure.)

Approved subject to the following conditions:

1. The applicant shall apply for a building permit and comply with all required building codes.
2. The building must have a 5 foot setback off property lines.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Manager/ City Planner



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

CONDITIONAL USE PERMIT

Plan Commission Meeting Date: November 12, 2012
Property Owner: Springbrook Apartments LLC.
Applicant: Jay Myers
Property ID Number: /A4173 00001
Property Address: 533-539 W. Caine Street
Whitewater, WI 53190

REGARDING: An approval for a conditional use permit (CUP) for the addition of a one bedroom unit and a studio unit to each building at 533 and 539 W. Caine Street.

Approved subject to the following conditions:

1. The applicant shall comply with all required building codes. State approved plans must be received prior to the issuance of a building permit.
2. The two sidewalks (the north and south sidewalk closest to the private driveway and the east/west sidewalk off the east end of building A) are to be installed on or before occupancy of the new studio and 1 bedroom units. (Owner is no longer required to install the 4 sidewalks going to the north from Building A.)

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Manager/ City Planner

DRAFT



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

To: City of Whitewater Plan and Architectural Review Commission
From: Latisha Birkeland, Neighborhood Services Manager / City Planner
Date: 12/10/2012
Re: Certified Survey Map to divide an existing lot into two lots located at 727 E. Clay Street.

Summary of Request

Requested Approvals: Mr. Thomas Egnoski has applied to divide an existing lot located at 727 E. Clay Street into two lots.

Current Zoning: R-2 One and Two family Residential

Comprehensive Plan's Future Land Use Designation: R-2 One and Two Family Residential; Single-family detached dwellings are permitted uses in the R-2 Zoning District.

Future land use is Two-Family / Townhouse Residential and Working Environmental Corridor (WEC). WEC are lands in floodplain, wetlands, steep slope, and / or waterway buffer intended for family open space use.

Surrounding Zoning and Land Use: R- 2, vacant land on most of 727 E. Clay Street; the neighboring land use varies between single family residential and multifamily residential.

Description of Use

727 E. Clay Street – Lot 1

The original lot would be divided into two lots. The current single-family structure will remain with Lot 1. This lot complies with the City Code regarding size, frontage requirements, etc. for a single-family dwelling.

735 North Tratt Street - Lot 2

The newly created lot will be created from land from 727 E. Clay Street. The lot frontage is measured at 61.14 feet. The minimum frontage at the street line for all lots is 30 feet.

The minimum lot width in an R-2 Single and Two Family Residential Zoning District is 70 feet for all newly created lots.

“Lot width” means the horizontal distance between side lot lines as measured at the minimum front yard setback required in the zoning district in which the lot is located or through a recorded final plat or certified survey map (19.09.455). The minimum front yard setback for this zoning district is 25feet. This lot does not meet this standard.

The proposed CSM notes that the setback for a single family lot would be 91.7 feet, where the lot has a minimum width of 70'. This note also indicates that multi-family homes must be setback

144.6 feet from the property line since this is where the lot width is 100 feet. The Plan Commission may approve a CSM that identifies more restrictive building setback requirements as noted on the proposed CSM.

The wording of ‘multi-family’ should be changed to state “two-family or greater structure”. The reason for this is that the City Code defines multi-family as a dwelling having more than two attached dwelling units. Adding in two-family will include this possibility. One family structures are a permitted use in this zoning district. Two-family dwellings or a more intense use does require an approved Conditional Use Permit by the Plan Commission.

Lot 2 has two existing accessory structures located on it. Accessory uses and structures are permitted but not until their principle structure is present or under construction (19.06.080). The Plan Commission should discuss a timeframe for the applicant to remove the structures if a principle structure is not present or under construction.

The current driveway will continue to serve both lots until Lot 2 is sold. Lot 2 has a driveway coming off the current driveway for Lot 1. This driveway shall be built to City standards once a principle structure has been established. If one access will still be used for both properties once the other lot has been sold, then an easement between both property owners shall be recorded.

Recommendation on CSM

This CSM complies with all design standards and general provisions of the City Code Section 18.04.046, as long as the Plan Commission approves of the established building setbacks. I recommend that the Plan and Architectural Review Commission approve the Certified Survey Map with the following requirements:

1. The CSM shall be recorded prior to the issuance of a building permit for the principle structure for Lot 2 and within six months of the approval.
2. The shared driveway shall meet all City requirements (including paving) once a principle structure has been established on Lot 2. A shared access easement between the lots is required once Lot 2 is sold to a different owner. If a separate access is requested for Lot 2, the access shall require a permit and be built to City standards.
3. Two existing accessory structures on Lot 2 shall be completely removed by June 1st, 2013, unless a principle structure is present or under construction.



WALWORTH COUNTY, WISCONSIN

0 40 80 160 240 320 Feet
1 inch = 187 feet

Author:
 Map Produced on: 12/06/2012
 Wisconsin State Plane Coordinate System, South Zone
 Horizontal Datum: NAD27

Walworth County Information Technology Department
Land Information Division
 1800 County Trunk NN
 Elkhorn, Wisconsin 53121-1001

DISCLAIMER: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PRODUCED AND PROCESSED FROM SOURCES BELIEVED TO BE RELIABLE. NO WARRANTY, EXPRESS OR IMPLIED, IS MADE REGARDING ACCURACY, ADEQUACY, COMPLETENESS, QUALITY, RELIABILITY OR USEFULNESS OF THIS INFORMATION. THE INFORMATION CONTAINED HEREIN WILL NOT BE ACCEPTED AS AN OFFICIAL DOCUMENT.

City of Whitewater
Application for Plan Review

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: THOMAS A. EGNOSKI
 Applicant's Address: 727 E. CLAY ST. Phone # 262-749-0938

Owner of Site, according to current property tax records (as of the date of the application):
THOMAS A. EGNOSKI
 Street address of property: 727 E. CLAY ST.
 Legal Description (Name of Subdivision, Block and Lot or other Legal Description):
PROPOSED CSM

Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)

Name of Individual: MARK L. MIRITZ
 Name of Firm: LAND-MARK SURVEYING
 Office Address: N9330 KAUTESON DR., WHITEWATER Phone: 262-495-3284
 Name of Contractor:

Has either the applicant or the owner had any variances issued to them, on any property? YES NO
 If YES, please indicate the type of variance issued and indicate whether conditions have been complied with.

EXISTING AND PROPOSED USES:

Principal Use:	Current Land Use:
<u>RESIDENTIAL</u>	
Accessory or Secondary Uses:	
	Proposed Use
	<u>RESIDENTIAL</u>
No. of occupants proposed to be accommodated: <u>N/A</u>	
No. of employees: <u>N/A</u>	
Zoning District in which property is located: <u>R-2</u>	
Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located:	

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 official may require.

PLOT PLAN

When required by the building official, 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 the relation 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.

STANDARDS

STANDARD	APPLICANT'S EXPLANATION
A. The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;	N/A
B. The proposed development will be consistent with the adopted city master plan;	YES
C. The proposed development will be compatible with and preserve the important natural features of the site;	YES
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	WILL NOT

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p>WILL NOT</p>
<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p>N/A</p>
<p>G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	<p>No</p>
<p>H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	<p>N/A</p>

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):

 , the applicant/petitioner for

(Owner's Name): THOMAS A. EGNOSKI , dated: 11/5/12

Phone # 1-262-749-0938 , tax key #(s) 1HAS00075

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 11 day of Nov. , 2012

(Signature of Applicant/Petitioner)

(Printed Name of Applicant/Petitioner)

(Signature of Owner of Property & Date Signed)

THOMAS A. EGNOSKI (Printed Name of Owner of Property)

CONDITIONS

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved uses. Conditions can deal with the points listed below (Section 19.63.080). Be aware that there may be discussion at the Plan Commission in regard to placement of such conditions upon your property. You may wish to supply pertinent information.

"Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be required by the Plan and Architectural Review Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance.

"Plan Review" may be subject to time limits or requirements for periodic reviews where such requirements relate to review standards.

Thomas A. Egan
Applicant's Signature

11-1-12
Date

APPLICATION FEES:

Fee for Plan Review Application: \$100

Date Application Fee Received by City 11-1-12 Receipt No. 6.010191

Received by J. Wegner

TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:

Date notice sent to owners of record of opposite & abutting properties: - CSM - Agenda to Paper
Date set for public review before Plan & Architectural Review Board: 12-10-12

ACTION TAKEN:

Plan Review: _____ Granted _____ Not Granted by Plan & Architectural Review Commission.

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairman

Date

<u>Site Assessment Checklist for Subdivisions</u>		
(Plats and Certain CSMs)		
ITEM OF INFORMATION	YES	NO
I. Land Resources. Does the project site involve:		NO
A. Changes in relief and drainage patterns (Attach a topographical map showing, at a minimum, 2-foot contour intervals)		NO
B. A landform or topographical feature including perennial streams		NO
C. A floodplain (If "yes," attach 2 copies of the 100-year floodplain limits and the floodway limits)		YES
D. An area of soil instability—greater than 18 percent slope and/or organic soils, peats, or mucks at or near the surface as depicted in the applicable "County Soils Atlas"		NO
E. An area of bedrock within 6 ft. of the soil surface as depicted in the applicable "County Soils Atlas" or a more detailed source		NO
F. An area with groundwater table within 10 feet of the soil		NO

surface as described in the applicable "County Soils Atlas" or a more detailed source	i
G. An area with fractured bedrock within 10 feet of the soil surface as depicted in the applicable "County Soils Atlas"	NO
H. Prevention of future gravel extraction	NO
I. A drainageway with a tributary area of 5 or more acres	NO
J. Lot coverage of more than 50 percent impermeable surfaces	NO
K. Prime agricultural land as depicted in the applicable "County Soils Atlas" or adopted farm land reservation plans	NO
L. Wetlands as depicted on DNR wetland inventory maps or more detailed sources	YES MARKED BY SEWRPC AND LOCATED BY JAME K. LANGONE IN 2003. WETLANDS ARE BETWEEN WATERS EDGE AND 100 YEAR FLOOD PLAIN
M. Environmental corridors, as mapped by SEWRPC or more detailed sources	YES, AS SHOWN ON WALLWORTH CO. INTERACTIVE MAPPING
ii. Water Resources. Does the project involve:	NO
A. Location in an area traversed by a navigable	NO

stream, intermittent stream, or dry run	
B. Impact on the capacity of a stormwater storage system or flow of a waterway within 1 mile	NO
C. The use of septic tank(s) for on-site waste disposal	NO
D. Lowering of water table by pumping or drainage	NO
E. Raising of water table by altered drainage	NO
F. Lake or river frontage	YES
III. Biological Resources. Does the project involve:	
A. Critical habitat for plants and animals of community interest per DNR or SEWRPC inventory	NO
B. Endangered, unusual or rare animal or plant species per DNR or SEWRPC inventory	NO
C. Trees with a diameter of 6 or more inches at breast height	YES
D. Removal of over 30 percent of the present trees on the site	NO
IV. Human and Scientific Interest per State Historical Society Inventory. Does	NO

<p>this project site involve:</p>	
<p>A. An area of archeological interest</p>	<p>NO</p>
<p>B. An area of historical interest, including historic buildings or monuments</p>	<p>NO</p>
<p>V. Energy, Transportation and Communications.</p>	<p>NO</p>
<p>A. Would the development increase traffic flow on any arterial or collector street by more than 10 percent based upon the most recent traffic counts and trip generation rates provided by the Institute of Transportation Engineers (ITE)</p>	<p>NO</p>
<p>B. Is the land traversed by an existing or planned roadway corridor, as shown on the city's official map or comprehensive plan</p>	<p>NO</p>
<p>C. Is the land within a highway noise impacted area</p>	<p>NO</p>
<p>D. Is the land traversed by an existing or planned utility corridor (gas, electrical, water, sewer, storm, communications)</p>	<p>NO</p>
<p>VI. Population.</p>	
<p>A. Which public school service areas</p>	<p>E: Cap: M: <i>WHITEWATER</i></p>

(elementary, middle and high) are affected by the proposed development, and what is their current available capacity?	Cap: H: Cap:	
VII. Comments on any of the above which may have significant impact.		NO
VIII. Appendices and Supporting Material.		
(NOTE: All "yes" answers must be explained in detail by attaching maps and supportive documentation describing the impacts of the proposed development.)		

(NOTE: The plan commission may waive the filing of a site assessment checklist for subdivisions of less than 5 acres total area.)

(e) Site Assessment Report Requirements.

- (1) Determination of Need for Site Assessment Report. The plan commission may, for reasons stated in a written resolution setting forth specific questions on which it requires research, data and input from the developer and other affected persons, decide that the site assessment checklist raises unusually significant questions on the effects on the environment and/or that an unusually high level of citizen interest has resulted from questions raised in the site assessment checklist and that review by other city committees and commissions is required. The listing of questions can include items which this ordinance already enables the commission to obtain, or it may include additional information which is relevant to the questions from other governmental agencies or the public. The resolution shall set a reasonable date for the return of the requested data and information from the subdivider, and it may specify the format in which the data is to be presented.
- (2) Hearing on Site Assessment Report. Following the return to the plan commission of the data required in the resolution, the commission shall make such report available for scrutiny by all interested persons or agencies. The plan commission may schedule and hold a public hearing on the findings of the report. If scheduled, the hearing shall be preceded by a Class I notice under Chapter 985, Wisconsin Statutes. Persons attending such hearing shall be afforded an opportunity to comment on the report.
- (3) Review of Site Assessment Report. The plan commission shall review the site assessment report, with supporting data, department and committee reviews and any

CERTIFIED SURVEY MAP NO.

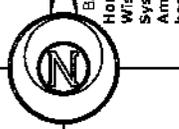
A CERTIFIED SURVEY MAP LOCATED IN THE PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWN 4 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

OWNER: THOMAS A. EGNOSKI
727 E. CLAY STREET
WHITEWATER, WI 53190

NOTE:

LOT 2 STREET YARD SETBACK FOR SINGLE FAMILY HOME IS 91.7' WHERE THE LOT HAS A MINIMUM WIDTH OF 70'.
LOT 2 STREET YARD SETBACK FOR MULTI-FAMILY HOME IS 144.6' WHERE THE LOT HAS A MINIMUM WIDTH OF 100'

BASIS FOR BEARINGS
Horizontal Datum is based on the Wisconsin State Plane Coordinate System Grid, South Zone, North American Datum of 1927, all bearings are referred to Grid North. The West line of the SW 1/4 of Section 3-4-15 was assumed to bear S 0°28'37" E



