



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Amended Agenda

November 12, 2012

City of Whitewater Municipal Building
312 W. Whitewater St., Whitewater, Wisconsin
6:00 p.m.

**Amended Agenda: Item #5 was pulled from the agenda by the applicant,
Friday, November 9, 2012 at 10:00 a.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.	Hold a public hearing for consideration of 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.)
4.	Hold a public hearing for consideration of 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.
5.	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).
6.	Review plat for acquisition and dedication of street easements for Milwaukee and Newcomb Streets.
7.	Work Session for the review of the draft of the Chicken Ordinance.
8.	Discussion of Site Plan Review.
9.	Information Items: a. Update on Zoning Rewrite. b. Possible future agenda items. c. Next regular Plan Commission Meeting – December 10, 2012
10.	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



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: November 12th, 2012
Re: Request a conditional use permit for the construction of an 864 square foot detached garage to be located at 555 E. Clay Street.

Summary of Request

Requested Approvals: The applicant, Patrick McCormick, is requesting a conditional use permit to construct an 864 square foot detached garage. This is 64 square feet more than the maximum size (800 sq. ft.) allowed for a detached accessory structure.

Location: 555 E. Clay Street

Current Land Use: Single Family

Proposed Use: No change proposed

Current Zoning: R-2 One and Two Family Residential

Proposed Zoning: No change proposed

Comprehensive Plan's Future Land Use Designation: Single Family Residential

Surrounding Zoning and Land Use:

East and West: R-2 One and Two Family Residential; Land Use- Residential

North: B-1 Community Business; South (Trippe Lake): R-1 and PCD

Land Use – Residential and Higher Density Residential

Description

Mr. Patrick McCormick is requesting a conditional use permit to construct an 864 square foot garage to store personal vehicles on his property. To construct the proposed garage, the applicant first had to request a variance to place a detached accessory structure in the front yard of his property located at 555 E. Clay Street.

The City Code Section 19.06.120 (F): *Detached accessory structures are permitted in side and rear yards only. They shall not be closer than ten feet to the principal structure, shall not exceed fifteen feet in height, shall not be larger than ten percent of the side and rear yard lot area (open space) and in no case shall exceed eight hundred square feet in size. Detached accessory structures shall not be closer than five feet to any lot line nor ten feet to any alley line. Any proposed detached accessory structure which is larger than the requirements of this section may be allowed but shall require a conditional use permit.*

Mr. McCormick has received an approval for a variance for construction in the front yard of a detached accessory structure for the purpose of storing personal vehicles for Patrick McCormick of 555 E Clay Street with the condition that the structure’s height and square footage are approved by the Plan and Architectural Review Commission on October 25th, 2012.

The next step is to apply for a Conditional Use Permit to allow this detached accessory structure to be 864 square feet. This is 64 square feet larger than the maximum size (800 square feet) allowed for detached structures.

Mr. McCormick has stated that the proposed structure will meet the required five (5) foot setback from any lot line and will comply with the fifteen foot height maximum. “Building Height” means the vertical distance measure from the main elevation of the finished lot grade along the street yard face of the structure to the highest level between the eaves and ridges of gable, gambrel, hip and pitch roofs: or to the deck line of mansard roofs. The building inspector, Greg Noll, has reviewed the plans and indicated that the height would meet the code restriction.

Recommendation on Conditional Use Permit

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 Mr. McCormick to construct an 864 square foot detached garage to be located at 555 E. Clay Street:

1. The applicant shall apply for a building permit and comply with all required building codes.

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	The proposed garage is slightly exceeding the 800 square foot maximum requirement. This should not create a nuisance for the neighbors.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	All items have been provided prior to this application.
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 variance for locating the detached accessory structure in the front yard was approved by the Board of Zoning Appeals.

Standard	Evaluation	Comments
The conditional use conforms to the purpose and intent of the city master [comprehensive] plan.	Yes	The Comprehensive Plan identifies the site as an area for single family residential. The use of the property is not changing.
The conditional use and structures are consistent with sound planning and zoning principles.	Yes	Project is consistent with the purpose, character and intent of R- 2 medium density residential areas



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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 12th day of November, 2012 at 6:00 p.m. to hold a public hearing for the consideration of 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).

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



CONDITIONAL USE PERMIT APPLICATION

Address of Property: 555 East Clay Street

Owner's Name: Patrick McCormick

Applicant's Name: Patrick McCormick

Mailing Address: 555 East Clay Street

Phone #: (262) 473-5576 Email: bradyandpat@sbcglobal.net

Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): LOT 1, SURVEY

NO. 1366 RECORDED IN VOL 6 (5 PG 210 WCR. SE 1/4 SE 1/4 SEC 4 T4N
R15E ALSO COM E 1/4 COR SEC 4 SCD 28' 57" E 1583.58', 5890 33' 49" W

Existing and Proposed Uses:

Current Use of Property: Residential

Zoning District: R2

Proposed Use: Residential garage

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.

APPLICATION REQUIREMENTS

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

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
<p>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.</p>	<p><i>This structure will be located approx. 0.2 mile off Clay St with exterior colors similar to the house.</i></p>
<p>B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.</p>	<p><i>This structure will have a cement pad + approach, (electricity) and necessary landscaping. → at a later date?</i></p>
<p>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.</p>	<p><i>Because I would like to erect a 26' x 32' structure, it exceeds building mandates by 32 sq. ft, I am requesting an exemption to this ordinance.</i></p>
<p>D. That the conditional use conforms to the purpose and intent of the city Master Plan.</p>	<p><i>This structure will follow city's master plan</i></p>

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

Applicant's Signature: *Patrick McCormick*

Date: *10-1-12*

Printed: *Patrick McCormick*

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00** fee filed on 10-1-12. Received by: NS Receipt #: 6010121
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 11-1-12.
- 3) Notices of the Public Hearing mailed to property owners on 10-29-12.
- 4) Plan Commission holds the PUBLIC HEARING on 11-12-12. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

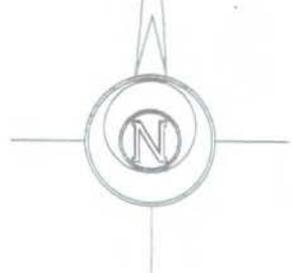
Condition Use Permit: Granted _____ Not Granted _____ By the Plan and Architectural Review Commission

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Tips for Minimizing Your Development Review Costs: A Guide for



LEGEND

- FOUND IRON PIPE
- FOUND IRON ROD
- FOUND COUNTY MONUMENT
- FOUND CONCRETE MONUMENT
- CHISEL CUT IN CONCRETE
- SET IRON ROD, 24" LONG, WEIGHING 1.5 LBS./LINEAL FT., 3/4" DIA.
- RECORDED AS DIMENSION
- EXISTING FENCE

SCALE: 1" = 50 FEET

MARK L. MIRITZ
 WISCONSIN REGISTERED
 LAND SURVEYOR S-2582

DATE: FEB. 11, 2006 JOB NO. 06.104



Premium Steel Color Selection ENDURACOTE



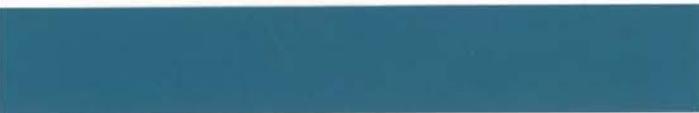
White 899 *



Cardinal 845



Light Gray 889



Caribbean Blue 881 *



Charcoal Gray 851



Ivory 883 *



Light Stone 887 *



Hickory Moss 870 *



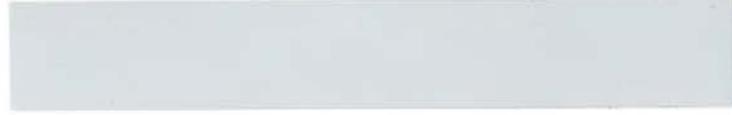
Gallery Blue 826



Ash Gray 848



Hartford Green 821



Snow 824



Tan 855 *



Red 898 *



Classic Burgundy 853



Evergreen 875



Cocoa Brown 856



Dark Brown 859



Sierra 896



Antique Bronze 854



Black 880

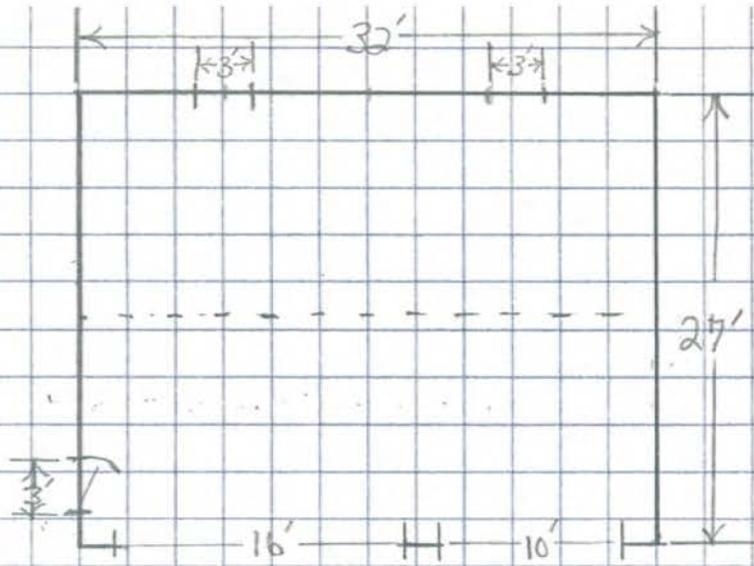


Patina Green 893 *

Note: These color samples are as close to the actual painted colors as permitted by process printing. Actual color samples are available from Cleary upon request.

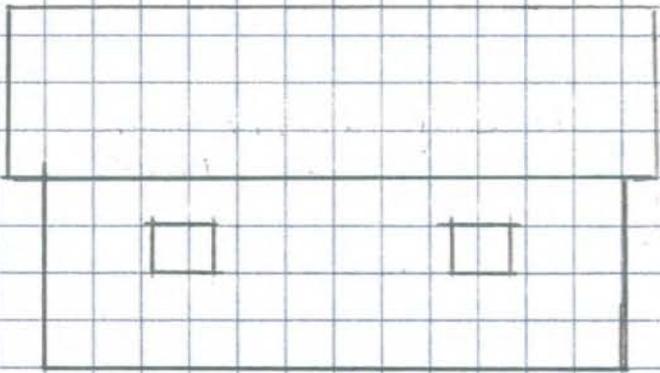
* Energy Star approved.



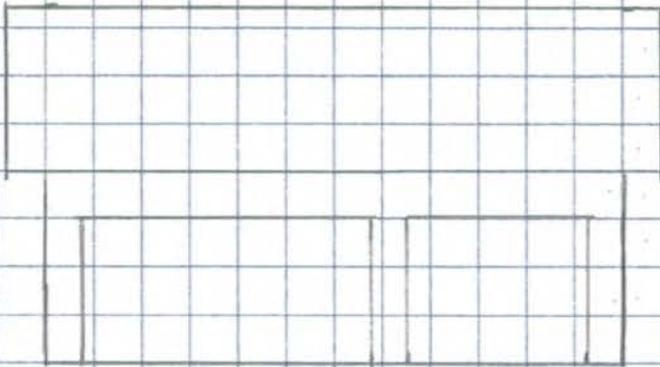
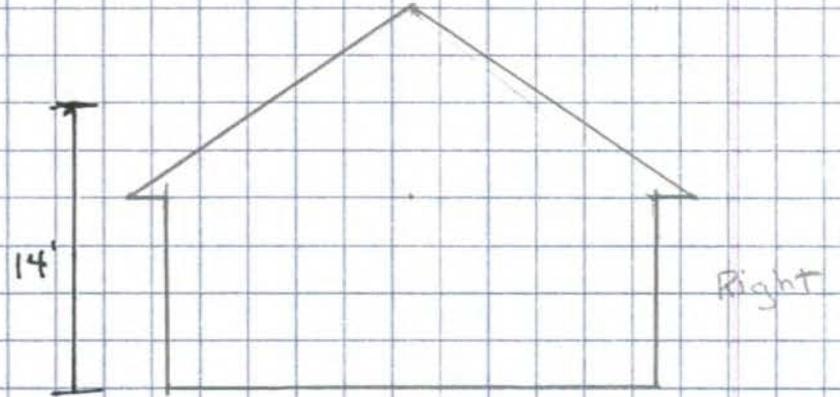


7/2

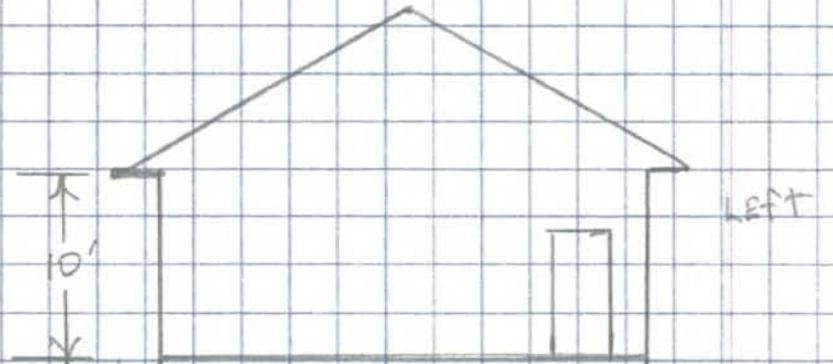
Roof Pitch 7/12
Soffit 2'



Back



Front







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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 – amendment – for the addition of a one bedroom unit and one studio unit to each building at 533 and 539 W. Caine Street.

Summary of Request

Requested Approvals: The applicant, Jay Myers, is requesting an amendment to the conditional use permit to convert the lower level commons room and weight room into a one bedroom unit and one studio unit to each building.

Location: 533 and 539 W. Caine Street.

Current Land Use: High Density Residential

Current Zoning: R-3 Multi-Family Residential

Description of Use

The approved conditional use permit allowed for two 20 unit apartment buildings to be located on this site; approval was given on June 6th, 2007. To add more units to this building, the applicant has to apply for an amendment to the conditional use permit.

The applicant would like to convert the current commons room and weight room into a one bedroom unit and one studio unit, in each building. Creating a total of four more units. According to the applicant the demand for one bedroom and studio units is quite high. The commons room is not heavily used, making this area a prime spot for conversion into a one bedroom unit.

The weight room will be converted into a studio unit. A new weight room will be established where the current storage units are located by removing one row of storage units.

The building inspector has reviewed this proposal and has no issues with egress for the proposed lower level having bedrooms.

Parking and Ingress / Egress

When considering to allow more units, parking spaces should be reviewed. At the time of application, it was determined that there were three parking spaces per unit. These buildings are made up of efficiency, two bedroom and three bedroom units. Adding four more bedrooms to this project and not increasing the parking stalls, still provides 2.68 (or three) spaces per unit (118 parking stalls / 44 units).

The approved site plan states 70 above ground parking stalls, but only 69 are drawn on the plan. There are currently a total of 68 parking above ground parking stalls. Please see attached site plan.

The future parking area may be installed when directed by the Zoning Administrator. This can happen at any time. I do not recommend requiring that the additional parking be installed at this point. For any future unit additions the parking shall be re-calculated at that time and a determination made. City Staff will watch over the parking situation there and request the installation of the parking area when needed.

Signage

Signage details were not submitted with the original plan. The proposed sign has been included in this packet as information, but no action needs to be taken on it. The sign size shall not exceed 32 square feet in area and 6 feet in height, as determined by the original conditions.

There are no proposed changes to landscaping, utilities, lighting, etc. on this site.

Recommendation on Conditional Use Permit

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 amendment to the conditional use permit for Jay Myers to add one studio unit and one bedroom unit to each building at 533 and 539 Caine Street subject to these 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.

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	This project is in an area planned and zoned for multiple family development. Adding four more units, internally, will not change the current project or reduce the values of other property.
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	The calculations indicate that the additional four units still allow for three stalls for each unit. The City Code requires that multi-family buildings with efficiency/one bedrooms be required to have two (2) stalls for each dwelling unit. Two bedrooms are required to have three (3) stalls for each dwelling unit.
The conditional use conforms to the purpose and intent of the city master [comprehensive] plan.	Yes	The Comprehensive Plan identifies the site as an area for Higher Density Residential. Adding four more units would be consistent with the current and future land use.

Standard	Evaluation	Comments
The conditional use and structures are consistent with sound planning and zoning principles.	Yes	This project is consistent with the purpose, character and intent of higher density residential and the R-3 Zoning District.



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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

A handwritten signature in black ink, appearing to read "Latisha Birkeland", is written over a horizontal line.

Latisha Birkeland, Neighborhood Services Manager/City Planner

GEOFFREY R HALE
JACQUELINE A HALE
599 S. FRANKLIN ST
WHITEWATER WI, 53190-0100

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JACQUELINE A HALE
599 S. FRANKLIN ST
WHITEWATER WI, 53190-0100

SCOTT E MCKENZIE
SHARON L MCKENZIE
629 S. FRANKLIN ST
WHITEWATER WI, 53190

RICHARD FASSL
JEANINE FASSL
675 S. FRANKLIN ST
WHITEWATER WI, 53190

SPRINGBROOK APARTMENTS, LLC
3392 BROOKS DR
SUN PRAIRIE WI, 53590

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

MICHAEL J HIGGINS
578 S. FRANKLIN ST
WHITEWATER WI, 53190

D&L TRIEBOLD TRUST
N7618 ENGEL RD
WHITEWATER WI, 53190

HOL-HAC, LLC
1691 MOUND VIEW PLACE
WHITEWATER WI, 53190

INDEPENDENCE OF WIS.
C/O VOLUNTEERS OF AMER
PO BOX 304
WAUKESHA WI, 53187

JAMES R STREIB
ELLEN STREIB
417 SANDALWOOD CT
MILTON WI, 53563

FRED G KRAEGE
J KRAEGE
529 S. GAULT ST
WHITEWATER WI, 53190

DAVID R JACOBS
535 S GAULT ST
WHITEWATER WI, 53190

STEVEN HELWIG
BRENDA HELWIG
530 S. GAULT ST
WHITEWATER WI, 53190

ALEJANDRO WENCE
GUADALUPE WENCE
557 W HARPER ST
WHITEWATER WI, 53190

ELIZABETH L MEYER REVOC TRUST
STANLEY C MEYER FAMILY TRUST
645 W HARPER
WHITEWATER WI, 53190-1100

E&J RITTER MANAGEMENT TRUST
648 S. FRANKLIN ST
WHITEWATER WI, 53190

CARRIE N MATHISON
525 W. CAINE ST
WHITEWATER WI, 53190

E&J RITTER MANAGEMENT TRUST
648 S. FRANKLIN ST
WHITEWATER WI, 53190



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: 533/539 W. CAINE ST

Owner's Name: Springbrook APTS

Applicant's Name: Jay Myers

Mailing Address: _____

Phone #: 262-749-6377

Email: JAY@KOMFORTBUILDING@YAHOO.COM

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

Springbrook APTS

Existing and Proposed Uses:

Current Use of Property: 20 UNIT BUILDING

Zoning District: R3

Proposed Use: ADD A 1 BEDROOM AND STUDIO UNIT TO EACH BUILDING

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Conditions

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APPLICATION REQUIREMENTS

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

****Four (4)** full size, **Twenty (20)** 11x17, and **1 Electronic Copy** (include color where possible) site plan copies, drawn to scale and dimensioned.