SCALE 1" = 150 FEET

reserved for Walworth County Register of Deeds

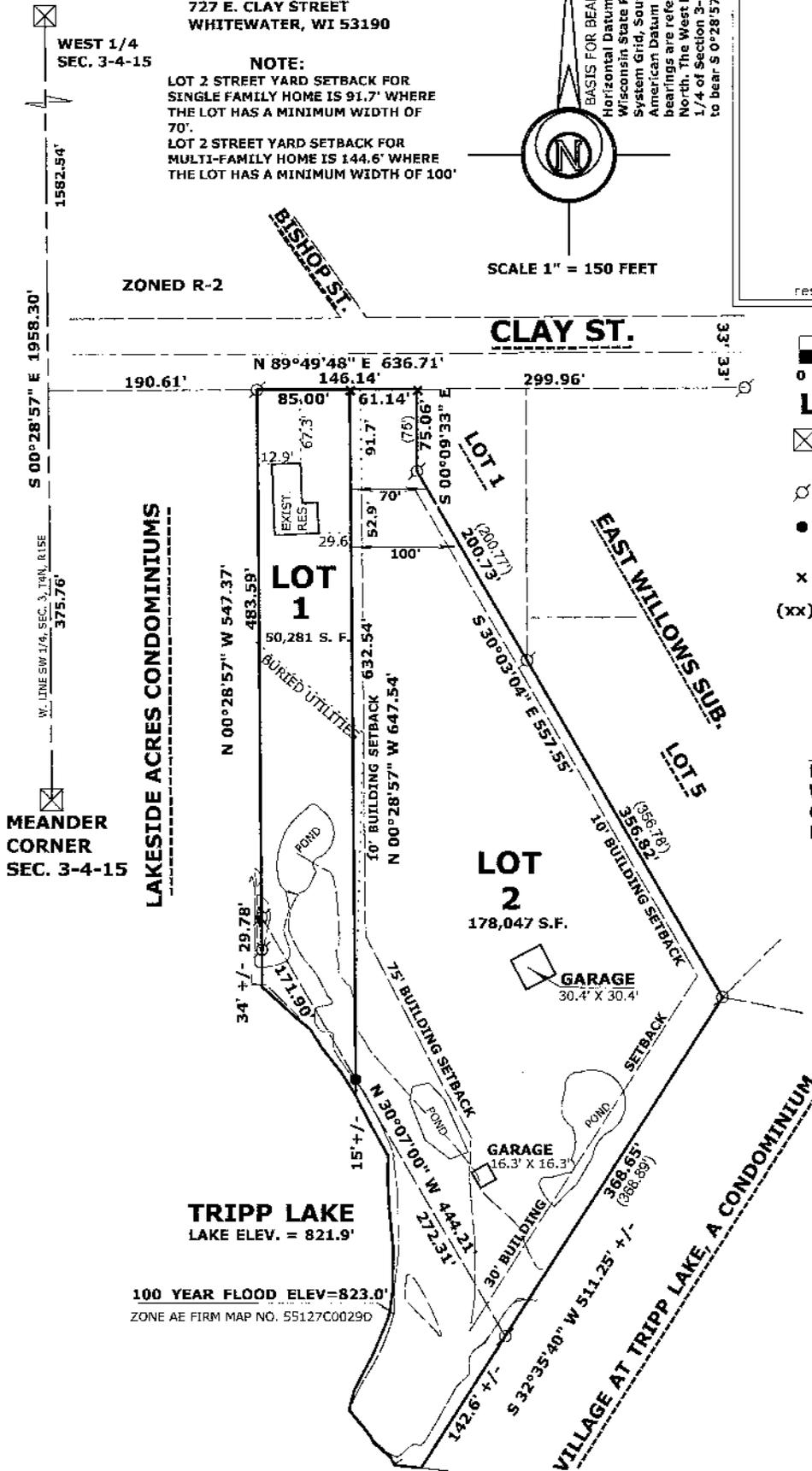
GRAPHIC SCALE IN FEET



Legend

- ☒ Found County Section Corner Concrete Mon. with Brass Cap
- ⊗ Found iron pipe 1 1/4" dia.
- Set 1 1/4" dia. iron pipe, 18' long weighing 1.13 lbs./ lin. ft.
- ✕ Set Cut Cross in Sidewalk
- (xx) Recorded Dimension

MARK L. MIRITZ
WI REGISTRATION NO. S-2582
OCTOBER 23, 2012
REVISED DEC. 4, 2012

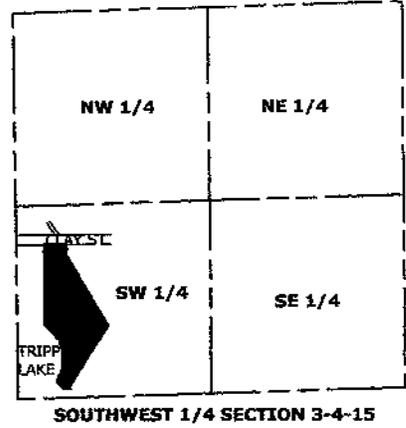


CERTIFIED SURVEY MAP NO. _____

VOL. _____ PAGES _____

A CERTIFIED SURVEY MAP LOCATED IN THE PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWN 4 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

LOCATION SKETCH



SURVEYOR'S CERTIFICATE:

I, MARK L. MIRITZ, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF THOMAS A. EGNOSKI, OWNER, 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 CHAPTER 236.34 OF THE WISCONSIN STATE STATUTES, AND THE LAND DIVISION ORDINANCE, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN. A CERTIFIED SURVEY MAP LOCATED IN THE PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, 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 3; THENCE S 0°28'57" E 1582.54 FEET ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF CLAY STREET; THENCE N 89°49'48" E ALONG SAID RIGHT-OF-WAY 190.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 89°49'48" E 146.14 FEET TO THE WESTERLY LINE OF EAST WILLOWS SUBDIVISION; THENCE S 00°09'33" E ALONG SAID WESTERLY LINE 75.07 FEET; THENCE S 30°03'04" E 557.55 FEET; THENCE S 32°35'40" W ALONG THE WESTERLY LINE OF THE VILLAGE AT TRIPP LAKE, A CONDOMINIUM, 368.65 FEET TO A FOUND IRON PIPE, A MEANDER CORNER; THENCE CONTINUE S 32°35'40" W 142.60 FEET MORE OR LESS TO THE SHORE OF TRIPP LAKE; THENCE NORTHERLY AND WESTERLY ALONG THE SHORE OF TRIPP LAKE 524 FEET MORE OR LESS TO A POINT THAT IS S 0°28'57" E 63.78' MORE OR LESS FROM A PIPE MARKING A MEANDER LINE, WHICH IS N 30°07'00" W 444.21 FEET FROM THE PREVIOUSLY MENTIONED MEANDER CORNER; THENCE N 0°28'57" W 63.78 FEET TO SAID MENADER CORNER; THENCE CONTINUE N 0°28'57" W 483.59 FEET TO THE POINT OF BEGINNING, AND CONTAINING 228,328 SQUARE FEET OR 5.242 ACRE(S) OF LAND, MORE OR LESS.

MARK L. MIRITZ
WI REGISTERED LAND SURVEYOR S-2582
OCTOBER 23, 2012

OWNER'S CERTIFICATE:

AS OWNER, THOMAS A. EGNOSKI, I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED HEREON.

THOMAS A. EGNOSKI

STATE OF WISCONSIN) SS
COUNTY OF WALWORTH)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 201_____
THE ABOVE NAMED THOMAS A. EGNOSKI, TO ME KNOWN TO BE THE PERSON
WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____, _____ COUNTY, WISCONSIN.
NOTARY PUBLIC
MY COMMISSION EXPIRES _____

CITY OF WHITEWATER APPROVAL:

RESOLVED, THAT THE CERTIFIED SURVEY MAP HEREON, THOMAS A. EGNOSKI, OWNER, IS HEREBY APPROVED BY THE CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW COMMISSION.

DATED THIS _____ DAY OF _____, 2012. _____
MICHELE SMITH, CITY CLERK

THIS INSTRUMENT DRAFTED BY MARK L. MIRITZ

SHEET 2 OF 2 SHEETS
PROJECT NO. 06.1204

N9330 KNUTESON DRIVE
WHITEWATER, WI 53190

LAND-MARK SURVEYING
www.Land-MarkSurveying.com

PHONE: (262) 495-3284
CELL: (262) 949-1239



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

To: City of Whitewater Plan and Architectural Review Commission
From: Latisha Birkeland, Neighborhood Services Manager / City Planner
Meeting Date: 11/12/2012
Re: Request a conditional use permit for the conversion of single family home into a duplex located at 361 S. Scott Street.

Summary of Request

Requested Approvals: The applicant, Land and Water Investments, is requesting a conditional use permit to convert an existing single family home into a duplex by adding an addition to the current structure.

Location: 361 S. Scott Street

Current Land Use: Single family home

Proposed Use: Two family home (duplex)

Current Zoning: R-3 Multi-Family Residential

Proposed Zoning: (no change proposed)

Comprehensive Plan's Future Land Use Designation: Central Area Neighborhood

Surrounding Zoning: North, South and East: R-3 Multi-Family Residential; West: R-2 One and Two family Residential

Surrounding Land Use: North, Southwest and West: Single family residential; East and Southeast: Multi-family residential

Description of Use

The applicant, Land and Water Investments, has applied for a conditional use permit (CUP) to convert a three bedroom, one bath single family home into a duplex. Conversions of existing structures resulting in more dwelling units require a CUP (19.21.030).

To convert this property into a duplex, the applicant would add on to the current structure. The proposal indicates that after the conversion each unit will have five (5) bedrooms and two (2) bathrooms.

In 1995 a different property owner applied for a conditional use permit to allow this single family home to turn into a duplex. At that time, it was denied. Please see the minutes.

This report will discuss the Scott Street concerns later on.

Building Dimensions and Yard Requirements

The existing single family home is 20 feet 10.5 inches from the front property line. The proposed addition will meet the current setback of 20 feet 10.5 inches. The R-3 Zoning District front yard setback is 30 feet. The Plan Commission may allow the applicant to decrease the setback requirement without a variance through the conditional use permit process.

According to City Code Section 19.06.180 – Average Street Yards:

A property owner may decrease the required street yard in any residential or business district to the average of the existing street yards of the adjacent structures on each side. Where the setback of existing adjacent structures is greater than setbacks required by this code, the setback for the intervening lot shall be determined by the average of the setback of the structures on each side. On corner lots, the required setback shall be determined by averaging the setback of the adjacent structure with the required setback of the district in which it is located. The setback of any structure may be increased or decreased by a conditional use permit if there are substantial reasons to vary from the requirements of the district.

The average front yard setback would be 27 feet 11.25 inches. This is determined using the neighboring structure and the setback of the district. This property is not technically a corner lot, but the next adjacent structure is a detached accessory garage for a property fronting another street. The adjacent detached accessory structure cannot be used, only a principle structure or an attached garage to a principal structure. All other setback requirements have been met.

The total lot square footage according to Walworth County is 18,730.8 square feet. The proposal has met and exceeded the minimum square footage of 12,000 square feet. The applicant has indicated the total square footage of the lot is 19,486. This should be verified on the final submitted building permit plans.

The maximum height for multi-family buildings in the R-3 Zoning Districts is 45 feet or four stories. The additional unit will match the height of the current structure and will be underneath the maximum height limitation. The color scheme will be a rustic red, with white trim on the porches, windows, and fascia. The roof will have gray shingles.

The open space requirement of 700 square feet (350 square feet x 2 units) has been met by the applicant.

Parking and Ingress / Egress

Duplex and Multi-family units that have three or more bedrooms are minimally required to have four (4) stalls for each dwelling unit. For two total dwelling units this project requires eight (8) parking stalls. The applicant has provided 10 total stalls to accommodate all 10 tenants. Parking lot expansions under 20 additional spaces are not required to install curbs. The proposed parking stalls meet the Zoning Code requirement for interior parking spaces to be eight and one-half feet wide and not less than 150 square feet.

While reviewing this proposal with Dean Fischer, Public Works Director, we visited Scott Street and took measurements. For discussion purposes, we will divide Scott Street into part A and part B. Please see attached map.

Part A- The right of way width of this portion is 41.25 feet. The pavement is 26 feet in width. This area restricts parking on the west (southbound) side, but does not restrict parking on the east (northbound) side. According to our review of this street, Mr. Fischer and I are not recommending restricting parking further on this side. Two cars driving in opposing directions can easily both pass

parked cars on the east side of the street. In comparison, Park Street is more limited than Scott Street in terms of width for cars to pass than in part A of Scott Street.

Part B – The right of way of this portion is 22 feet. The pavement is 19 feet in width. The area restricts parking on the west side; the east side should be restricted at the south end. This should have been restricted prior to now. Restricting the parking will need to be recommended to Council.

The proposed driveway width shall be no greater than 24 feet off Scott Street. Approving this driveway access, the Plan Commission should require the driveway in front of the current structure be removed. Installing a parking lot in the back of this property and creating this access, will require that all traffic entering Scott Street from this site be heading forward (nose first). No traffic from this site will be backing (reversing) onto Scott Street, creating a safer environment while adding more residents.

Landscaping

When a required off-street parking area for five or more vehicles is located within fifteen feet of any lot line or public right-of-way line in any district, a buffer yard or screen shall be required (City Code Section 19.51.070). The area surrounding the parking lot is greater than 10 feet, landscaping is required. For buffer yards 10 feet or less, screening such as fences may be used.

The buffer yard needs to meet the code requirements for every one hundred feet of buffer yard length (Section 19.57.140 A.2). There is a total of 170 feet surrounding the parking lot. The plan is slightly short of this requirement, but the Plan Commission can approve the plan, require additional plantings or substitute a different treatment if they would like.

Lighting on the rear side of the house is the only proposed change to the exterior lighting.

There is a sidewalk that stops in the middle of this property, then flows pedestrian traffic out to the street. Staff would typically request that the applicant extend the sidewalk the rest of the length of the property if one is already in place. However, there is a large tree along a future sidewalk line. In addition, the adjacent garage sits so close to the road that no future sidewalk would be able to fit in that area without adjusting the garage. Extending the sidewalk to the new addition and driveway access may be recommended by the Plan Commission, but would not be needed to the end of the property line.

Utilities, Grading and Drainage

In the past, there have been discussions regarding regional storm water retention in this area. Currently there is no formal application at the City to warrant this discussion further. The area disturbed by this project is less than an acre and will need to comply with all codes necessary for construction.

Utilities are available if the applicant would like to provide separate lines to the addition.

Recommendation on Conditional Use Permit

There were no public comments received by 12:00 PM on November 7th, 2012.

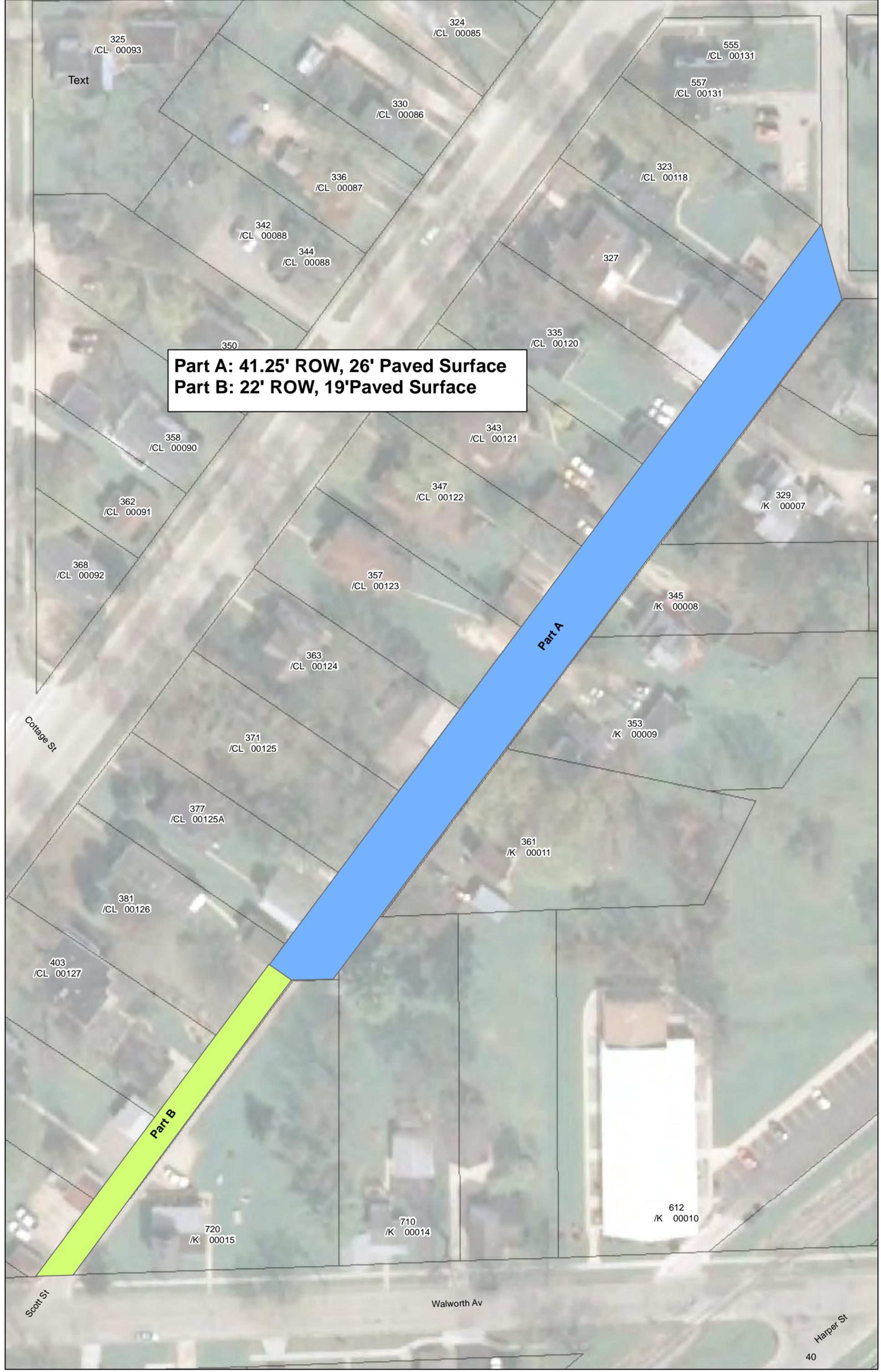
Staff review and general approvals have been given from Greg Noll, Building Inspector. Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the conditional use permit for Land and Water Investments to convert the single family home into a duplex located at 361 S. Scott Street subject to the following conditions:

1. All approved landscaping shall be installed no later than six months from date of Certificate of Occupancy.

2. The applicant shall comply with all required building codes.
3. Establish the parking lot in accordance with the submitted plans and City Code. Hard surface shall be required to be installed no later than August 1st, 2013.
4. The current driveway shall be removed once the new access has been established.