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.	Correct
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Correct
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.	Correct
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	Correct

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

Applicant's Signature: Jay Myers Date: 10/8/12

Printed: Jay Myers

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. \$100.00 fee filed on 10-15-12. Received by: J. Wegner Receipt #: 6-010137
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on Nov. 1, 2012.
- 3) Notices of the Public Hearing mailed to property owners on 10-30-12.
- 4) Plan Commission holds the PUBLIC HEARING on 11-12-12. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

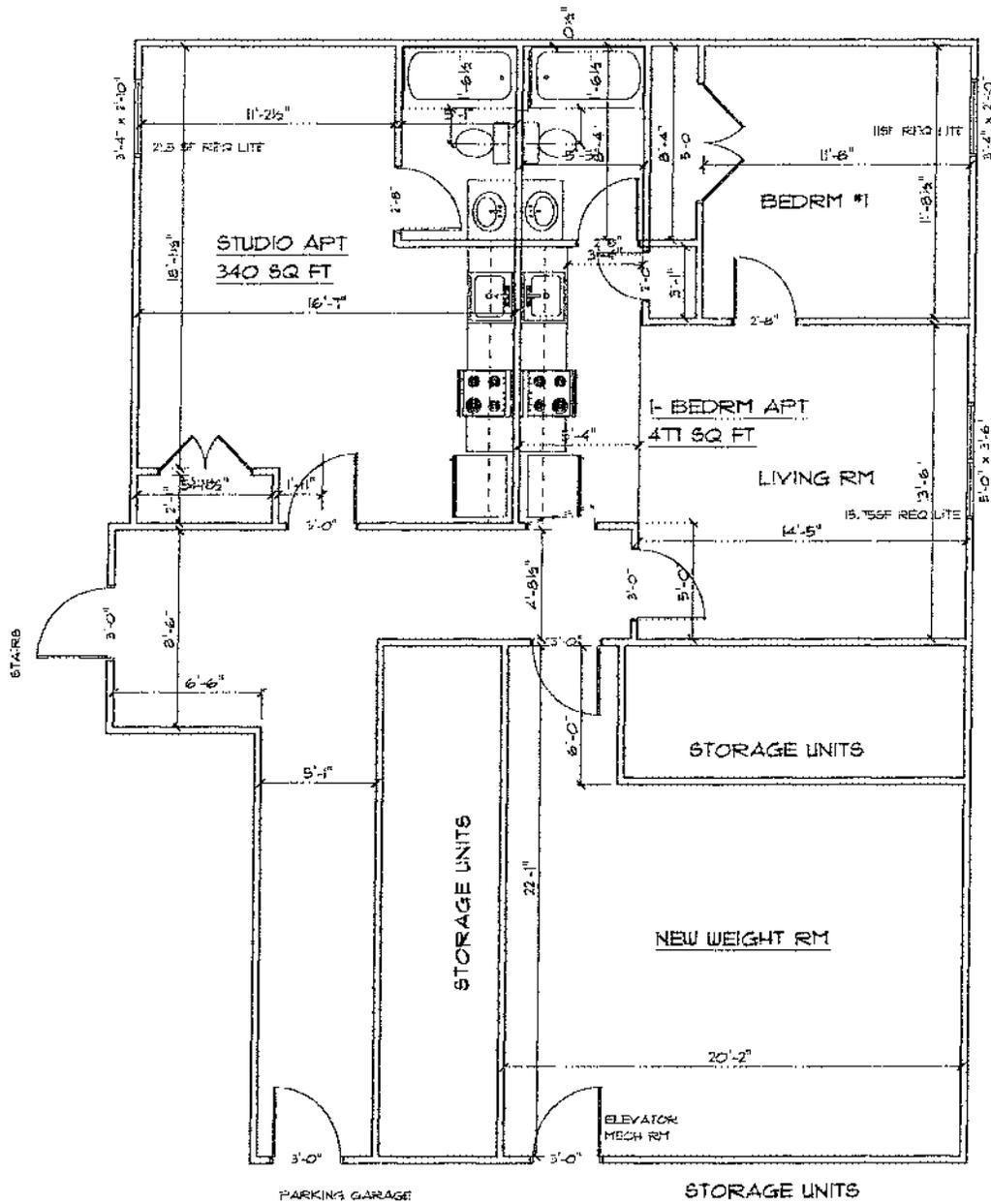
ACTION TAKEN:

Condition Use Permit: Granted _____ Not Granted _____ By the Plan and Architectural Review Commission

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date



REMODEL OPT-1

REMODEL TO:
 SPRINGBROOK APTS

DRAWN BY: STEFANIE STIBB

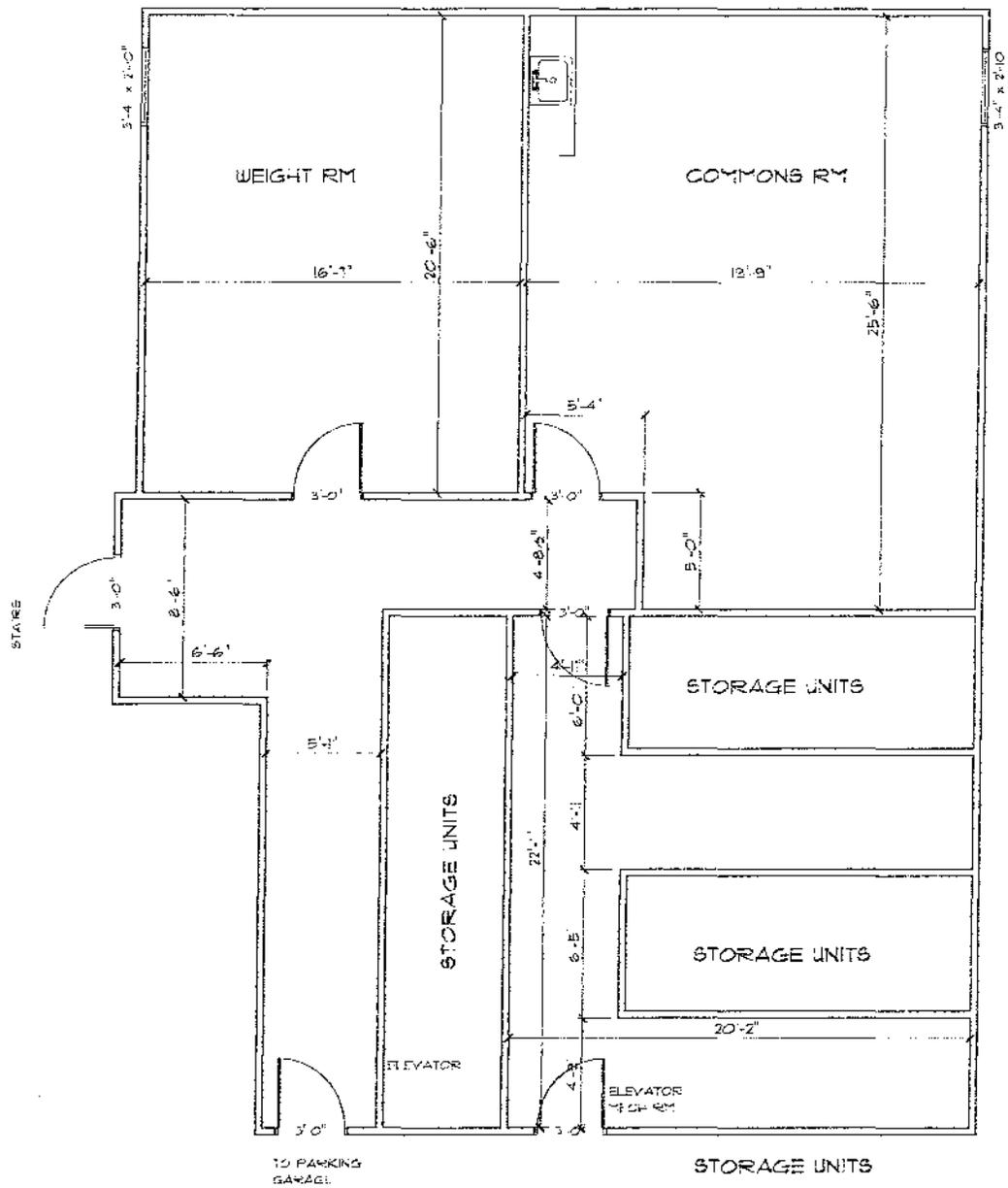
DATE: 10-8-12

SCALE: 1/8"=1'-0"



499 Whitewater Street
 Ph (262) 473-3538
 www.homelumber.com

Whitewater, WI 53190
 Fax: 262-473-6908
 Email: sstibb@homelumber.com



AS-BUILT LOWER LEVEL

REMODEL TO:
 SPRINGBROOK APTS

DRAWN BY: STEPHANIE STIBB

DATE: 10-8-12

SCALE: 1/8" = 1' 0"



499 Whitewater Street
 Ph (262) 473-3538

Whitewater, WI 53190
 Fax: 262-473-6908

www.homelumber.com

Email: sstibb@homelumber.com

SPRINGBROOK APARTMENTS

533 & 539 Caine Street
Whitewater, WI

October 15, 2012

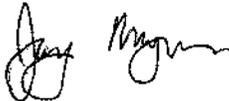
Latisha Birkeland
Manager & City Planner
City of Whitewater

Re: Application for Springbrook Apartments located at 533 and 539 Cain Street, Whitewater, WI

Ms. Birkeland,

Springbrook Apartments LLC respectfully requests the addition of an efficiency and 1 bedroom apartment in the lower level of each respective building at Springbrook Apartments. The reason for this request is to accommodate the significant demand we have for these types of units.

Thank you,



Jay Myers
Managing Member, Springbrook Apartments LLC

Direct: 262-749-6377
Fax: 262-723-5903

W7977 Territorial Rd
Delavan, WI 53125



TIMBER LINE SIGN
Co., Inc.

www.timberlinesign.com

* Shall not exceed
6'4" in height



6' x 24"

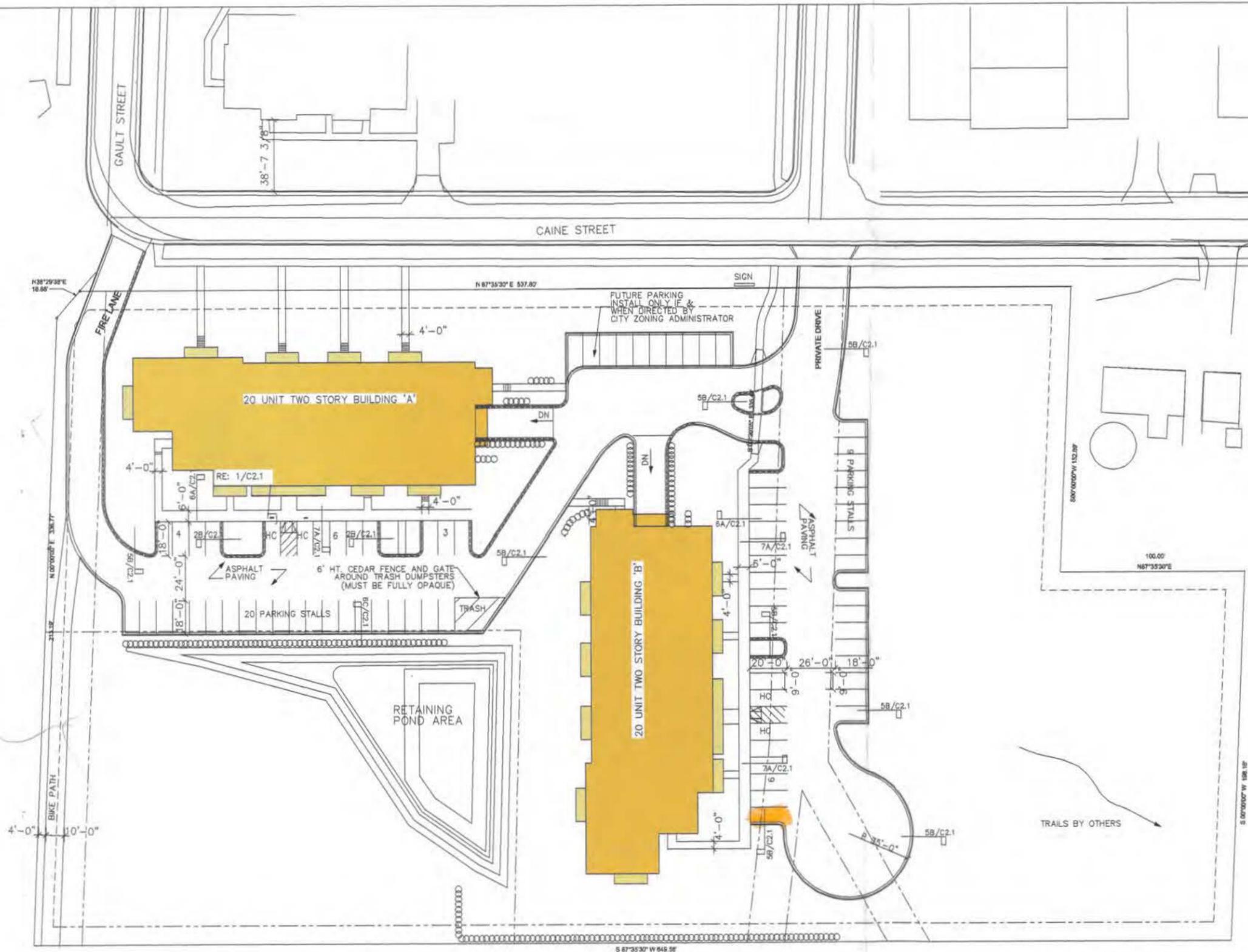
two sides, mdo installed
as shown \$750.00 + tax

Timber Line Sign Co., Inc.
N3211 St. Rd. 67
Lake Geneva, WI 53147

APPROVED BY _____ DATE _____

Phone 262-245-9898
Fax 262-245-9898

A-4173-1



GENERAL SITE NOTES

- 1: CONTRACTOR IS RESPONSIBLE FOR REVIEWING ALL DOCUMENTS AND WILL NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
- 2: ACCESSIBLE ROUTES FROM ACCESSIBLE PARKING AND PASSENGER LOADING ZONES TO ALL BUILDING ENTRANCES ALONG 4' CONCRETE SIDEWALK SHALL COMPLY WITH THE ACCESSIBILITY REQUIREMENTS OF ADAAG 4.3
- 3: ACCESS TO ALL PROPERTIES SHALL BE MAINTAINED AT ALL TIMES. IN THE EVENT THAT ACCESS MUST BE CLOSED FOR SOME PERIOD OF TIME, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE AFFECTED PROPERTY OWNERS, LOCAL POLICE AND FIRE DEPARTMENT A MINIMUM OF 24 HOURS PRIOR TO CLOSING ACCESS.
- 4: IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO VERIFY SOIL CONDITIONS AND NOTIFY ARCHITECT AND ENGINEER OF ANY CHANGES OR DISCREPANCIES FROM AVAILABLE INFORMATION
- 5: IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO REPLACE ANY DAMAGED SIDEWALK AND MAKE SURE THAT IT MEETS CITY STANDARDS. EXISTING SIDEWALK SHALL BE PROTECTED FROM EQUIPMENT FOR THE DURATION OF PROJECT CONSTRUCTION.
- 6: ALL WORK WITHIN THE RIGHT-OF-WAY SHALL BE ACCORDING TO THE CITY OF WHITEWATER STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 2002, OR LATEST EDITION. PUBLIC WORKS DEPARTMENT SHALL BE NOTIFIED A MINIMUM OF 48 HOURS BEFORE THE START OF WORK IN THE RIGHT-OF-WAY OR UTILITY CONNECTIONS.

SITE INFORMATION CURRENT PLAN

SITE AREA:	217,804 sq.ft. (5.00 acres)
PERVIOUS AREA:	151,253 sq.ft. (3.47 acres)
BUILDINGS AREA:	23,412 sq.ft. (.54 acres)
PAVEMENT AREA:	43,139 sq.ft. (.99 acres)
IMPERVIOUS AREA:	66,551 sq.ft. (1.53 acres)
PARKING SPACES:	TOTAL: 70 surface stalls 50 underground stalls 8 future stalls TOTAL: 128 STALLS

NOTE: SEE SHEETS C1-C3 FOR EXACT BUILDING LOCATIONS

MASTER SITE PLAN
 SCALE: N.T.S.

SIEGER LLC ARCHITECTURE <small>1501 Monroe St. Modesto, WI 53711 Phone: 608.283.6100 Fax: 608.283.6101 siegerarchitects@siegerglobal.net</small>	SITE PLAN project: SPRINGBROOK APARTMENTS WHITEWATER, WI owner: SPRINGBROOK LLC. 3469 CAPITAL DRIVE SUN PRAIRIE, WI 53580	<div style="border: 1px solid black; padding: 5px; font-size: 24pt; font-weight: bold;">C1.1</div>
6.21.07		

*NOTE: Drawings are 50% scale for 11x17 print sets.