Analysis of Proposed Project

Standard	Evaluation	Comments
Conditional Use Permit Standards (see section 19.66.050 of zoning ordinance)		
The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of other property.	Yes	Buffers will be added to protect the neighbors from additional nuisances from this addition. The rear parking lot will create a safer entrance onto Scott Street than the current driveway.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	All items have been provided unless otherwise noted.
The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance [or through a variance].	Yes	A decreased front yard setback is allowed on an approved conditional use permit, if granted by the Plan Commission.
The conditional use conforms to the purpose and intent of the city master [comprehensive] plan.	Yes	The Comprehensive Plan identifies this site to be located in the Central Area Neighborhood. This area has a variety of housing types, including owner occupied and non-owner occupied. This site is currently zoned R-3 and is not restricted by the Comprehensive Plan for conversions / expansions, which is what the applicant is proposing.
The conditional use and structures are consistent with sound planning and zoning principles.	Yes	Project is consistent with the purpose, character and intent of higher density residential and the R-3 Zoning District. This design is suitable for the intent without significant compromises to the neighborhood.



325 /CL 00093

324 /CL 00085

555 /CL 00131

Text

330 /CL 00086

557 /CL 00131

336 /CL 00087

323 /CL 00118

342 /CL 00088

344 /CL 00088

327

350

335 /CL 00120

Part A: 41.25' ROW, 26' Paved Surface
Part B: 22' ROW, 19' Paved Surface

358 /CL 00090

343 /CL 00121

362 /CL 00091

347 /CL 00122

329 /K 00007

368 /CL 00092

357 /CL 00123

345 /K 00008

Part A

363 /CL 00124

353 /K 00009

Cottage St

371 /CL 00125

361 /K 00011

377 /CL 00125A

381 /CL 00126

403 /CL 00127

Part B

720 /K 00015

710 /K 00014

612 /K 00010

Scott St

Walworth Av

Harper St

4-11

PLAN AND ARCHITECTURAL REVIEW COMMISSION
Starin Park Community Building
November 13, 1995

ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION

The meeting was called to order by Chairperson Prue Negley.

PRESENT: Negley, Robers, Zeise, Henry, Zweifel, Rhodes, Hutchison.
ABSENT: Frawley, Coburn. OTHERS: Wallace McDonell/City Attorney,
Gary Boden\City Manager, Bruce Parker/Zoning Administrator, Wegner.

Moved by Robers and Henry to approve the minutes of October 23, 1995. Motion approved by unanimous voice vote.

The minutes of November 6, 1995 were not available for approval.

PROFESSIONAL HOME OFFICE AT 1037 SHAW COURT #25 This was a public hearing for the consideration of a conditional use permit application for a professional home office for computer consulting to be located at 1037 W. Shaw Court #25 (Seville Apartments) for Chengren Hu. Chairperson Negley opened the public hearing. Chengren Hu was present to answer any questions. The owner/partner of Seville Apartments, William Yellin, stated the partnership had no objections to the granting of the conditional use permit for a professional home office, provided that no customers or clients come to the apartment complex; any electrical equipment used in conjunction of the operation of their business will be used only in accordance with all applicable laws, codes, and ordinances; and the business activities will not require or involve any reconfiguration or defacing of the apartment unit. Moved by Henry and Rhodes to approve the conditional use permit for a professional home office to be located at 1037 W. Shaw Court #25 for Chengren Hu with the 3 conditions put on by Seville Apartments. Motion approved by unanimous roll call vote.

Y
CONVERSION OF R-3 SINGLE FAMILY RESIDENCES INTO A DUPLEXES AT 329 S. SCOTT STREET AND 361 S. SCOTT STREET Donna Henry excused herself from the Plan Commission to be able to participate as a property owner of the area. Chairperson Negley opened the public hearing for the consideration of a conditional use permit application for the conversion of R-3 single family residences into duplexes located at 329 S. Scott Street and 361 S. Scott Street for Richard Vultaggio. Richard Vultaggio, Kathleen Nelson (office manager) and Mitch Simon (attorney) were present to explain the project and answer any questions. A conditional use permit is required in order to convert a single family residence into more dwelling units. This is a student rental property. An addition to the existing dwelling is planned for both residences. The minimum number of parking stalls for duplex and multi-family properties is 4 stalls. The plan is for 9 stalls at each residence. The Plan Commission could increase the number of stalls required to 10 stalls (total number of occupants allowed). The

residence at 329 S. Scott Street is planned to have white siding and trim with green shutters. The residence at 361 S. Scott Street is planned to have creme colored siding and trim with autumn brown shingles and brown shutters.

Letters were received from Steven C. and Diane M. Davis (Exhibit I) and from John Craig Cobb (Exhibit II) expressing their opposition to the projects. Exhibit III is the plat map showing the perceived congestion of the area. Ed Fingard, Ed Swaggie (381 S. Janesville Street), Tom Hoffman and Connie Jackson Hoffman (363 S. Janesville St.), Donna Henry (347 S. Janesville St.), residents of the neighborhood, were present to voice their opposition and concerns. Their concerns include: Scott Street is a very narrow street; many Janesville Street properties have garages off Scott Street; mostly single families living in homes; 10 more students on these properties would mean 10 more cars, more congestion, parties, noise; not owner occupied, maintenance of the property (lawn not mowed etc.); quality of life, loss of peace and quiet; and residents living there now, chose the area for the family neighborhood.

Attorney Mitch Simon explained that this is an R-3 Zoning District which allows for multi-family development. The properties are already student rentals. He suggested that maybe there should be not parking on Scott Street or make it a one way street to help with the traffic problem. He also suggested that a condition could be placed on the conditional use permit to limit occupancy of 329 S. Scott to 8 and 361 S. Scott to 9.

Moved by Zeise and Robers to close the public hearing. Motion approved by unanimous voice vote.

The Plan Commission voiced their concerns of density; the R-3 zoning district does not need to be filled to maximum regulations; possibility of a family neighborhood disintegrating into student housing neighborhood (the need to preserve neighborhoods); affordable family housing is needed in Whitewater; the owner bought property as a developable R-3 property.

Moved by Hutchison and Robers to approve the conditional use permit for the conversion of an R-3 single family residence into a duplex located at 329 S. Scott Street for Richard Vultaggio and a parking space for each tenant in the building (if 10, will need to provide a second drive). Ayes: Hutchison, Robers. Noes: Zweifel, Rhodes, Negley. Abstain: Zeise. Motion denied.

Moved by Robers and Hutchison to approve the conditional use permit for the conversion of an R-3 single family residence into a duplex located at 361 S. Scott Street for Richard Vultaggio and a parking space for each tenant in the building (if 10, will need to provide a second drive). Ayes: Robers, Hutchison. Noes: Zeise, Zweifel, Rhodes, Negley. Motion denied.

Moved by Robers and Henry to adjourn. Motion approved by unanimous voice vote.

Respectfully submitted,

Jane E. Wegner

Jane E. Wegner
Secretary



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 10th day of December, 2012 at 6:00 p.m. to hold a public hearing for the consideration of conditional use permit for the conversion of a single family home into a duplex by the construction of an addition to the home located at 361 S. Scott Street for Whitewater Housing Services (R.L. Freiermuth).

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 5:00 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540

Latisha Birkeland, Neighborhood Services Manager/City Planner

LEONARD A KIENBAUM
358 S. JANESVILLE ST
WHITEWATER WI, 53190

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358 S. JANESVILLE ST
WHITEWATER WI, 53190

ANDREW P CHANNING
362 S. JANESVILLE ST
WHITEWATER WI, 53190

LEONARD KIENBAUM
358 S JANESVILLE ST
WHITEWATER WI, 53190

IVAN BOGIE
ELIZABETH BOGIE
W3410 CRESTWOOD
WHITEWATER WI, 53190

GERALD A WALLOCH
LINN WALLOCH
5101 TABOR RD
RACINE WI, 53402

J PHILLIP HENRY
DONNA B HENRY
347 S. JANESVILLE ST
WHITEWATER WI, 53190

GABRIELLE ALWIN
357 S JANESVILLE ST
WHITEWATER WI, 53190

THOMAS L HOFFMAN
363 S JANESVILLE ST
WHITEWATER WI, 53190

CHRISTOPHER A SPEAR
N6927 GREENLEAF COURT
ELKHORN WI, 53121

RITCHIE L MATTINGLY
377 S JANESVILLE ST
WHITEWATER WI, 53190

ROBERT C NORTON
CAROLE A NORTON
PO BOX 372
ONALASKA WI, 54650

MICHAEL A SCHILDT
MARY F SCHILDT
S89 W34853 EAGLE TERRACE DR
EAGLE WI, 53119

DORIS WUTKE TRUST
411 S JANESVILLE ST
WHITEWATER WI, 53190

JEFFREY S PETERSEN TRUST
LAUREL A PETERSEN TRUST
N9211 WOODDED CT
WHITEWATER WI, 53190

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

ARTHUR J GRAHAM
429 S WHITON ST
WHITEWATER WI, 53190

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

RANDALL A CARNES
DARLENE F CARNES
345 S. SCOTT ST
WHITEWATER WI, 53190-3000

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

WALWORTH AVENUE APARTMENTS
INC.
530 SOUTH JANESVILLE ST
WHITEWATER WI, 53190

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

RONALD B WALENTON
REBECCA R SMALE
704 W. WALWORTH AVE
WHITEWATER WI, 53190

MICHAEL RILEY
KATHLEEN RILEY
710 W. WALWORTH AVE
WHITEWATER WI, 53190-3600

CARL J WOLF
JONNA L WOLF
N 431 TWINKLING STAR RD
WHITEWATER WI, 53190

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

STATE OF WISCONSIN
DEPT OF TRANSPORTATION
MADISON WI, 53702



Neighborhood Services Department
Planning, Zoning, GIS, Code Enforcement
and Building Inspections

www.whitewater-wi.gov
(262) 473-0143

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 361 SCOTT ST
Owner's Name: Whitewater Housing Services
Applicant's Name: F.L. Freiermuth
Mailing Address: PO Box 676
Phone #: 941-286-8330 Email: Bob@WPM Housing
Legal Description (Name of Subdivisor, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: 3 Bed 1 Bath Single Family
Zoning District: R-3
Proposed Use: Duplex Townhome 5 Bed 2 Bath Each Side

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.

Conditions

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. "Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be affected. "Conditional Uses" may be subject to time limits or requirements for periodic review by staff.

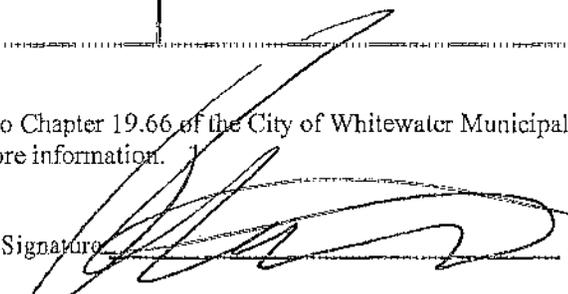
STANDARDS FOR REVIEW AND APPROVAL

The Plan and Architectural Commission shall use the following standards when reviewing applications for conditional uses. The applicant is required to fill out the following items and explain how the proposed conditional use will meet the standard for approval.

STANDARD	APPLICANT'S EXPLANATION
A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property.	<i>Correct</i>
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	<i>Correct</i>
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	<i>Correct</i>
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	<i>Correct</i>

**Refer to Chapter 19.66 of the City of Whitewater Municipal Code, entitled CONDITIONAL USES, for more information.

Applicant's Signature



Date: *10-15-12*

Printed:

R. L. Freiermuth

NARRATIVE

CONDITIONAL USE PERMIT

361 SOUTH SCOTT EXPANSION PROJECT

The proposed project involves the property located at 361 South Scott Street. This property has historically been a three bedroom house located on a 19,486 square foot lot, with 142 feet of street frontage. This is an older property that is in need of various interior and exterior improvements. Our intent with this project is to convert the structure to a new, modern townhouse style duplex that improves the overall appearance of the neighborhood.

The plan will be to renovate the existing structure that will allow for an improved floor plan that converts the existing three bedroom, one bath floor plan to a five bedroom, two bath floor plan; and then convert the property to a duplex by constructing an identical, townhouse style addition on the south side of the existing structure. To give the exterior character, the existing front patio will be extended across the entire front of the property, and the property will be refaced with newer, modern siding. The color scheme will be a rustic red, with white trim on the porches, windows, and fascia. The roof will have gray shingles.

The landscape plan is depicted in the drawing(s) included with this narrative. Our primary intent is to include landscaping that compliments the improved design of the building by providing a picturesque lot, with sufficient green and open space, while allowing the building to remain the center of attention.

The parking plan is also depicted in the drawings. The existing garage and driveway will be removed and a new drive will be constructed that leads to a new ten space parking lot in the rear of the property. The primary purpose of this parking configuration is to remove cars from the front of the building, as well as the need to be backing out of the driveway.

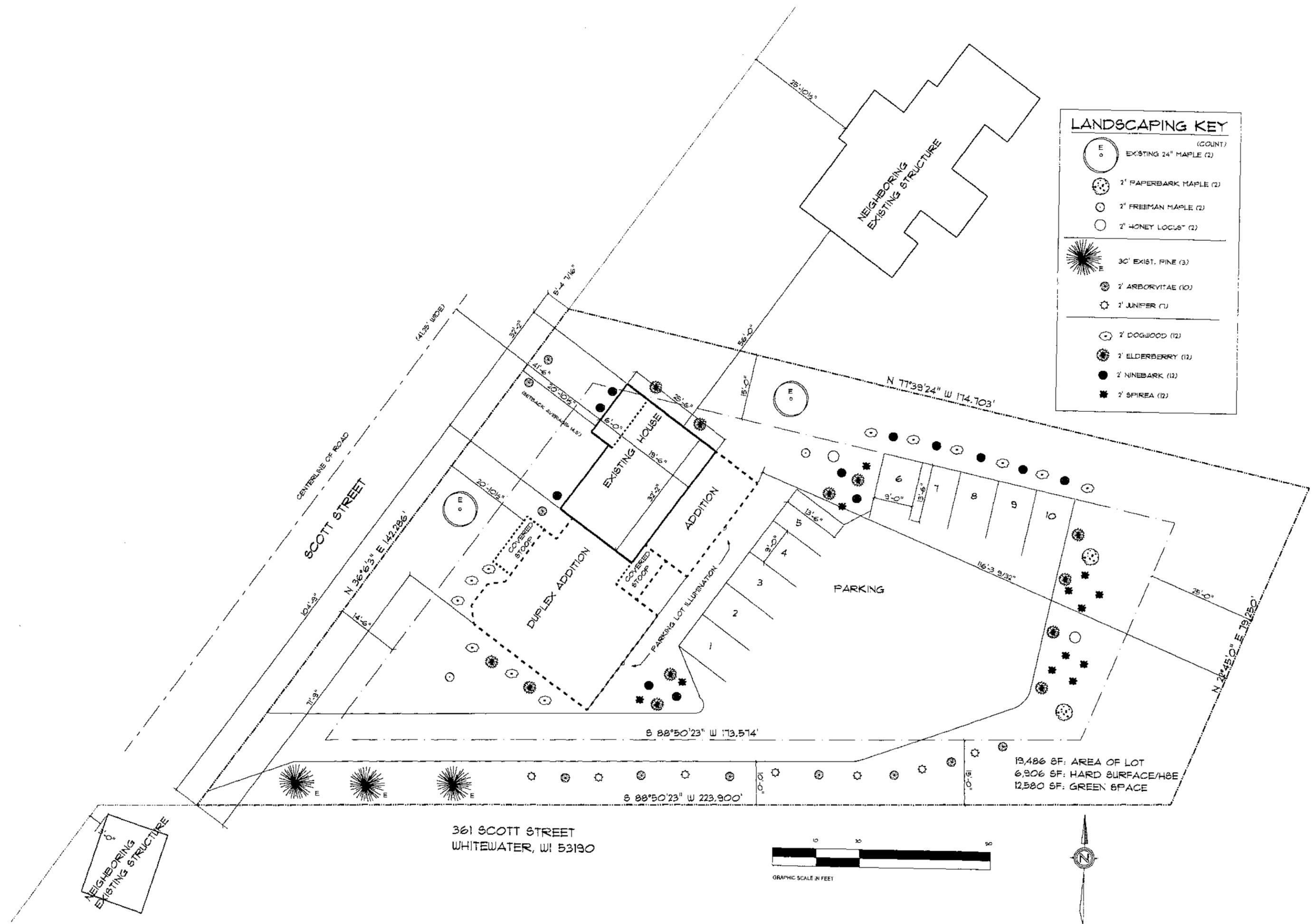
The purpose of this project is to be another step in the process of modernizing and improving the character of the current housing in this neighborhood.



REAR ELEVATION

LANDSCAPING KEY

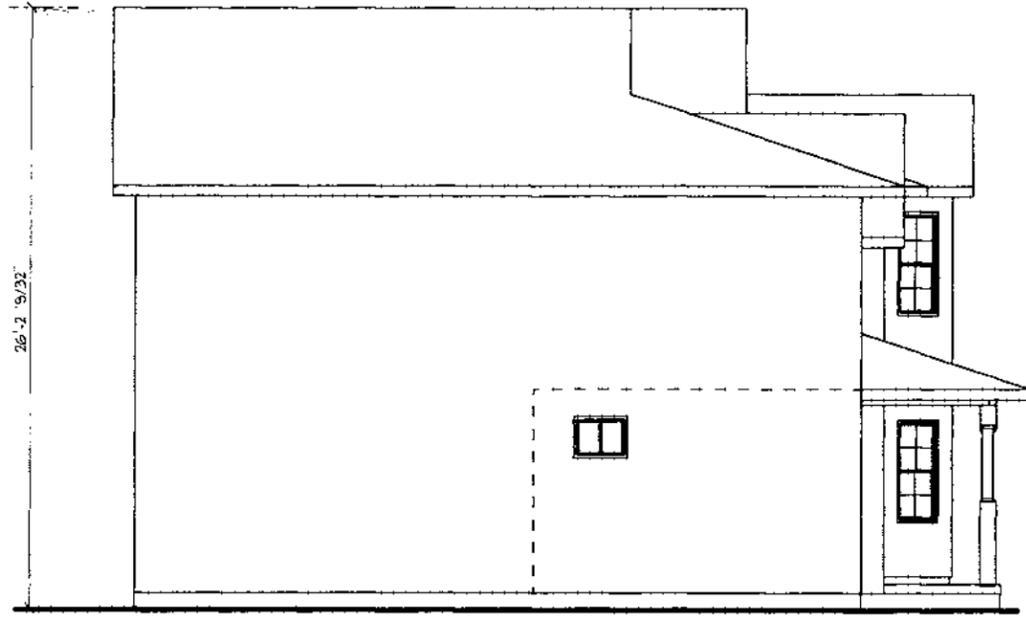
(COUNT)	
(2)	EXISTING 24" MAPLE
(2)	2' PAPERBARK MAPLE
(2)	2' FREEMAN MAPLE
(2)	2' HONEY LOCUST
(3)	30' EXIST. PINE
(10)	2' ARBORVITAE
(1)	2' JUNIFER
(12)	2' DOGWOOD
(12)	2' ELDERBERRY
(12)	2' NINEBARK
(12)	2' SPIREA



19,486 SF: AREA OF LOT
 6,906 SF: HARD SURFACE/HSE
 12,580 SF: GREEN SPACE

361 SCOTT STREET
 WHITEWATER, WI 53190





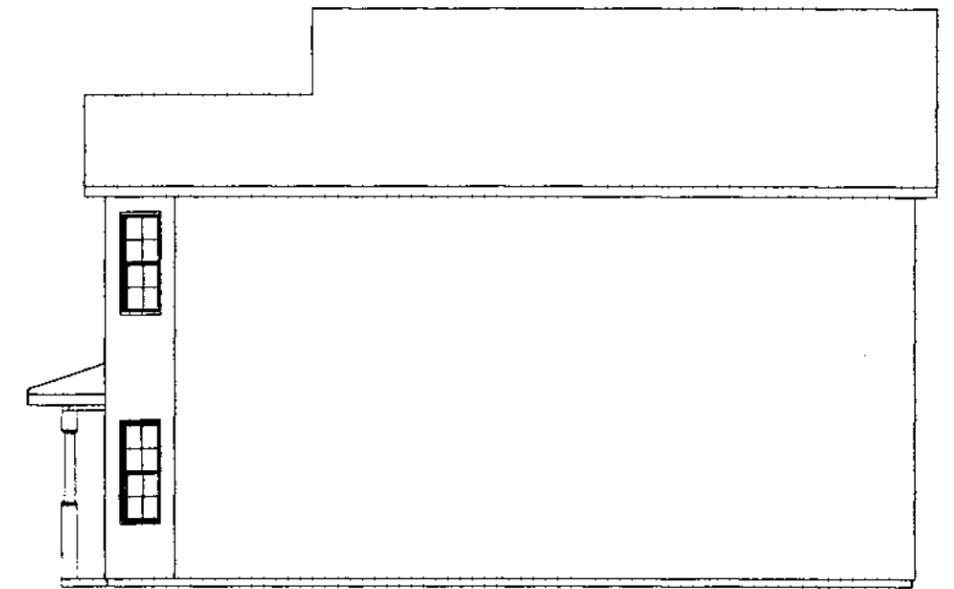
LEFT ELEVATION



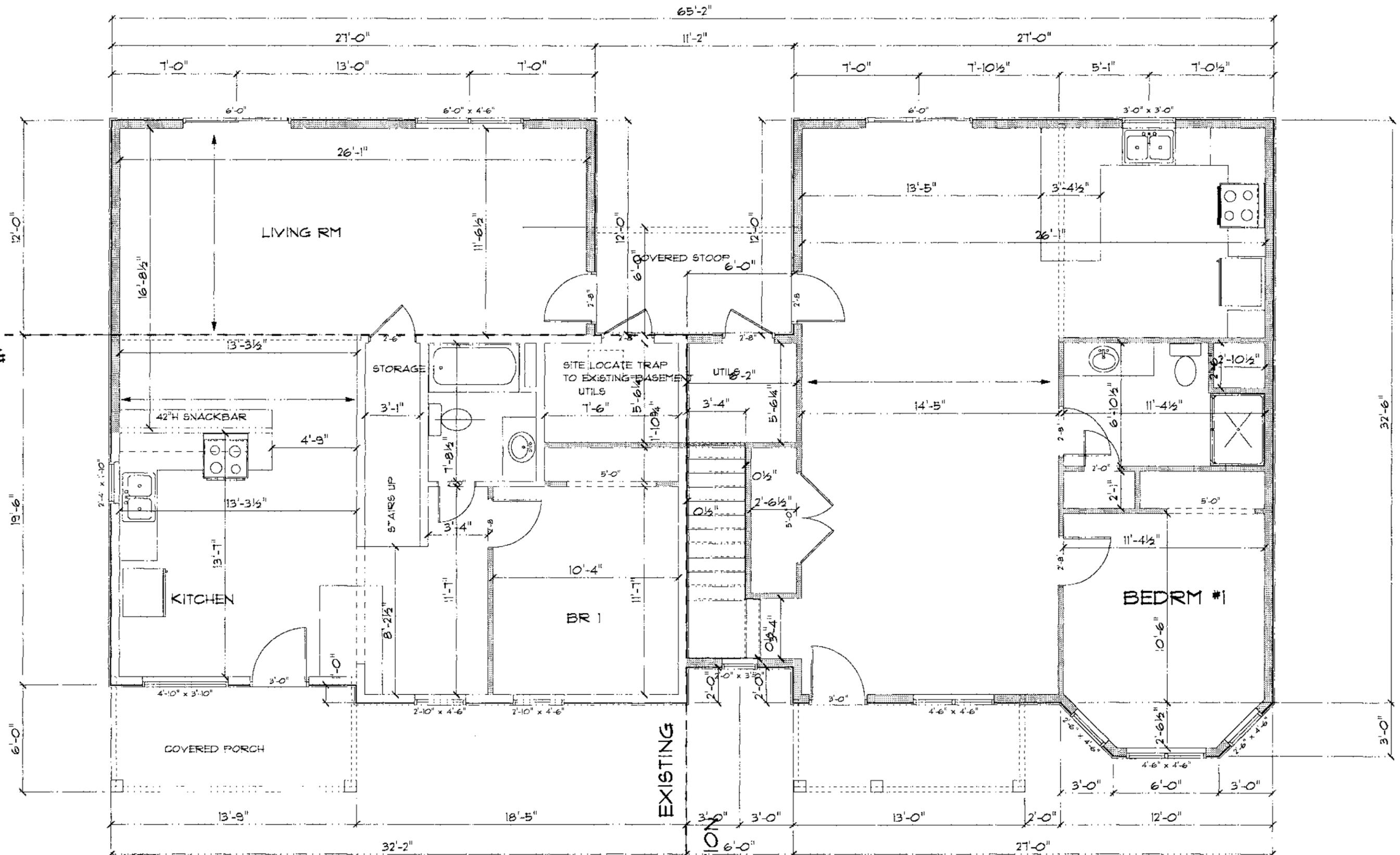
FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



ADDITION
EXISTING

EXISTING

ADDITION

AREAS:
1ST FLOOR EXISTING= 646 SF
NEW 1ST FLOOR= 324

2ND FLOOR EXISTING= 311 SF
NEW 2ND FLOOR= 596

TOTAL= 1943 SF

AREAS:
1ST FLOOR= 1016 SF
2ND FLOOR= 1016 SF
TOTAL= 2032 SF

FIRST FLOOR ADDITION











Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

To: City of Whitewater Plan and Architectural Review Commission
From: Latisha Birkeland, Neighborhood Services Manager / City Planner
Meeting Date: 12/10/2012
Re: Public Hearing – Proposed Backyard Chicken Ordinance

Background

A complaint came into the Neighborhood Services Department regarding chickens being housed in a residential area. Staff verified that Mr. Peter Underwood did have chickens on his property and sent a letter asking for the removal of the chickens. Livestock and poultry raising (except for commercial operations) are allowed in the Agriculture Transition Zoning District; not allowed in residential districts.

Mr. Peter Underwood applied for an ordinance amendment to allow a small amount of chickens in the back yard of residential properties. The Plan Commission reviewed this application at their meeting on October 8th, 2012. Mr. Underwood supplied reading materials of poultry in urban areas, ordinance research from other communities and a proposed ordinance for the Plan Commissioners to consider. Comments were heard from the public and the Plan Commission directed staff to work with the applicant to provide a first draft for the Plan Commission to review.

The Plan Commission reviewed the first draft of the Backyard Chicken ordinance at their meeting on November 12th, 2012. At this time, the applicant provided information to address the disease concerns by chickens being located in residential areas. The Plan Commission again heard from the public regarding this proposed ordinance change. Changes to the draft were discussed at this workshop and staff was directed to make changes and bring this draft ordinance to a public hearing.

Attached is the updated proposed Backyard Chicken Ordinance. We have also included information received by the applicant after the last meeting.

The items below were discussed at length at the last meeting. The Plan Commission may want to discuss these changes specifically when reviewing the proposed ordinance:

- 1) Section 1 A. 11) Sale of Eggs
- 2) Section 1 B. 3) ii. Application fee
- 3) Section 1 B. 5) Chickens may only be kept on single-family unit lots.

The Plan Commission shall make a recommendation to the Common Council.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan and Architectural Review Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider a change of the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Title 9, specifically to create Section 9.06.015 Backyard Chicken Ordinance, to allow for a permitted use in Title 19 (Zoning Ordinance) for the keeping of a small number of backyard chickens in Whitewater residential zoning districts (R-1, R-1X, R-2, R-3 and R-4).

The proposed ordinance changes are on file in the office of the City Clerk and the document is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 5:00 p.m.

NOTICE IS FURTHER GIVEN that the Plan and Architectural Review Commission of the City of Whitewater will hold a public hearing at the Municipal Building Community Room in said City, on Monday, December 10, 2012, at 6:00 p.m. to hear any person requesting to comment. Comments may also be filed in writing.

Dated: November 19, 2012

Publish: November 22, 2012 and November 29, 2012 (two times)
in the Whitewater Register

Michele Smith, City Clerk

ORDINANCE NO. _____
ORDINANCE CREATING SECTION 9.06.015
ENTITLED BACKYARD CHICKEN ORDINANCE

11/20/12 10:30 a.m. draft

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, does hereby ordain as follows:

Section 1. Whitewater Municipal Code Section 9.06.015 is hereby created to read as follows:

(a) Purpose. The following regulations will govern the keeping of chickens in residential zoning districts and are designed to prevent nuisances and prevent conditions that are unsanitary or unsafe. No person shall keep chickens unless the following regulations are followed:

(1) Number. No more than six (6) hens shall be allowed for each dwelling unit.

(2) Setbacks. Coops or cages housing chickens shall be kept at least twenty-five (25) feet from the door or window of any dwelling or occupied structure other than the owner's dwelling. Coops and cages shall not be located within five (5) feet of a side-yard or rear-yard lot line. Coops and cages shall not be located in the front yard.

(3) Enclosure. Hens shall be provided with a covered, predator-proof coop or cage that is well-ventilated and designed to be easily accessed for cleaning. The coop shall allow at least two square feet per hen. Hens shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the property and to prevent predators from access to the birds. Hens shall not be allowed out of these enclosures unless a responsible individual, over 18 years of age, is directly monitoring the hens and able to immediately return the hens to the cage or coop if necessary.

(4) Sanitation. The coop and outdoor enclosure must be kept in a sanitary condition and free from offensive odors. The coop and outdoor enclosure must be cleaned on a regular basis to prevent the accumulation of waste.

(5) Slaughtering. There shall be no slaughtering of chickens.

(6) Roosters. It is unlawful for any person to keep roosters.

(7) The owner shall abide by all state laws and regulations for livestock premises registration, including applicable sections of Wisconsin Statute 95.51, and Wisconsin Administrative Code Chapter ATCP 17 and any applicable amendments thereto. Applicant shall also follow state law regarding import, purchase and sales of live poultry as set forth in ATCP 10.40 and ATCP 10.42 of the Wisconsin Administrative Code and any applicable amendments thereto.

(8) There shall be no breeding or hatching of chickens.

(9) Any poultry feed shall be stored so as to keep out rodents. The owner shall practice proper poultry waste disposal in order to avoid odors. Waste composting on the premises shall be allowed as long as it does not create odors or other nuisances for neighboring properties.

(10) Scatter feeding of chickens is prohibited; feeding shall be confined to a single area.

(11) The sale of eggs is prohibited.

(b) Permit. A permit shall be required to keep chickens in the City of Whitewater. An application for a permit must contain the following items:

(1) The name, phone number, and address of the applicant.

(2) The location of the subject property.

(3) A proposal containing the following information.

i. A description of any coops, cages or outdoor enclosures, providing dimensions and the precise location (if fixed) of these enclosures in relation to property lines and adjacent properties. If applicant proposes to use a mobile coup and/or a chicken run, the dimensions of the structure(s) shall be provided and the area of requested allowed placement areas shall be provided.

ii. The application fee charge for the permit shall be \$10.00. There shall be no charge for renewal of the permit.

(4) If the applicant proposes to keep chickens in the yard of a rented dwelling, the applicant must present a signed statement from the owner of the dwelling consenting to the applicant's proposal for keeping chickens on the premises.

(5) Chickens may only be kept on single-family unit lots. Chickens may not be kept on two-family or multiple-family lots.

(c) Permit Renewal. Permits will be granted on an annual basis (unless this Chicken Ordinance is repealed). If the permittee follows the terms of the ordinance, the permit will be presumptively renewed (unless this Chicken Ordinance is repealed) and the applicant may continue to keep chickens under the terms and conditions of the initial permit. The City Neighborhood Services Director may refuse to renew or may revoke the permit at any time, (after giving the permittee 15 days notice of the basis for the revocation or nonrenewal and an opportunity to be heard on the issue) if the permittee does not follow the terms of this ordinance, or if the Neighborhood Services Director

finds that the permit holder has not maintained the chickens, coops, or outdoor enclosures in a clean and sanitary condition.

If the Chicken Ordinance is repealed, no party shall have the right to keep chickens based on a nonconforming use status obtained under this ordinance.

(d) Penalty. Any person who violates any of the provisions of this chapter shall, upon conviction thereof, be subject to a penalty of not less than fifty dollars or more than one hundred dollars for the first offense; and for the second offense within year, shall be subject to a penalty of not less than one hundred dollars or more than two hundred dollars; and for a third and subsequent offenses within one year not less than two hundred dollars or more than three hundred dollars, together with the costs of prosecution.