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.

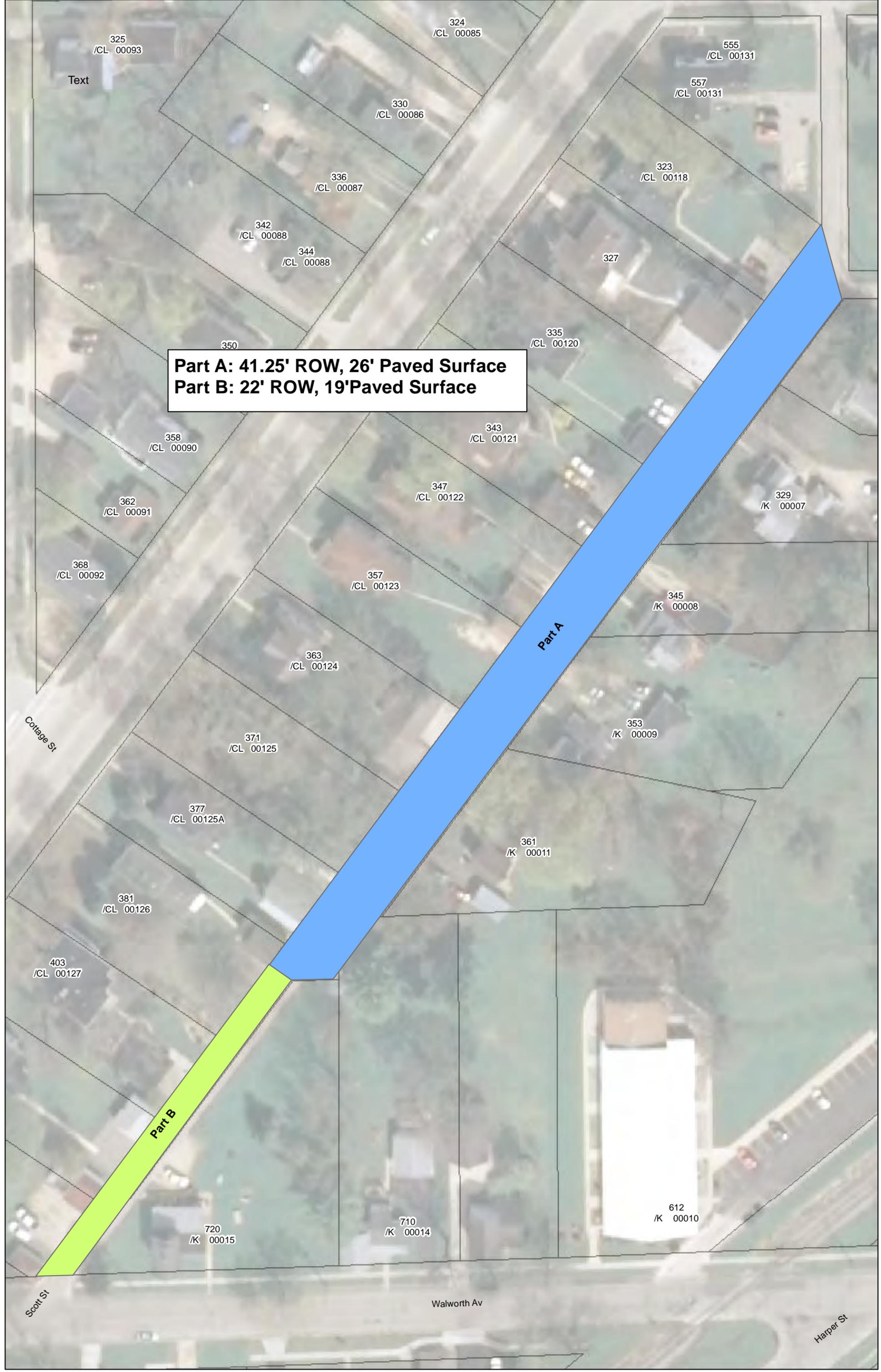
Staff review and general approvals have been given from Greg Noll, Building Inspector. Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the conditional use permit for Land and Water Investments to convert the single family home into a duplex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



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

Part A

Part B

Cottage St

Scott St

Walworth Av

Harper St

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

363 /CL 00124

353 /K 00009

371 /CL 00125

361 /K 00011

377 /CL 00125A

381 /CL 00126

403 /CL 00127

612 /K 00010

720 /K 00015

710 /K 00014

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

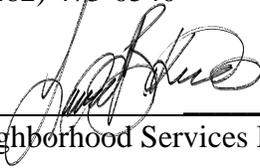
TO ALL INTERESTED PARTIES:

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 12th day of November, 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

LEONARD KIENBAUM
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. Frejermuth

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 Townhouse 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.

APPLICATION REQUIREMENTS

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

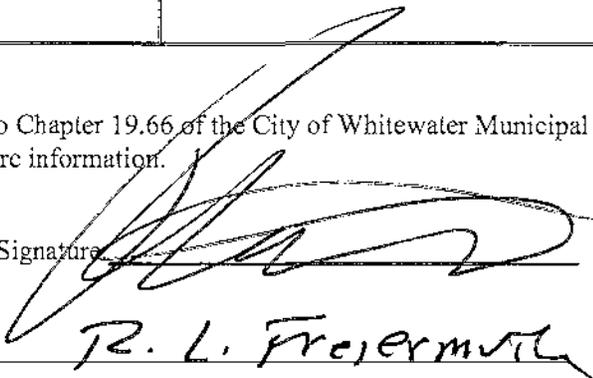
STANDARDS FOR REVIEW AND APPROVAL

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. Frejermuth

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. \$100.00 fee filed on 10-15-12. Received by: Jw. Receipt #: 6.010139
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on _____.
- 3) Notices of the Public Hearing mailed to property owners on _____.
- 4) Plan Commission holds the PUBLIC HEARING on _____. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

Condition Use Permit: Granted _____ Not Granted _____ By the Plan and Architectural Review Commission

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

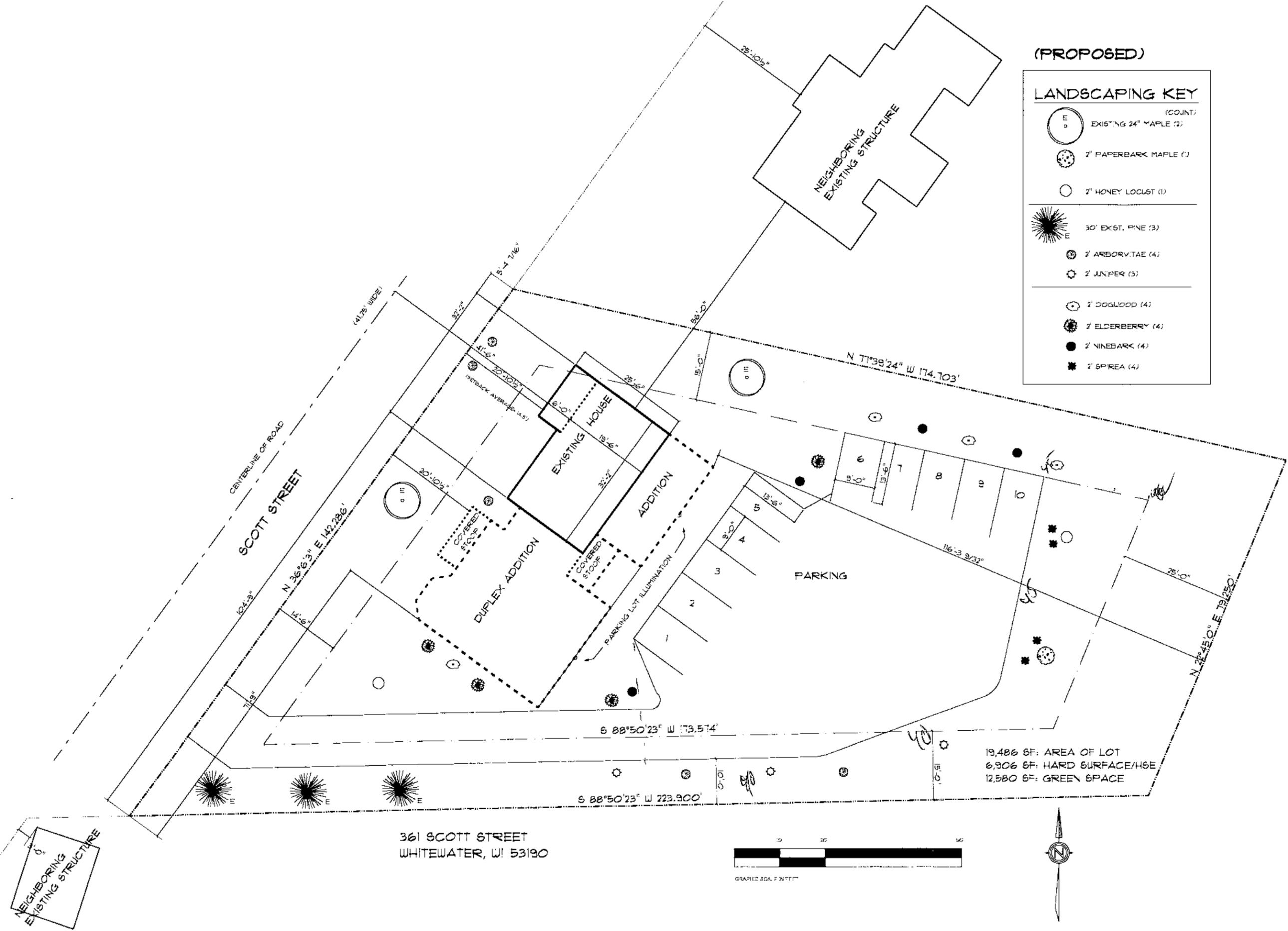


REAR ELEVATION

(PROPOSED)

LANDSCAPING KEY

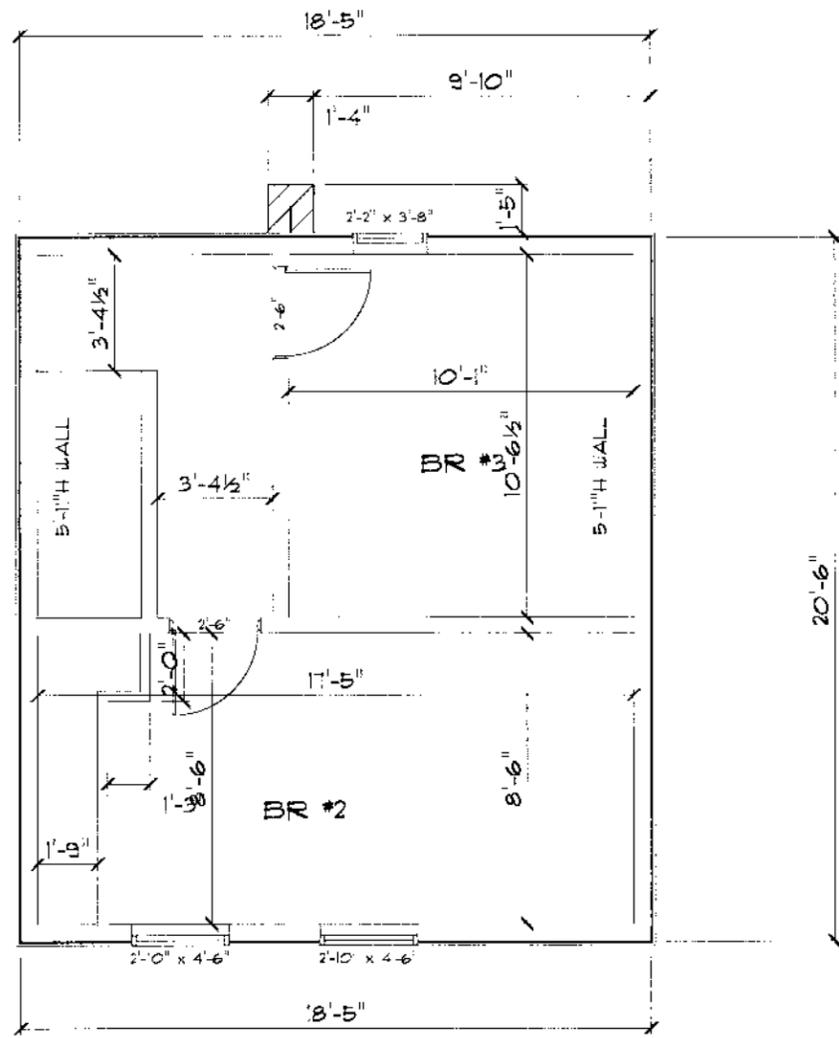
(COUNT)	
EXISTING 24" MAPLE (2)	
2" PAPERBARK MAPLE (2)	
2" HONEY LOCUST (1)	
30' EXIST. PINE (3)	
2" ARBORVITAE (4)	
2" JUNPER (3)	
2" DOGWOOD (4)	
2" ELDERBERRY (4)	
2" NINEBARK (4)	
2" SPREA (4)	