Ordinance introduced by Council member _____, who moved its adoption. Seconded by Council member _____.

AYES:

NOES:

Cameron Clapper, City Manager

ABSENT:

ADOPTED:

Michele R. Smith, City Clerk

Latisha Birkeland

From: Peter Underwood [peter@jrsweb.com]
Sent: Tuesday, November 13, 2012 4:28 PM
To: Latisha Birkeland; Wallace McDone;l
Cc: kristine@zaballos.com; Lynn Binnie; 'Mary Jarosz'
Subject: backyard chicken ordinance
Attachments: AH-LP-100-Premises-registration-form-2012.pdf

Hi Latisha/Wally,

A couple items relating to last night's Plan Commission meeting and the backyard chicken ordinance (and I guess if I was to give the ordinance a name I would call it a "Backyard Chicken Ordinance" as that seems to be common verbiage).

1. I need to correct myself on the egg selling issue. When I got home I checked 1 of my Cooperative Extension documents and it turns out that the following information is available:

"no license is required to sell table eggs directly from the farm (the consumer comes to your farm to buy the eggs). These eggs can be sold only to the consumer of the eggs"

If you want to sell eggs at Farmer's markets or wholesale, then you need a license. I guess I should have known this because typically there are minimal regulations on selling even food items when you sell directly to a consumer from a farm stand or things such as this.

I clarified this with Ron Kean today, the poultry scientist at the State Cooperative Extension, and he commented on the sale of eggs from a backyard flock as follows:

"I don't know that it would be necessary to eliminate egg sales. As you mentioned, the state doesn't have a problem with it. I guess there is a slight risk of Salmonella being transmitted through the eggs. Any flock with less than 3000 hens would have the same risk. (Flocks larger than 3000 are required to do periodic environmental testing for Salmonella, under federal rules.) Other than Salmonella, I don't know of any disease issues that would be a concern from this. I suppose allowing sales might encourage some to push the limit and have more hens, but I guess that would be an enforcement issue."

While I respect Dr. Molina's position, I don't see where Whitewater should be promulgating food safety rules beyond that which the State already addresses. As a side note, there are regular outbreaks of salmonella even from eggs from the huge factory egg farms. The Center for Disease control doesn't even report many of these outbreaks even though Salmonella is a reportable disease because they expect a rather large background number of egg/Salmonella cases every year (that is one of the reasons why there are those "don't eat undercooked foods" comments on all restaurant menu's – it is also why one shouldn't eat raw cookie dough ☹).

No one is going to get rich off of selling eggs from a small flock of chickens. I pay a whopping \$2.50 per dozen for my free-range chicken eggs I buy directly from a farm, and a flock of 6 chickens could at the most produce about 3 dozen eggs a week (in a good week when no one is molting and everyone is producing – a rare thing). So the most I could make is \$7.50 a week if I didn't keep any eggs for myself. Even if I push my flock to an illegal 8 chickens I am only going to get another dozen a week at most (another whopping \$2.50).

That being said, Christian Zaballos might like picking up \$5 a week from selling some of his chicken eggs to a neighbor.

2. In regards to chicken waste. I also checked with Ron Kean regarding any problems with putting chicken waste in with regular garbage. I couldn't see how it would be a public health issue – although it would be a sad waste of one of the best fertilizers around. His comments were as follows:

"You might check on any ordinances for disposal of other animal wastes. I think Madison has an obscure law that doesn't allow cat feces in the garbage. It's never enforced that I know of, but I think it's there. Assuming you don't have anything like that in Whitewater, then I don't see any problem with allowing chicken manure"

in the garbage. As you said, it should be bagged so it wouldn't be spilled or bother the sanitation workers, but I don't know of any other problems."

I am not aware of any Whitewater ordinances that prohibits putting dog or cat waste in garbage containers, so if the chicken waste is not composted, one option is to bag it and put it in the garbage.

I would think since we have a section on composting waste in the draft ordinance that we could simply add wording that if chicken waste is thrown out, it could be bagged prior to putting in rubbish containers or something to that effect.

3. In regards to Kristine Zaballos comments regarding having a handout that would go to all backyard chicken permit applicants, I would be willing to draft a 1 page (double sided) document that would contain best practices information for chicken owners. This would include the specific requirements of the ordinance for Whitewater, hand / cooking hygiene information, coop information, and other tidbits that would be useful to avoid nuisance of chickens. Ron Kean, the Extension Poultry Scientist said he would review any document I produced and that I could use information from his Urban Poultry publication and the Extension document "Guide to Raising Healthy Chickens".
4. On a similar note, Wisconsin State Statutes require owners of poultry or any livestock to register their premises with the State. This is included in our current draft ordinance. I would propose that the City also include the registration form with the permit application. I have attached that form for your files.

It is actually much easier to fill out the online registration form, or the organization that does this also will just take registrations over the phone, so it is an easy process. I have already registered my chickens in the past even though I understand I may not be able to keep them if the ordinance does not pass. It is nice because then you are also notified by the state of any disease outbreaks.

5. On the permit fee notion. First I will comment that I am not entirely against this as I understand the interest in equity with dog licenses and such. But, I do wonder if it isn't more of a burden on City Staff than it is worth. I do not suspect that we will have an outpouring of backyard chicken owners if this ordinance passes. In Madison, after 5 years of having the ordinance (passed in 2004), they only had 62 permit holders. If we equate this to the population of Whitewater, in the first 5 years we would only have 4 or 5 permit holders. I guess I could see where maybe we would get as many as 10 or more backyard chicken owners, but I am just wondering if collecting even \$100 a year is worth the city staff time in collecting it.

I do see that it provides another level of commitment for the prospective backyard chicken owner, and I don't see that as a bad thing, but I do wonder whether this should be a consideration in regards to annual versus initial application fees. An initial application fee is less of a burden for city and chicken owners because you have to submit the site plan anyway.

6. I am wondering if placement of the ordinance might be best under the "Livestock" section. That is what is recommended by the Environment Law Reporter article and I have to say that when I was doing research on ordinances I would usually find it in the "livestock" section of a city's municipal code (and that is the reason: ELR suggests putting it there because that is where people first look).

Even I like to call my chickens "pets" because they are my pets, but as Wally has appropriately noted, they fit under a traditional definition of livestock.

In the end, placement probably doesn't matter because it is so easy to search municipal codes online these days
☺ - Thank goodness!!

OK, if I write anymore in this email I will have to publish it as a book, so better sign off for now.

Thanks,

Peter
262-893-7742

Peter Underwood
262-893-7742



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Livestock Premises Registration (c/o WLIC)
 135 Enterprise Dr., Ste. ID
 Verona, WI 53593-0202
 Fax: 608-848-4702

If Registered Enter	
Acct #	<input type="text"/>
Premises Code	<input type="text"/>

Livestock Premises Registry Application

(S. 95.51, Wis. Stats. and ch. ATCP 17, Wis. Adm. Code)

Please return completed form to the address listed above.

A. Registrant information If registrant is a business, provide the legal name of that business.

Name of individual (first name, middle initial, last name) * OR legal name of business (or other legal entity) *		Registrant phone* ()	
All trade or other names*, if any (d/b/a or "doing business as")		County*	
Mailing address*	City/Village/Town*	State*	Zip code*
Registrant type: check one			
<input type="checkbox"/> Individual (includes a pet owner or 'hobby farm')	<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Cooperative
<input type="checkbox"/> State or local government entity	<input type="checkbox"/> Tribal entity	<input type="checkbox"/> Trust	<input type="checkbox"/> Estate
		<input type="checkbox"/> Limited Liability Company (LLC)	<input type="checkbox"/> Limited Liability Partnership (LLP)

B. Contact information List the name of the Primary Contact for the premises. 'Primary contact' is the individual who best knows about livestock movement on and off or between the premises locations being registered and can be contacted if there is an animal disease emergency. Check applicable box for each phone number type. If contact does not have a phone number, see instruction sheet.

Primary contact name and phone number * - Fill in below.

First Name	Middle Initial	Last Name
Primary contact phone <input type="checkbox"/> Home <input type="checkbox"/> Business <input type="checkbox"/> Cell <input type="checkbox"/> Pager	Backup Phone <input type="checkbox"/> Home <input type="checkbox"/> Business <input type="checkbox"/> Cell <input type="checkbox"/> Pager	
()		

Alternate contact name and phone number - Fill in below (OPTIONAL).

First Name	Middle Initial	Last Name
Alternate contact phone <input type="checkbox"/> Home <input type="checkbox"/> Business <input type="checkbox"/> Cell <input type="checkbox"/> Pager	Backup Phone <input type="checkbox"/> Home <input type="checkbox"/> Business <input type="checkbox"/> Cell <input type="checkbox"/> Pager	
()		

C. Address of primary premises location* If the primary location does not have an address, see instruction sheet.

Description of location (Examples: "milking barn" or "pasture")

Premises Address: Check here if same as mailing address in Section A and skip to Section D

City/Village/Town	State WI	Zip code	County																	
<table border="1"> <tr> <td rowspan="2">O P T I O N A L</td> <td>Township number (1 - 53N)</td> <td>Range number (20W - 30E)</td> <td>Section number (1-36)</td> <td>¼ Section</td> <td>¼¼ Section</td> </tr> <tr> <td colspan="2">Geographic coordinates</td> <td colspan="3">Geographic coordinates</td> </tr> <tr> <td></td> <td colspan="2">West (Longitude) (must be between 86.000 and 94.000)</td> <td colspan="3">North (Latitude) (must be between 42.000 and 48.000)</td> </tr> </table>	O P T I O N A L	Township number (1 - 53N)	Range number (20W - 30E)	Section number (1-36)	¼ Section	¼¼ Section	Geographic coordinates		Geographic coordinates				West (Longitude) (must be between 86.000 and 94.000)		North (Latitude) (must be between 42.000 and 48.000)					
O P T I O N A L		Township number (1 - 53N)	Range number (20W - 30E)	Section number (1-36)	¼ Section	¼¼ Section														
	Geographic coordinates		Geographic coordinates																	
	West (Longitude) (must be between 86.000 and 94.000)		North (Latitude) (must be between 42.000 and 48.000)																	

D. Livestock premises type* Check ONE that best applies. If your premises has more than one type of operation, see instruction sheet.

<input type="checkbox"/> Farm or production unit (Includes hobby farm)	<input type="checkbox"/> Livestock exhibition	<input type="checkbox"/> Clinic	<input type="checkbox"/> Market or livestock collection point	<input type="checkbox"/> Rendering or carcass collection point
<input type="checkbox"/> Slaughter establishment	<input type="checkbox"/> Tagging site	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Quarantine facility	<input type="checkbox"/> Non-producer participant (See instruction sheet for definition and examples)

All information with an asterisk (*) is required under s. 95.51, Wis. Stats. and s. ATCP 17.02, Wis. Adm. Code., unless otherwise specified.

Continued on next page

E. Types of livestock or livestock carcasses on premises and any secondary locations* Check ALL that apply.

Bovine – please specify:

Beef Cattle

Dairy Cattle

Bison

Camelids (includes llamas and alpacas)

Captive cervids (includes deer, elk, moose, caribou, reindeer, and the subfamily musk deer)

Equine (includes horses, mules and donkeys)

Fish (includes all fish kept at a fish farm that requires registration under s. ATCP 10.61)

Goats

Poultry (includes **domesticated fowl** like chickens, turkeys, geese, ducks, guinea fowl, squab, **ratites** like rheas, ostriches, emus, cassowaries, kiwi, and **captive game birds** like pheasants, quail, wild turkeys, migratory wildfowl, pigeons, and exotic birds raised for hunting, which are raised in captivity)

Sheep

Swine

F. Secondary locations (if applicable)* If your premises has more than one location (but the same contact individual), you may list up to three secondary locations here. (Example: a dairy farm may list its heifer and dry cow facilities below as two secondary locations because they are at separate geographical locations, yet the contact individual is the same for all locations AND livestock are commingled.) Additional premises need to be registered separately (see instruction sheet).

Description of location (Example: "dry cow facility -- 3 miles west of main premises")

Address	City/Village/Town	State WI	Zip code	County
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Description of location (Example: "heifer facility -- 5 miles southeast of main premises")

Address	City/Village/Town	State WI	Zip code	County
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Description of location

Address	City/Village/Town	State WI	Zip code	County
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G. Signature

I declare that I have examined this registration application, and to the best of my knowledge it is true and correct.

Signature of registrant or authorized representative

Date

Print name of person signing

Title of person signing
(Examples: "livestock owner" or "Vice President, XYZ Farms, Inc.")

All information with an asterisk (*) is required under s. 95.51, Wis. Stats. and s. ATCP 17.02, Wis. Adm. Code.

Additional livestock premises registration forms may be obtained by calling (888) 808-1910.



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

To: City of Whitewater Plan and Architectural Review Commission
From: Latisha Birkeland, Neighborhood Services Manager / City Planner
Meeting Date: 12/10/2012
Re: Zoning Map change for the Whitewater University Technology Park from M-1 (General Manufacturing) Zoning District to WUTP (Whitewater University Technology Park) Zoning District.

Background

August 11, 2009 – The Whitewater University Technology Park Board members unanimously voted to make a recommendation to the Plan and Architectural Review Commission to consider accepting the Ordinance Amending Title 19 Creating the Whitewater University Technology Park Zoning District as well as the Whitewater University Technology Park Covenants.

August 17, 2009 – The Plan and Architectural Commission conceptually reviewed the Whitewater University Technology Park Zoning District.

August 31st, 2009 – The Plan and Architectural Commission held a public hearing to review the new zoning district called the Whitewater University Technology Park. This was unanimously recommended to The Common Council.

March 7th, 2012 – The Plan and Architectural Review Commission recommended approval of the two Certified Survey Maps (CSM) for the Whitewater University Technology Park

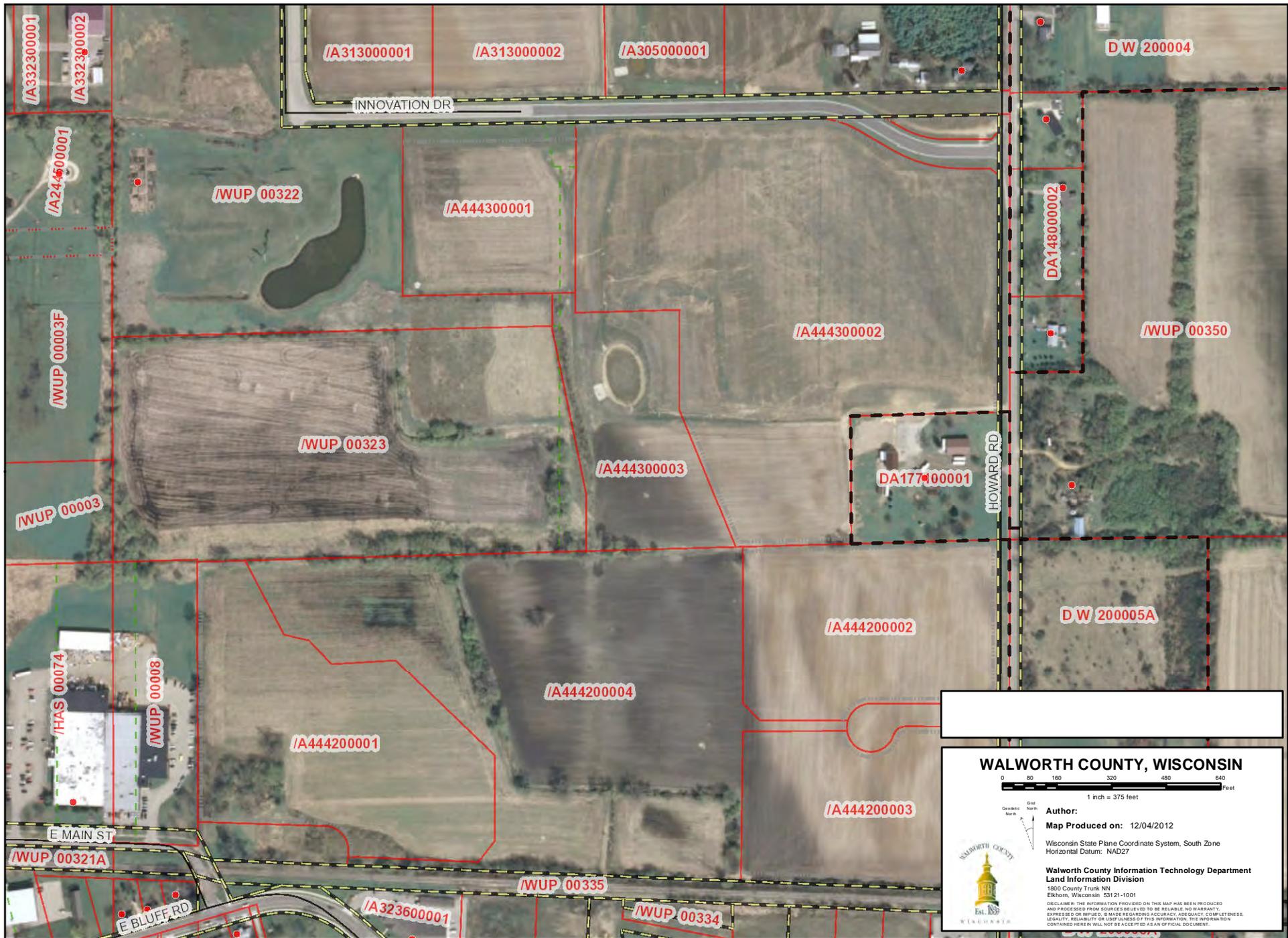
April 24th, 2012 – The Common Council approved the two Certified Survey Maps (CSM) for the Whitewater University Technology Park.