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

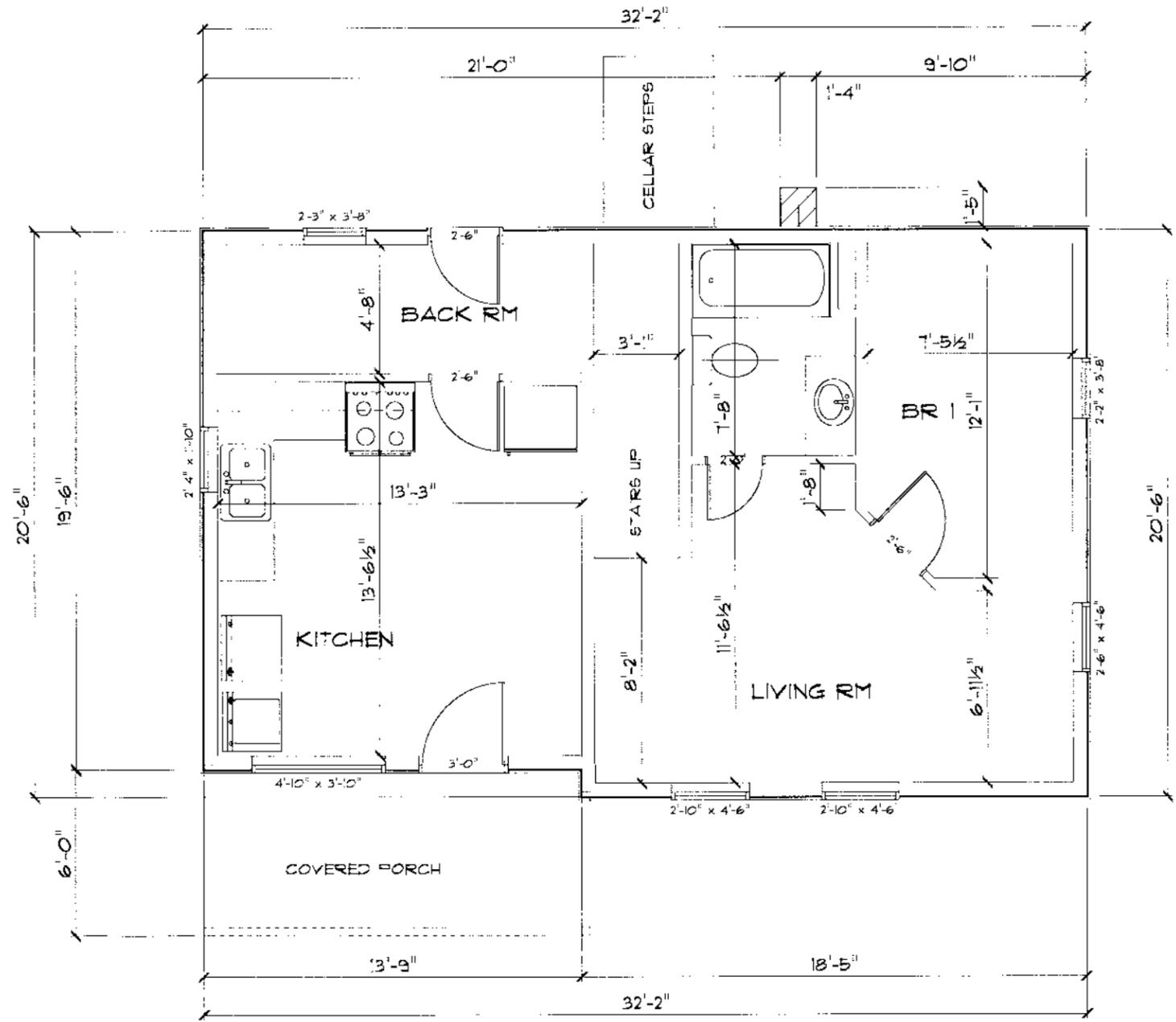
361 SCOTT STREET
WHITEWATER, WI 53190





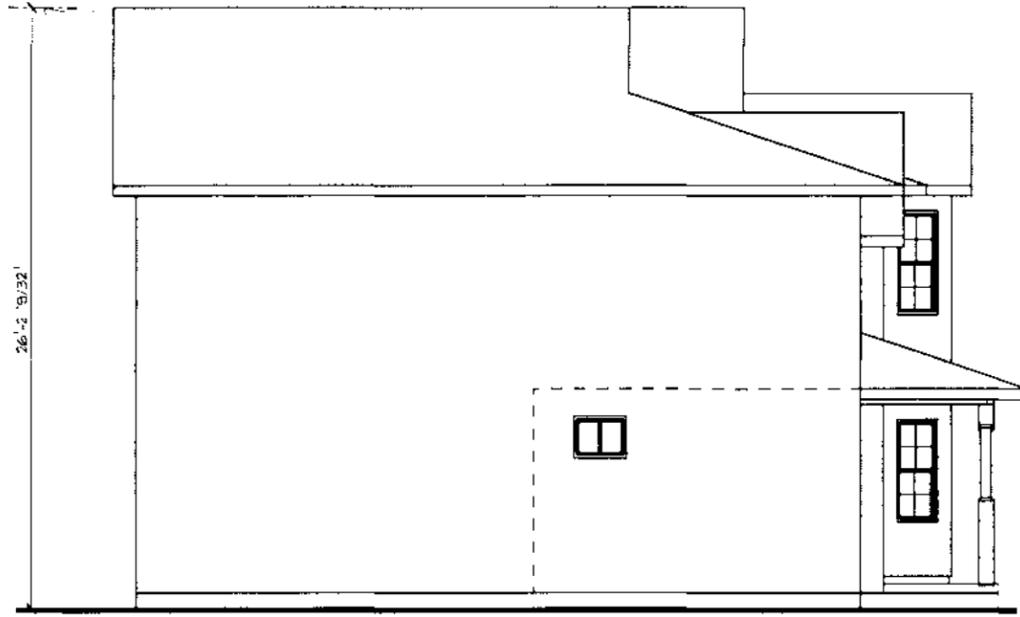
AS-BUILT 2nd FLOOR PLAN

AREA= 378 SF



AS-BUILT FIRST FLOOR PLAN

AREAS:
 1ST FLOOR= 646 SF
 2ND FLOOR= 378 SF
 TOTAL= 1024 SF



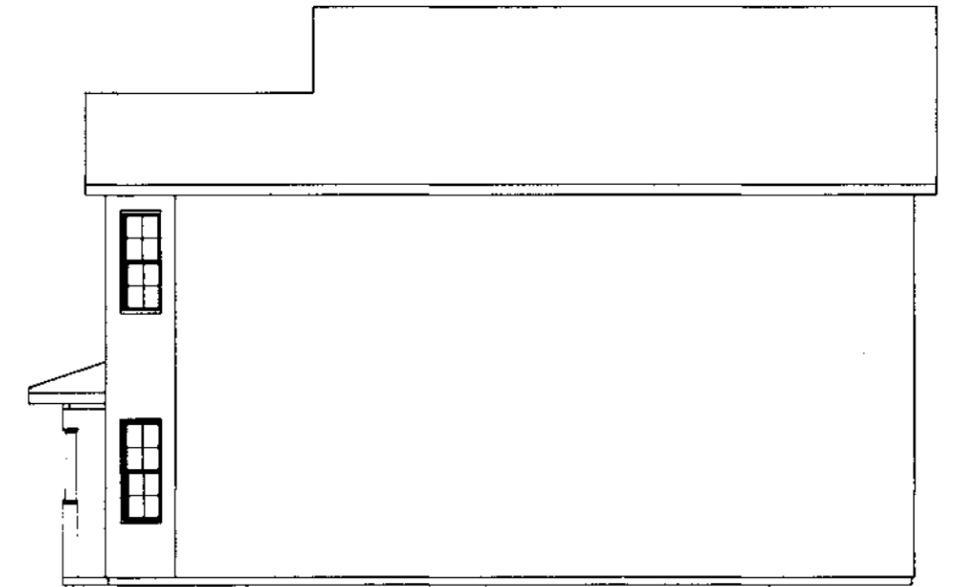
LEFT ELEVATION



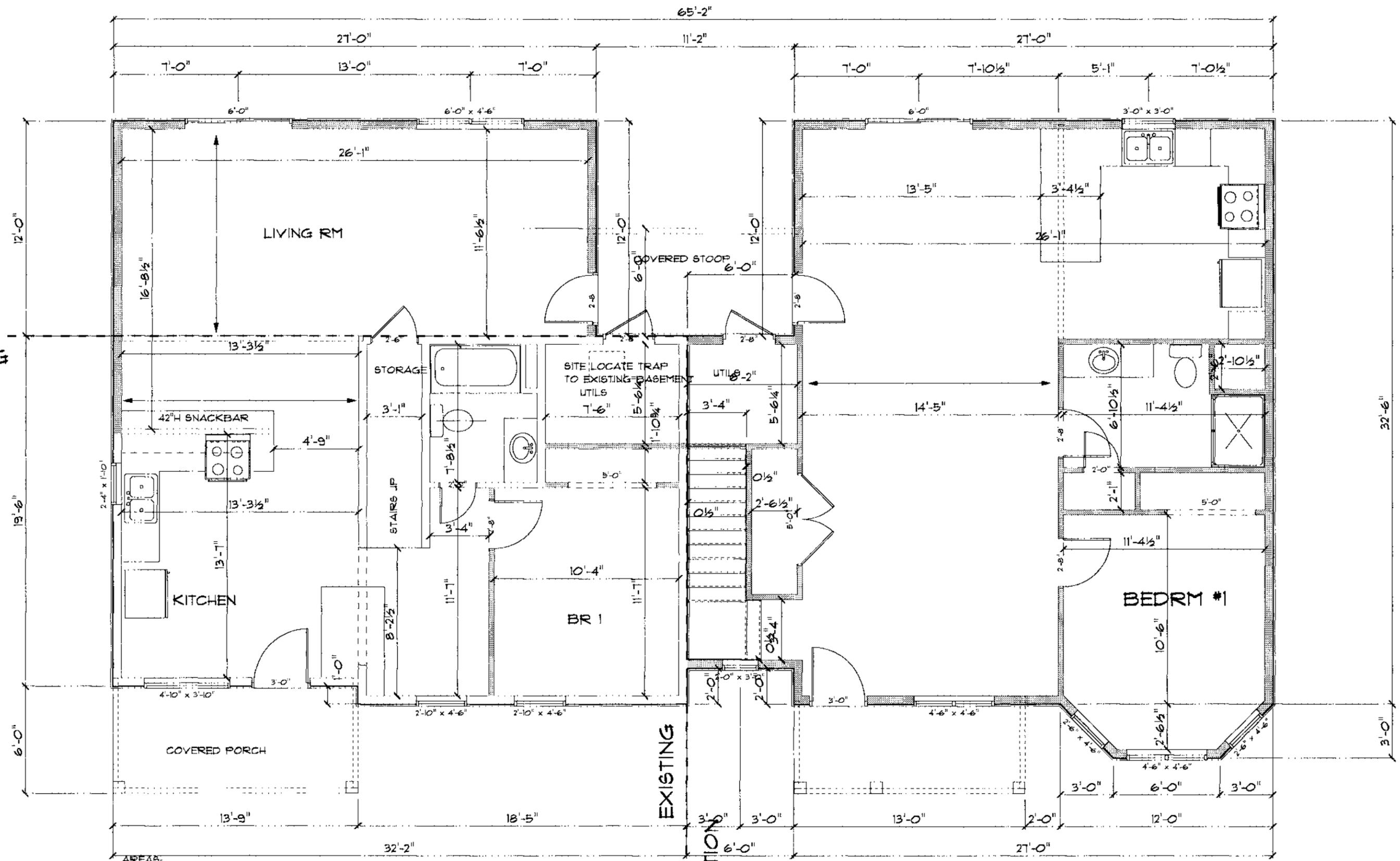
FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



ADDITION
EXISTING

EXISTING

ADDITION

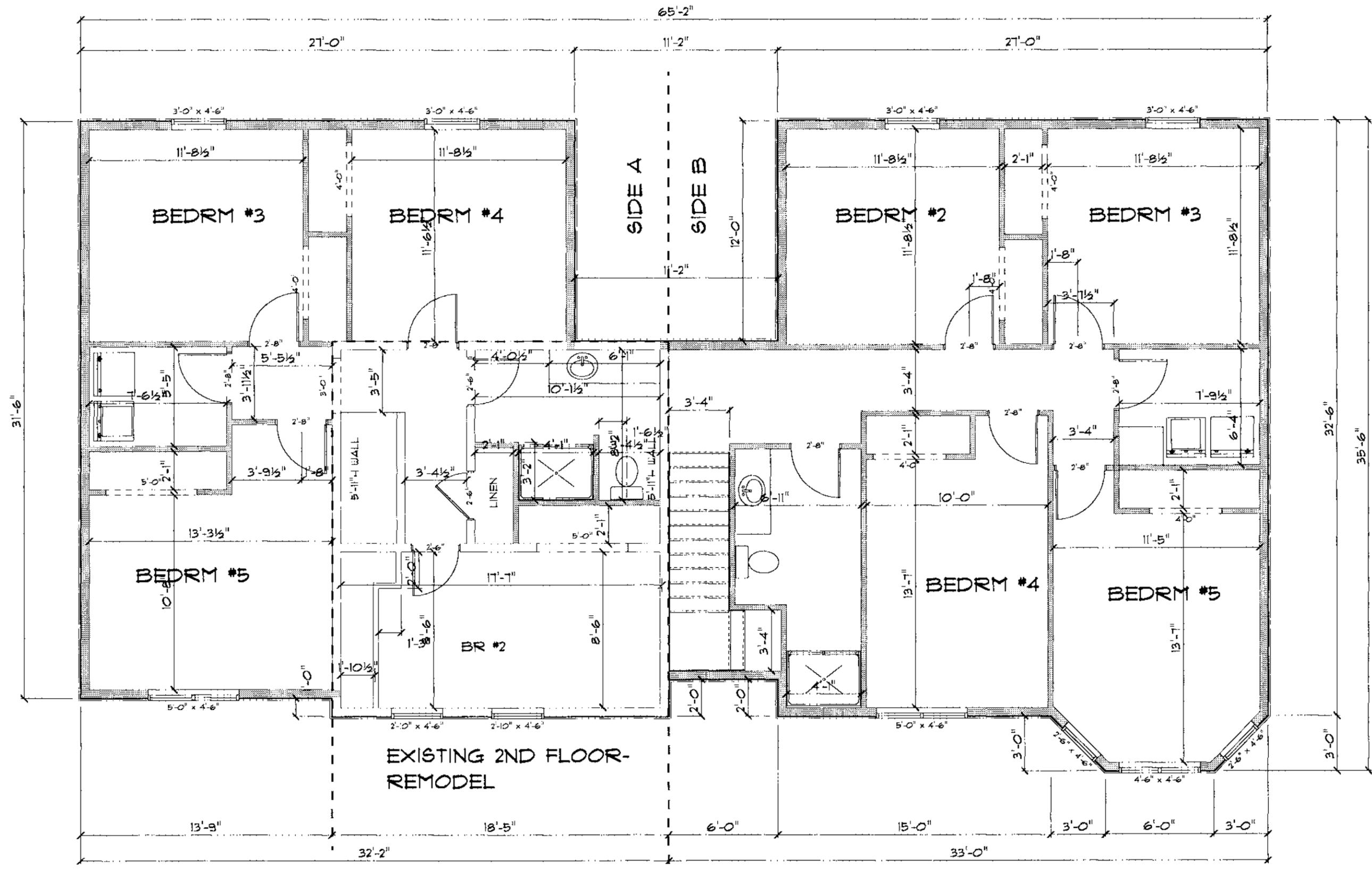
AREAS:
1ST FLOOR EXISTING= 646 SF
NEW 1ST FLOOR= 324