The next step for the Whitewater University Technology Park is to rezone the two Technology Park CSM's (attached) to the WUTP (Whitewater University Technology Park) Zoning District. This rezone would officially change the zoning map. These previously approved CSM's and an aerial view of the area has been attached.

The Whitewater University Technology Park covenants shall be recorded after the Common Council has approved the zoning change.

Recommendation on Rezone

I recommend that the Plan and Architectural Review Commission approve the zoning change from M-1 (General Manufacturing) Zoning District to WUTP (Whitewater University Technology Park) Zoning District will apply to certified survey maps 4442 and 4443 in the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, both of the Certified Survey Maps are associated with the Whitewater University Technology Park.



WALWORTH COUNTY, WISCONSIN

0 80 160 320 480 640 Feet
1 inch = 375 feet

Author:
Map Produced on: 12/04/2012

Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD27

**Walworth County Information Technology Department
Land Information Division**
1800 County Trunk NN
Elkhorn, Wisconsin 53121-1001

DISCLAIMER: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PRODUCED AND PROCESSED FROM SOURCES BELIEVED TO BE RELIABLE. NO WARRANTY, EXPRESS OR IMPLIED, IS MADE REGARDING ACCURACY, AGE, QUALITY, COMPLETENESS, LIABILITY, RELIABILITY OR USEFULNESS OF THIS INFORMATION. THE INFORMATION CONTAINED HEREIN WILL NOT BE ACCEPTED AS AN OFFICIAL DOCUMENT.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider a change of the District Zoning Map for the following area to rezone from M-1 (General Manufacturing) Zoning District, under Chapter 19.36 of the Zoning Ordinance of the City of Whitewater; to WUTP (Whitewater University Technology Park) Zoning District, under Chapter 19.38 of the Zoning Ordinance of the City of Whitewater:

Legal Descriptions:

Certified Survey Map 4442

A parcel of land located in the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, Township 4 North, Range 15 East, of the City of Whitewater, Walworth County, Wisconsin, as shown on Certified Survey Map No. 4442 recorded at the Walworth County Register of Deeds Office on October 5, 2012, at 10:38 a.m. in Volume 29 of C.S.M.'s, page(s) 30-33, Document No. 848249.

Certified Survey Map 4443

A parcel of land located in the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3, Township 4 North, Range 15 East, of the City of Whitewater, Walworth County, Wisconsin as shown on Certified Survey Map No. 4443 recorded at the Walworth County Register of Deeds Office on October 5, 2012, at 10:38 a.m. in Volume 29 of C.S.M.'s, page 34, Document No. 848250.

NOTICE IS FURTHER GIVEN that the Plan Commission of the City of Whitewater will hold a public hearing in the Whitewater Municipal Building Community Room, 312 W. Whitewater Street, on Monday, December 10, 2012, at 6:00 p.m. to hear any person requesting to comment. Comments may also be filed in writing.

The proposal is on file in the office of the Zoning Administrator, 312 W. Whitewater Street, and may be viewed during office hours of 8:00 a.m. to 5:00 p.m. Monday through Friday.

Michele Smith, City Clerk

Dated: November 19, 2012

Publish: in "Whitewater Register"
on November 22, 2012 and November 29, 2012 (legal ad)

CITY OF WHITEWATER
312 W. WHITEWATER ST
WHITEWATER WI, 53190

CITY OF WHITEWATER
P. O. BOX 178
WHITEWATER WI, 53190

CITY OF WHITEWATER
P. O. BOX 178
WHITEWATER WI, 53190

CITY OF WHITEWATER
312 W. WHITEWATER ST
WHITEWATER WI, 53190

CITY OF WHITEWATER
312 W. WHITEWATER ST
WHITEWATER WI, 53190

COMMUNITY DEV AUTHORITY OF WW
PO BOX 688
WHITEWATER WI, 53190

COMMUNITY DEV AUTHORITY OF WW
PO BOX 688
WHITEWATER WI, 53190

ROZELLE INVESTMENTS LLC
N 835 HIGHWAY N
WHITEWATER WI, 53190

ROZELLE INVESTMENTS LLC
N 835 HIGHWAY N
WHITEWATER WI, 53190

ROZELLE INVESTMENTS LLC
N 835 HIGHWAY N
WHITEWATER WI, 53190

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CITY OF WHITEWATER
312 W. WHITEWATER ST
WHITEWATER WI, 53190

WEILER & CO. INC
1116 E MAIN ST
WHITEWATER WI, 53190

WEILER & CO. INC
1116 E. MAIN ST
WHITEWATER WI, 53190

GLORIA L FLECK
N9157 CONNELLY RD
WHITEWATER WI, 53190

RODNEY B WALENTON
328A E MILWAUKEE ST
WHITEWATER WI, 53190

GALE M BEHRENS
1169 E BLUFF RD
WHITEWATER WI, 53190

DAVID C TRAXLER
DOROTHY L TRAXLER
1161 E. BLUFF RD
WHITEWATER WI, 53190

JEREMY C JACOBS
1153 E BLUFF RD
WHITEWATER WI, 53190

WEILER & COMPANY INC
1116 E. MAIN ST
WHITEWATER WI, 53190

STATE OF WISCONSIN
DEPT OF TRANSPORTATION
MADISON WI, 53702

CITY OF WHITEWATER
312 W. WHITEWATER ST.
WHITEWATER WI, 53190

CITY OF WHITEWATER
P. O. BOX 178
WHITEWATER WI, 53190

ROZELLE INVESTMENTS LLC
N 835 HIGHWAY N
WHITEWATER WI, 53190

STATE OF WISCONSIN
DEPT OF TRANSPORTATION
MADISON WI, 53700

EUGENE A GAVERS
DAVID & TERRY GAVERS
W 721 VALLEY VIEW RD
BURLINGTON WI, 53105

BERNARD A KLEIBER TRUST
NANCY N KLEIBER TRUST
N 244 WOODWARD RD
WHITEWATER WI, 53190

MICHAEL S MASON
N9603 WOODWARD
WHITEWATER WI, 53190

JOHN ROPICKY
STEFFANIE A ROPICKY
N9434 HOWARD RD
WHITEWATER WI, 53190

RICHARD A SAROW
W8060 BLUFF RD
WHITEWATER WI, 53190

STATE OF WISCONSIN
DEPT OF TRANSPORTATION
MADISON WI, 53700

RICHARD A SPAETH
JANE M SPAETH
N9391 HOWARD RD
WHITEWATER WI, 53190

PETER J LOEW
NANCY L LOEW
N9552 HOWARD RD
WHITEWATER WI, 53190

MARIO VILLARREAL
TERESA VILLARREAL
N9578 HOWARD RD
WHITEWATER WI, 53190

THOMAS R WOJTKUNSKI
CATHERINE L WOJTKUNSKI
N9515 HOWARD RD
WHITEWATER WI, 53190

Tech Park Rezoning

TAXKEY	OWNER	ADDRESS1	ADDRESS2	ADDRESS	CITY	STATE	ZIP
/A30500001	CITY OF WHITEWATER	312 W. WHITEWATER ST			WHITEWATER	WI	531900000
/A312500001	CITY OF WHITEWATER	P. O. BOX 178			WHITEWATER	WI	531900000
/A312500004	CITY OF WHITEWATER	P. O. BOX 178			WHITEWATER	WI	531900000
/A313000001	CITY OF WHITEWATER	312 W. WHITEWATER ST			WHITEWATER	WI	531900000
/A313000002	CITY OF WHITEWATER	312 W. WHITEWATER ST			WHITEWATER	WI	531900000
/A323600002	COMMUNITY DEV AUTHORITY OF WW	PO BOX 688			WHITEWATER	WI	531900000
/A323600003	COMMUNITY DEV AUTHORITY OF WW	PO BOX 688			WHITEWATER	WI	531900000
/A410100001	ROZELLE INVESTMENTS LLC	N 835 HIGHWAY N			WHITEWATER	WI	531900000
/A410100003	ROZELLE INVESTMENTS LLC	N 835 HIGHWAY N			WHITEWATER	WI	531900000
/A410100004	ROZELLE INVESTMENTS LLC	N 835 HIGHWAY N			WHITEWATER	WI	531900000
/A444200001	CITY OF WHITEWATER	312 W WHITEWATER ST			WHITEWATER	WI	531900000
/A444200002	CITY OF WHITEWATER	312 W WHITEWATER ST			WHITEWATER	WI	531900000
/A444200003	CITY OF WHITEWATER	312 W WHITEWATER ST			WHITEWATER	WI	531900000
/A444200004	CITY OF WHITEWATER	312 W WHITEWATER ST			WHITEWATER	WI	531900000
/A444300001	CITY OF WHITEWATER	312 W. WHITEWATER ST			WHITEWATER	WI	531900000
/A444300002	CITY OF WHITEWATER	312 W. WHITEWATER ST			WHITEWATER	WI	531900000
/A444300003	CITY OF WHITEWATER	312 W. WHITEWATER ST			WHITEWATER	WI	531900000
/A444300004	CITY OF WHITEWATER	312 W. WHITEWATER ST			WHITEWATER	WI	531900000
/HAS 00074	WEILER & CO. INC	1116 E. MAIN ST			WHITEWATER	WI	531900000
/WUP 000603	WEILER & CO. INC	1116 E. MAIN ST			WHITEWATER	WI	531900000
/WUP 000606A	GLORIA L FLECK	N9157 CONNELLY RD			WHITEWATER	WI	531900000
/WUP 000606C	RODNEY B WALFENTON	328A E MILWAUKEE ST			WHITEWATER	WI	531900000
/WUP 000606D	GALE M. BEHRENS	1169 E BLUFF RD			WHITEWATER	WI	531900000
/WUP 000606E	DAVID C TRAXLER	DOROTHY L TRAXLER	1161 E. BLUFF RD		WHITEWATER	WI	531900000
/WUP 000606F	JEREMY C JACOBS	1153 E BLUFF RD			WHITEWATER	WI	531900000
/WUP 000608	WEILER & COMPANY INC	1116 E. MAIN ST			WHITEWATER	WI	531900000
/WUP 00321A	STATE OF WISCONSIN	DEPT OF TRANSPORTATION			MADISON	WI	537020000
/WUP 00322	CITY OF WHITEWATER	312 W. WHITEWATER ST.			WHITEWATER	WI	531900000
/WUP 00323	CITY OF WHITEWATER	P. O. BOX 178			WHITEWATER	WI	531900000
/WUP 00334	ROZELLE INVESTMENTS LLC	N 835 HIGHWAY N			WHITEWATER	WI	531900000
/WUP 00335	STATE OF WISCONSIN	DEPT OF TRANSPORTATION			MADISON	WI	537020000
/WUP 00350	EUGENE A GAVERS	DAVID & TERRY GAVERS	W 721 VALLEY VIEW RD		BURLINGTON	WI	531050000
/WUP 00351	BERNARD A KLEIBER TRUST	NANCY N KLEIBER TRUST	N 244 WOODWARD RD		WHITEWATER	WI	531900000
D W 200004	MICHAEL S MASON	N9603 WOODWARD			WHITEWATER	WI	531900000
D W 200005B	JOHN ROPICKY	STEFFANIE A ROPICKY	N9434 HOWARD RD		WHITEWATER	WI	531900000
D W 200006A	RICHARD A SAROW	W8060 BLUFF RD			WHITEWATER	WI	531900000
D W 200011	STATE OF WISCONSIN	DEPT OF TRANSPORTATION			MADISON	WI	537020000
D W 300005B	RICHARD A SPAETH	JANE M SPAETH	N9391 HOWARD RD		WHITEWATER	WI	531900000
DA 90600002	PETER J LOEW	NANCY L LOEW	N9552 HOWARD RD		WHITEWATER	WI	531900000
DA148000002	MARIO VILLARREAL	TERESA VILLARREAL	N9578 HOWARD RD		WHITEWATER	WI	531900000
DA177100001	THOMAS R WOJTKUNSKI	CATHERINE L WOJTKUNSKI	N9515 HOWARD RD		WHITEWATER	WI	531900000

**CITY OF WHITEWATER
PETITION FOR CHANGE OR AMENDMENT OF ZONING**

Whenever the public necessity, convenience, general welfare or good zoning practice require, the City Council may, by Ordinance, change the district boundaries or amend, change or supplement the regulations established by the Zoning Ordinance.

A change or amendment may be initiated by the City Council, the Plan Commission, or by a Petition of one or more of the owners, lessees, or authorized agents of the property within the area proposed to be changed.

PROCEDURE

1. File the Petition with the City Clerk. Filed on 11/21/2012.
2. Class 2 Notices published in Official Newspaper on 11/22/2012 & 11/29/2012.
3. Notices of Public Hearing mailed to property owners on
4. Plan Commission holds PUBLIC HEARING on 12/10/2012.
They will hear comments of the Petitioner and comments of property owners. Comments may be made either in person or in writing.
5. At the conclusion of the Public Hearing, the Plan Commission makes a decision on the recommendation they will make to the City Council.
6. City Council consideration of the Plan Commission's recommendation and final decision on adoption of the ordinance making the change.
12/18/2012.
7. The Ordinance is effective upon passage and publication as provided by law.

PLEASE COMPLETE THE FOLLOWING APPLICATION. If there is more than one applicant for an area to be rezoned, add additional pages with the signatures of the owners, indicate their address and the date of signature.

Refer to Chapter 19.69 of the City of Whitewater Code of Ordinances, entitled CHANGES AND AMENDMENTS, for more information on application and protests of changes.

**City of Whitewater
Application for Amendment to Zoning District or Ordinance**

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: City of Whitewater Phone # 262-473-0100

Applicant's Address: 312 W. Whitewater Street, Whitewater, WI 53190

Owner of Site, according to current property tax records (as of the date of the application): City of Whitewater

Street address of Property: None

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):

CSM 4442 and CSM 4443 (See attached)

Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)

Name of Individual: Wallace K. McDonell

Name of Firm: Harrison, Williams & McDonell, LLP

Office Address: 452 W. Main St., Whitewater, WI 53190

Phone: 262-473-7900

Name of Contractor: None

Has either the applicant or the owner had any variances issued to them on any property? YES NO

If YES, please indicate the type of variance issued and indicate whether conditions have been complied with:

EXISTING AND PROPOSED USES:

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 official may require.

PLOT PLAN

When required by the building official, 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 the relation 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.

STANDARDS

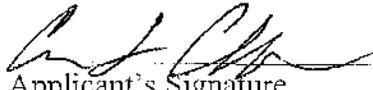
STANDARD	APPLICANT'S EXPLANATION
A. The proposed amendment for future structure, addition, alteration or use will meet the minimum standards of this title for the district being proposed;	The proposed rezoning of this property is part of the planning for the City of Whitewater for this area that has taken place for the last several years. The proposed zoning allows the construction of buildings in the City of Whitewater Technology Park in a carefully planned unified development which will include structures that meet and exceed the minimum requirements of the WUTP zoning district.
B. The Proposed development will be consistent with the adopted city master plan;	This area has been specifically planned for in the City of Whitewater Comprehensive Plan for Technology Park development.
C. The proposed development will be compatible with and preserve the important natural features of the site;	The proposed development of this property has been carefully planned to be compatible with and preserve the important natural features of the site and the surrounding areas of the City of Whitewater.
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	The proposed use will not create a nuisance for neighboring uses or unduly reduce the value of adjoining property as all structures in the Technology Park will adhere to carefully drafted standards that will increase the value of adjoining property.

STANDARD	APPLICANT'S EXPLANATION
E. The proposed development will not create traffic circulation or parking problems;	The proposed development will not create traffic circulation or parking problems because the planners of the Technology Park have carefully considered circulation and parking, and both will be adequate for the developments anticipated.

<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p>The mass, volume, and architectural features, material and setback of original structures will be carefully controlled by specific covenants which will assure that all structures are compatible with other existing structure that have already been built.</p>
<p>G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	<p>N/A</p>
<p>H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	<p>The proposed structures as they are built will be constructed so as not to substantially reduce the availability of sunlight or solar access on adjoining properties</p>

CONDITIONS

The city of Whitewater Zoning Ordinance authorizes the Plan Commission to hold a public hearing and make recommendation to the City Council for the proposed changes (Section 19.69).


Applicant's Signature
Cameron Clapper

11/21/2012
Date

APPLICATION FEES: WAIVED

TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:	
Date notice sent to owners of record of opposite & abutting properties:	<u>11-28-12</u>
Date set for public review before Plan & Architectural Review Board:	<u>12-10-12</u>
ACTION TAKEN:	
Public Hearing: _____ Recommendation	Not Recommended by Plan & Architectural Review Commission
CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:	

_____ Signature of Plan Commission Chairman	_____ Date



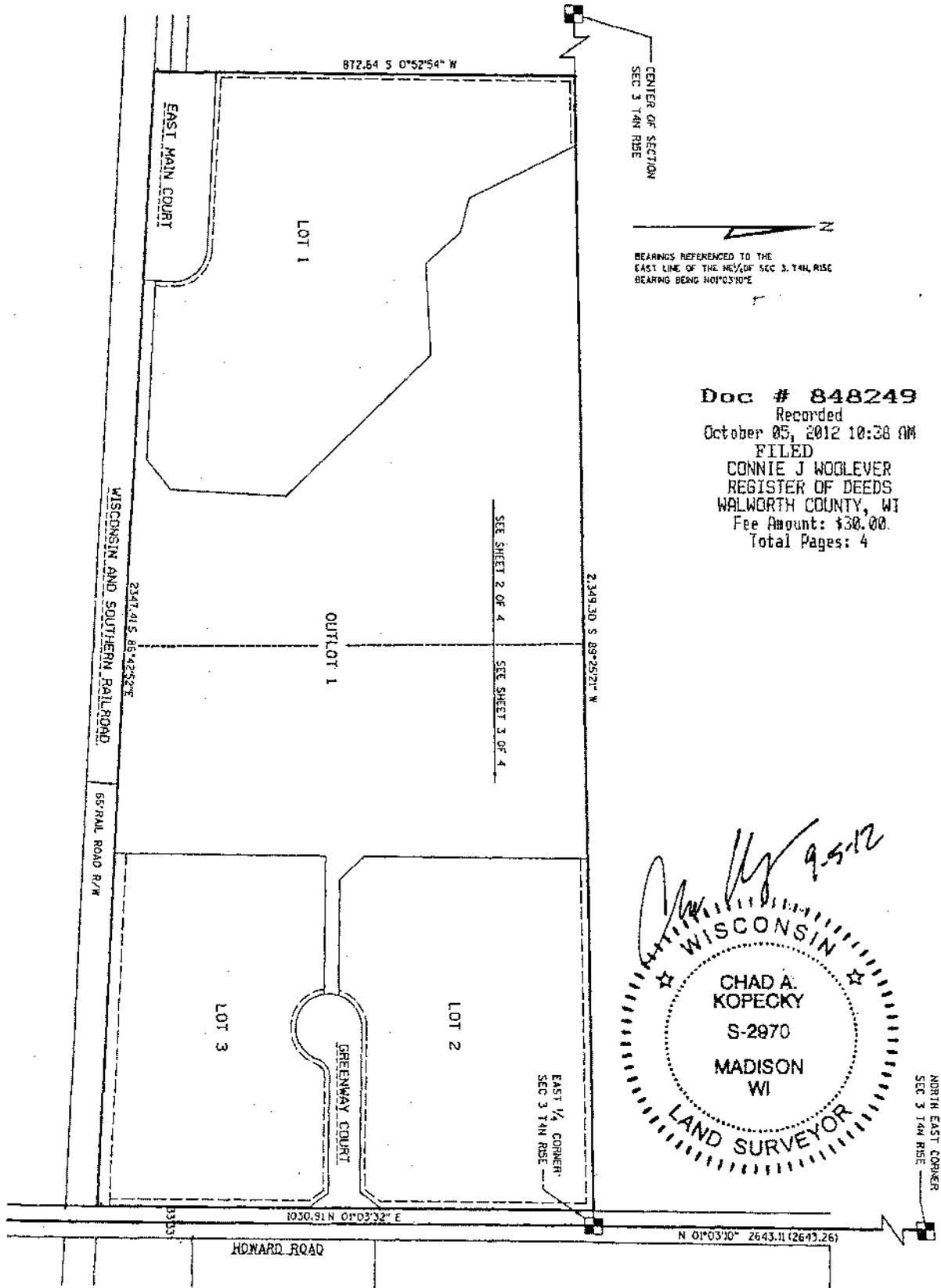
Stock No. 26273



Doc # 848249

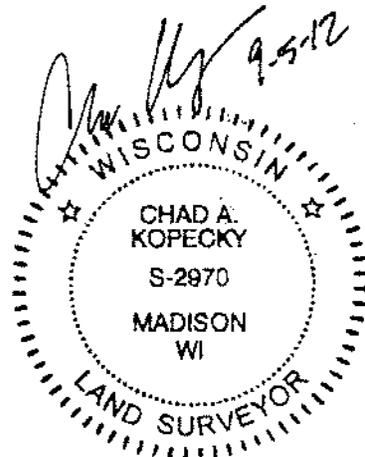
CERTIFIED SURVEY MAP NO. 4442

A PARCEL OF LAND LOCATED IN THE NW 1/4 AND THE NE 1/4 OF THE SE 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST, OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN

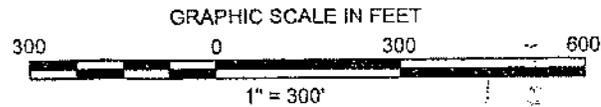


BEARINGS REFERENCED TO THE EAST LINE OF THE NE 1/4 OF SEC 3, T4N, R15E BEARING BEING N01°03'10"E

Doc # 848249
 Recorded
 October 05, 2012 10:38 AM
 FILED
 CONNIE J WOODLEVER
 REGISTER OF DEEDS
 WALWORTH COUNTY, WI
 Fee Amount: \$38.00
 Total Pages: 4



- FOUND CONCRETE MONUMENT WITH WALWORTH COUNTY BRASS CAP
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910 West Village Drive
 Madison, Wisconsin 53715
 (608) 261-4843

STATE OF WISCONSIN
 Walworth County
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 of Oct. A.D., 2012 at 10:38
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29 of C.S.M.'s, page(s) 30-33
 Document No. 848249 FILED
Connie J Woodlever (RD) Register
 Deputy

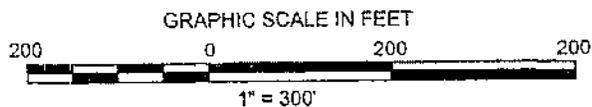
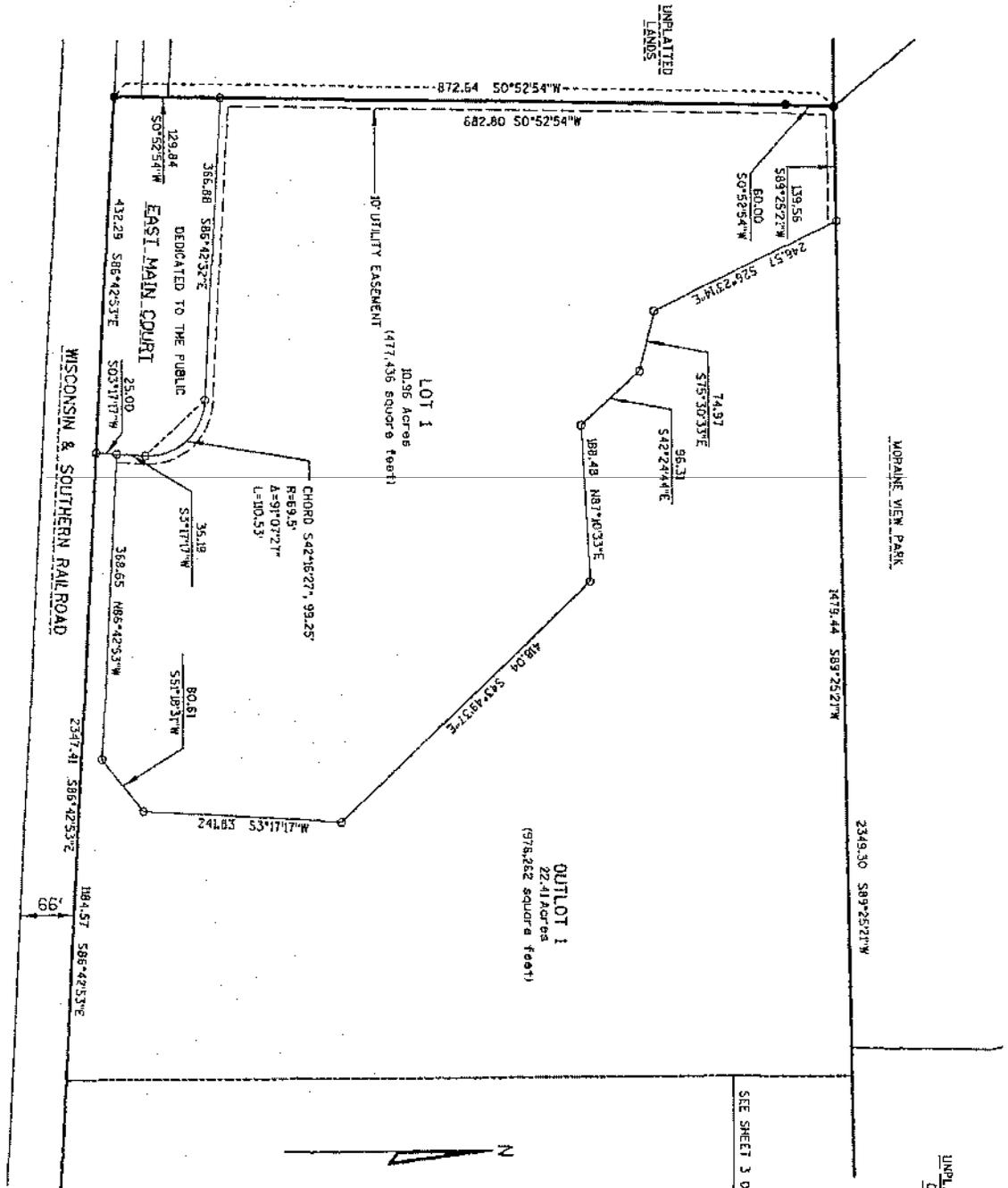
THIS INSTRUMENT DRAFTED BY CHAD A. KOPECKY
 STRAND PROJECT 1-407.056/TECHPARK NORTH CSM.dgn
 SURVEYED UNDER THE DIRECTION OF:
 THE CITY OF WHITEWATER



Stock No. 26273

CERTIFIED SURVEY MAP NO. 4442

A PARCEL OF LAND LOCATED IN THE NW 1/4 AND THE NE 1/4 OF THE SE 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST, OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN



- WALWORTH COUNTY MON., EXISTING
- SET 1/2" O.D. X 24" REBAR (WEIGHING 1.50 LBS./L.F.)
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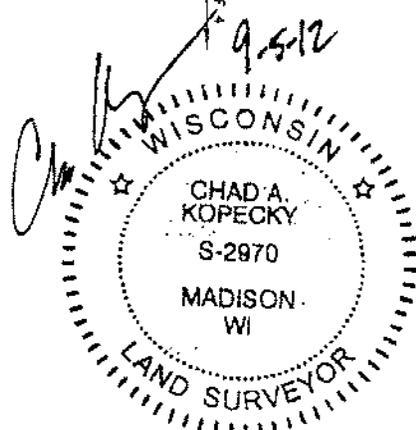


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STRAND PROJECT 1-407.056/TECHPARK NORTH CSM.dgn
SURVEYED UNDER THE DIRECTION OF:
THE CITY OF WHITEWATER

SHEET 2 OF 4

CSM# 4442



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Deputy

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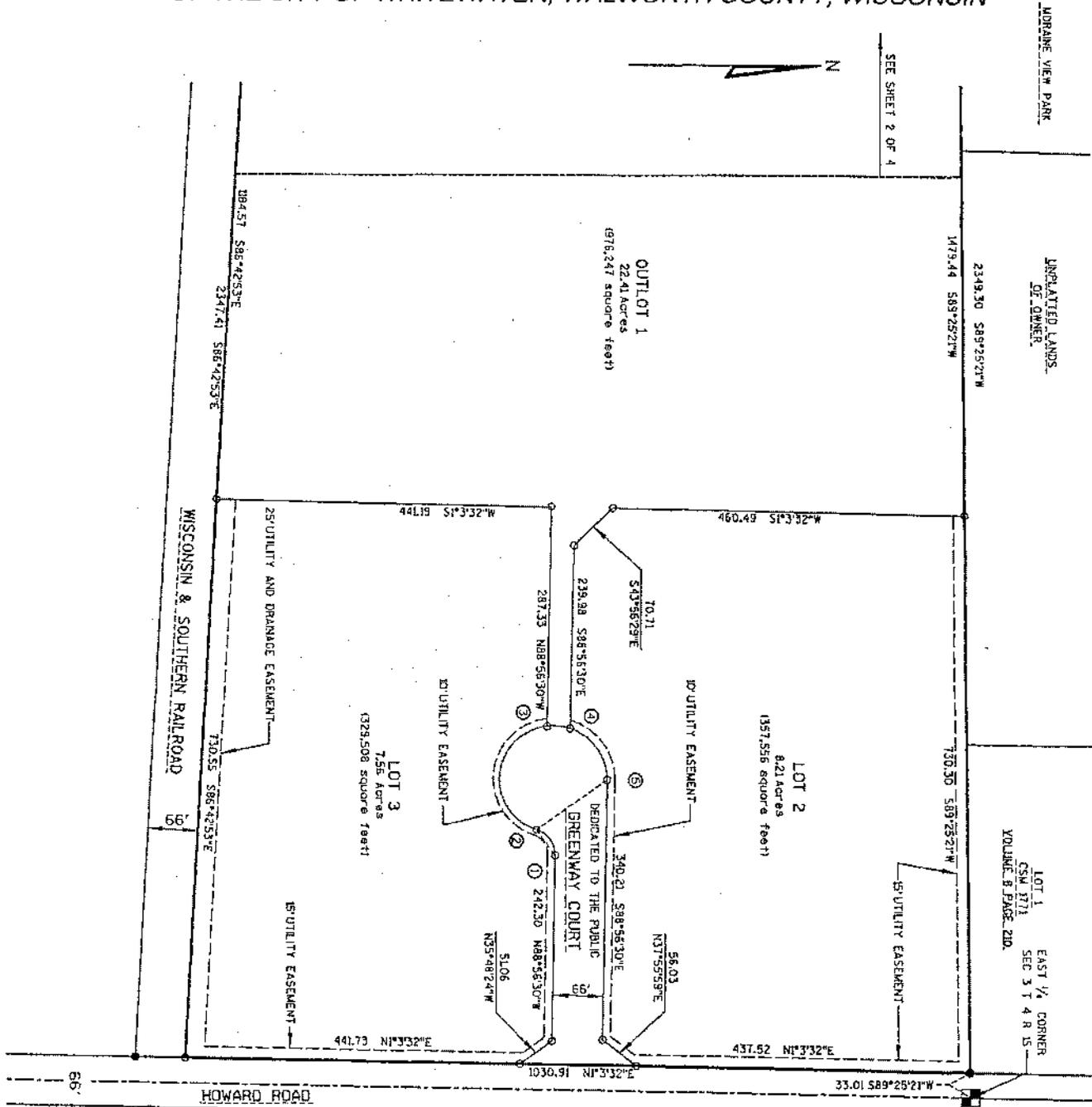
VOL 29 PAGE 31



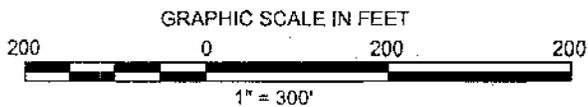
Stock No. 26273

CERTIFIED SURVEY MAP NO. 4442

A PARCEL OF LAND LOCATED IN THE NW ¼ AND THE NE ¼ OF THE SE ¼ OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST, OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN



CURVE NO.	LOT	CHORD LENGTH	CHORD BEARING	RADIUS LENGTH	ARC LENGTH	CENTRAL ANGLE	TANGENT BEARING	TANGENT BEARING
1 - 2	3	41.55	S54°38'41"W	35.00	44.48	72°49'36"	N88°58'30"W	S18°13'53"W
2 - 3	3	136.80	N84°02'58"W	70.00	321.56	155°26'17"	S18°13'53"W	N06°19'49"W
3 - 4	OUT 1	30.12	N06°06'31"E	70.00	30.35	24°50'41"	N06°19'49"W	N18°30'51"E
4 - 5	2	82.35	N54°32'45"E	70.00	88.04	72°03'47"	N18°30'51"E	S89°25'22"E



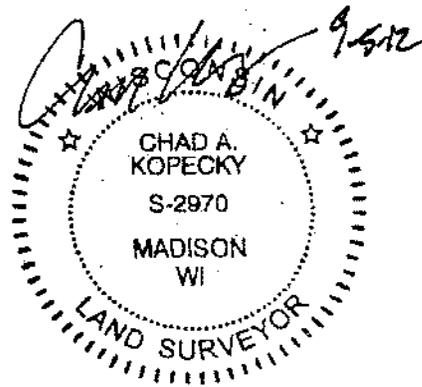
- WALWORTH COUNTY MON., EXISTING BRASS CAP
- SET ½" O.D. X 24" REBAR (WEIGHING 1.50 LBS./L.F.)
- FOUND ½" REBAR UNLESS OTHERWISE NOTED
- () RECORDED AS
- UTILITY EASEMENT



310 West Village Drive
Madison, Wisconsin 53715
(608) 251-4841

THIS INSTRUMENT DRAFTED BY CHAD A. KOPECKY
STRAND PROJECT 1-407.056/TECHPARK NORTH CSM.dgn
SURVEYED UNDER THE DIRECTION OF:
THE CITY OF WHITEWATER

SHEET 3 OF 4



STATE OF WISCONSIN
Walworth County
Received for record this 5th day
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29 of C.S.M.'s, page(s) 30-33
Document No. 848249 FILED
Chad A. Kopecky Register
VOL 29 PAGE 32 Deputy



Stock No. 26273

CERTIFIED SURVEY MAP NO. 4442

A PARCEL OF LAND LOCATED IN THE NW 1/4 AND THE NE 1/4 OF THE SE 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST, OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN

I, Chad A Kopecky, Registered Land Surveyor of Strand Associates, Inc. do hereby certify that I have surveyed, divided, and mapped a part of the Northwest 1/4 and Northeast 1/4 of the Southeast 1/4 of Section 3, Town 4 North, Range 15 East, City of Whitewater, Walworth County, Wisconsin, more fully described as follows:

Commencing at the East 1/4 corner of Said Section 3; thence S 89° 25' 21" W, 33.01 feet along the E-W 1/4 line of said section 3, to the Westerly Right of Way line of Howard Road, the point of beginning;

thence S 89°25' 21" W, 2,349.30 feet along the E-W 1/4 line of said section 3; thence S 0°52'54" W, 672.64 feet, to the Northerly Right of Way line of Wisconsin & Southern Railroad formerly the Chicago, Milwaukee, and St. Paul Railroad; thence S 86°42'53" E, 2,347.41 feet along said Northerly line to said Westerly Right of way line of Howard Road; thence N 01° 03' 32" E, 1,030.91 feet along said Westerly right of way of Howard Road to the point of beginning.

Said parcel contains 51.28 acres more or less

Subject to any and all easements and restrictions, recorded and unrecorded.

That I have made such survey, land division, and map by the direction of the City of Whitewater, owner of said lands.

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

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the subdivision regulations of the City of Whitewater in surveying, dividing and mapping the same to the best of my knowledge and belief.

Handwritten signature of Chad A. Kopecky

Chad A. Kopecky, agent for Strand Associates Dated this 5 day of SEPTEMBER, 2012. Registered Land Surveyor No. 2970 Strand Project No. 1407.056

CITY OF WHITEWATER APPROVAL

This Certified Survey Map has been submitted to and approved by the City of Whitewater this 6th day of September, 2012

By: Michele Smith 9-6-12 Date: Title: City of Whitewater - City Clerk

OWNERS CERTIFICATE OF DEDICATION

As owner(s), I (we) hereby certify that I (we) caused the land described herein to be surveyed, divided, mapped and dedicated as represented on the Certified Survey Map. I (we) also certify that this Certified Survey Map is required to be submitted to the following for approval:

CITY OF WHITEWATER

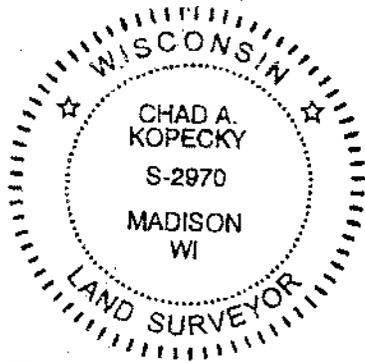
WITNESS the hand and seal of said owner(s) this 6th day of September, 2012 in presence of:

Handwritten signature of Cameron Clapper, Interim City Manager

STATE OF WISCONSIN WALWORTH COUNTY) SS

Personally came before me this 6th day of September, 2012, the above named Cameron C. Clapper to me known to be the same person who executed the foregoing instrument and acknowledged the same.

(Notary Seal) Deborah M. Helgen Notary Public, Walworth County, Wisconsin My commission expires 1/20/2013



STATE OF WISCONSIN Walworth County Received for record this 5th day of Oct. A.D., 2012 at 10:38 o'clock A.M. and recorded in Vol. 29 of C.S.M.'s, page(s) 30-33 Document No. 848249 FILED Connie J. Woodruff Register Deputy



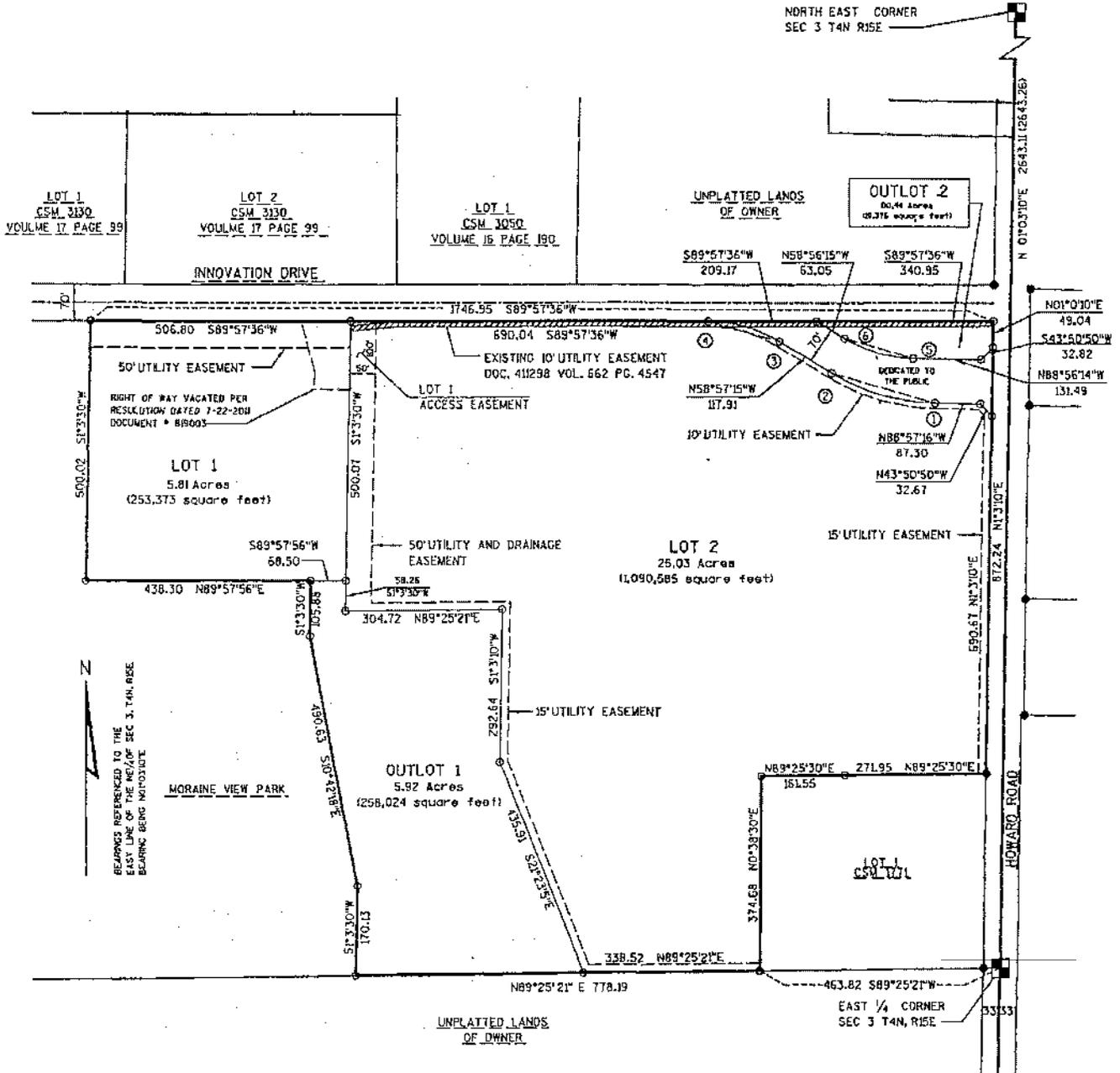
Stock No. 26273



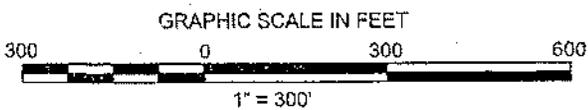
Doc # 848250

CERTIFIED SURVEY MAP NO. 4443

A PARCEL OF LAND LOCATED IN THE SE 1/4 AND THE SW 1/4 OF THE NE 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST, OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN



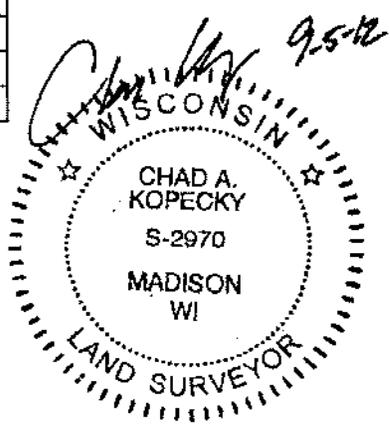
CURVE NO.	LOT	CHORD LENGTH	CHORD BEARING	RADIUS LENGTH	ARC LENGTH	CENTRAL ANGLE	TANGENT BEARING	TANGENT BEARING
1 - 2	2	207.06'	N 73°57'16" W	400.00'	209.44'	29°59'59"	N 88°57'16" W	N 58°57'16" W
3 - 4	2	142.02'	N 74°29'50" W	265.00'	143.77'	31°05'08"	N 58°57'16" W	S 89°57'36" W
5 - 6	OUT 2	137.17'	N 73°56'14" W	265.00'	138.75'	30°00'00"	N 88°57'14" W	N 58°57'14" W



- WALWORTH COUNTY MON., EXISTING BRASS CAP
- SET 1/2" O.D. X 24" REBAR (WEIGHING 1.50 LBS./L.F.)
- FOUND 1/2" REBAR UNLESS OTHERWISE NOTED
- () RECORDED AS
- UTILITY EASEMENT



910 West Weyra Drive
Madison, Wisconsin 53715
(608) 791-4843



THIS INSTRUMENT DRAFTED BY CHAD A. KOPECKY
STRAND PROJECT 1-407.056/TECHPARK NORTH CSM.dgn
SURVEYED UNDER THE DIRECTION OF:
THE CITY OF WHITEWATER

SHEET 1 OF 2

STATE OF WISCONSIN
Walworth County
Received for record this 5th day
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Document No. 848250
Chad A. Kopecky Register
_____ Deputy

Vol 29 Page 34

CSM# 4443



Stock No. 26273

CERTIFIED SURVEY MAP NO. 4443

A PARCEL OF LAND LOCATED IN THE SE 1/4 AND THE SW 1/4 OF THE NE 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST, OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN

I, Chad A Kopecky, Registered Land Surveyor of Strand Associates, Inc. do hereby certify that I have surveyed, divided, and mapped a part of the Southeast 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 3, Town 4 North, Range 15 East, City of Whitewater, Walworth County, Wisconsin, more fully described as follows:

Commencing at the East 1/4 corner of Said Section 3; thence S 89° 25' 21" W, 463.82 feet along the E-W 1/4 line of said section 3, to the point of beginning;

thence N 00° 38' 30" E 374.68 feet along the West line of Lot 1 CSM 1771; thence N 89° 25' 30" E 161.55 feet along the North line of Lot 1 CSM 1771; thence N 89° 25' 30", E 271.95 feet along the North line of Lot 1 CSM 1771 to the Westerly Right of Way line of Howard Road; thence N 01° 03' 10" E, 872.24 feet along the Westerly right of way of Howard Road to the Southerly Right of Way line of Innovation Drive; thence S 89° 57' 36" W, 1746.95 feet along the Southerly Right of Way of Innovation Drive; thence S 01° 03' 30" W, 500.02 feet; thence N 89° 57' 56" E, 438.30 feet; thence S 01° 03' 30" W, 105.88 feet; thence S 10° 42' 18" E, 490.63 feet; thence S 01° 03' 30" W, 170.13 feet to the E-W 1/4 line of said Section 3; thence N 89 25' 21" E, 778.19 feet along the E-W 1/4 line of said section 3, to the point of beginning.

Said parcel contains 38.01 acres

Subject to any and all easements and restrictions, recorded and unrecorded.

That I have made such survey, land division, and map by the direction of the City of Whitewater, owner of said lands.

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

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the subdivision regulations of the City of Whitewater in surveying, dividing and mapping the same to the best of my knowledge and belief.

Chad Kopecky

Chad A. Kopecky, agent for Strand Associates. Dated this 5 day of SEPTEMBER, 2012. Registered Land Surveyor No. 2970 Strand Project No. 1407.056

October 05, 2012 10:38 AM
FILED
CONNIE J WOOLEVER
REGISTER OF DEEDS
WALWORTH COUNTY, WI
Fee Amount: \$30.00
Total Pages: 2

CITY OF WHITEWATER APPROVAL

This Certified Survey Map has been submitted to and approved by the City of Whitewater this 6th day of September 2012

By: Michele Smith Date: 9-6-12
Title: City of Whitewater - City Clerk

OWNERS CERTIFICATE OF DEDICATION

As owner(s), I (we) hereby certify that I (we) caused the land described herein to be surveyed, divided, mapped and dedicated as represented on the Certified Survey Map. I (we) also certify that this Certified Survey Map is required to be submitted to the following for approval:

CITY OF WHITEWATER

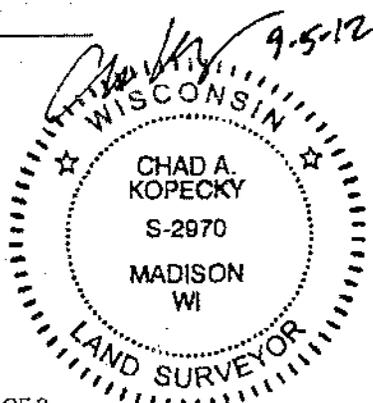
WITNESS the hand and seal of said owner(s) this 6th day of September, 2012
In presence of:

Cameron Clapper
Cameron Clapper, Interim City Manager

STATE OF WISCONSIN
WALWORTH COUNTY) SS

Personally came before me this 6th day of September, 2012, the above named Cameron Clapper to me known to be the same person who executed the foregoing instrument and acknowledged the same.

(Notary Seal) Deborah M. Helgen
Notary Public, Walworth County, Wisconsin
My commission expires 1/20/2013



STATE OF WISCONSIN
Walworth County
Received for record this 5 th day of Oct A.D., 2012 at 10:38 o'clock A.M. and recorded in Vol. 29 of C.S.M.'s, page(s) 35
Document No. 848250 FILED
Connie J. Woolever / no Register Deputy