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



SECOND 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: 11/12/2012
Re: State of Wisconsin DOT Plat – Newcomb and Milwaukee Street intersection project.

Summary of Request

This plat is for the preparation of the right of way expansion for the DOT project that is scheduled to be completed in 2017.

These easements are required for this project. The City will have to hire a right-of-way agent to negotiate with the property owners to gain these easements.

Strand Associates and staff have reviewed this plat and recommend that the Plan Commission recommend approval to the Common Council.

STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION

TRANSPORTATION PROJECT PLAT TITLE SHEET

3110-06-20

MILWAUKEE STREET, CITY OF WHITEWATER

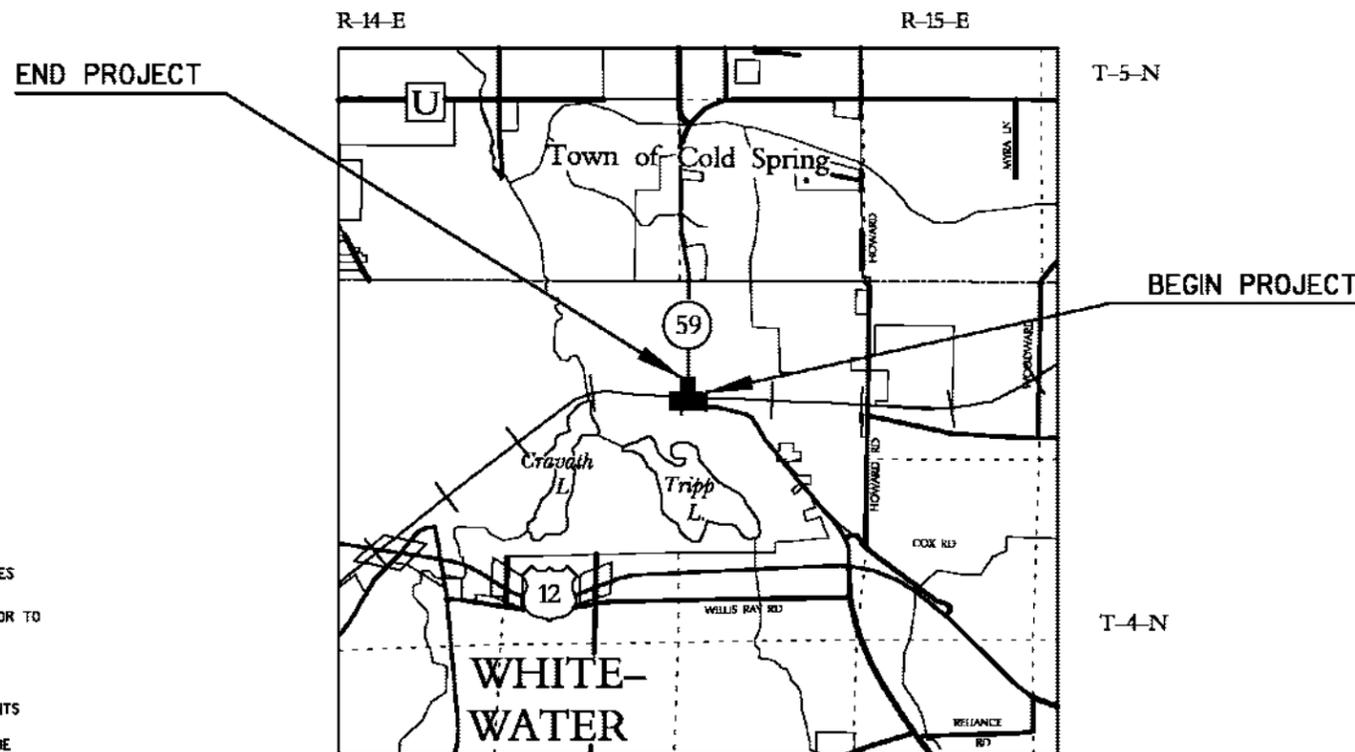
STH 59

NEWCOMB STREET INTERSECTION

WALWORTH COUNTY

4

4



CONVENTIONAL ABBREVIATIONS

ACCESS POINT / DRIVEWAY CONNECTION	AP	REFERENCE LINE	R/L
ACCESS RIGHTS	AR	RELEASE OF RIGHTS	ROR
ACRES	AC.	REMAINING	REM.
AND OTHERS	ET. AL.	RIGHT-OF-WAY	R/W
BUILDING	B.	SECTION	SEC.
CENTERLINE	C/L	SHED	S.
CERTIFIED SURVEY MAP	CSM	STATION	STA.
CORNER	COR.	TEMPORARY LIMITED EASEMENT	TLE
DOCUMENT	DOC.	VOLUME	V.
EASEMENT	EASEL.	CURVE DATA	
HIGHWAY EASEMENT	H.E.	LONG CHORD	LCB
HOUSE	H.	LONG CHORD BEARING	LCB
LAND CONTRACT	LC	RADIUS	R
MONUMENT	MON.	DEGREE OF CURVE	D
PAGE	P.	CENTRAL ANGLE OR DELTA	DELTA
PERMANENT LIMITED EASEMENT	PLE	LENGTH OF CURVE	L
PROPERTY LINE	PL	TANGENT	TAN
RECORDED AS	(1007)		

CONVENTIONAL SYMBOLS

FOUND IRON PIPE/PIN	OR UNLESS NOTED	PROPOSED R/W LINE	-----
		EXISTING H.E. LINE	-----
R/W MONUMENT	• (SET)	PROPERTY LINE	-----
R/W STANDARD	▲ (SET)	LOT & TIE LINES	-----
SIGN	ISIGN	SLOPE INTERCEPTS	-----
SECTION CORNER MONUMENT	•	CORPORATE LIMITS	-----
SECTION CORNER SYMBOL	•	NO ACCESS (BY PREVIOUS ACQUISITION/CONTROL)	-----
FEE (HATCH VARIES)	-----	NO ACCESS (BY ACQUISITION)	-----
TEMPORARY LIMITED EASEMENT	-----	NO ACCESS (BY STATUTORY AUTHORITY)	-----
PERMANENT LIMITED EASEMENT	-----	SECTION LINE	-----
R/W BOUNDARY POINT	•	QUARTER LINE	-----
PARCEL NUMBER	•	SIXTEENTH LINE	-----
UTILITY PARCEL NUMBER	•	EXISTING CENTERLINE	-----
SIGN NUMBER (OFF PREMISE)	•	PROPOSED REFERENCE LINE	-----
BUILDING	-----	PARALLEL OFFSET	-----

CONVENTIONAL UTILITY SYMBOLS

WATER	-----
GAS	-----
TELEPHONE	-----
OVERHEAD TRANSMISSION LINES	-----
ELECTRIC	-----
CABLE TELEVISION	-----
FIBER OPTIC	-----
SANITARY SEWER	-----
STORM SEWER	-----
NON COMPENSABLE COMPENSABLE	
POWER POLE	-----
TELEPHONE POLE	-----
TELEPHONE PEDESTAL	-----
ELECTRIC TOWER	-----

NOTES:

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, WALWORTH COUNTY, NAD83 (2007) ADJUSTMENT, USING THE WISCORS NETWORK. THE COORDINATES SHOWN ARE GRID COORDINATES AND ARE TO BE USED AS GRID OR GROUND VALUES ON THIS PLAT. DISTANCES ARE GROUND.

RIGHT-OF-WAY MONUMENTS ARE TYPE 2 AND WILL BE PLACED BY WISDOT SE REGION - SURVEY PRIOR TO THE COMPLETION OF THE PROJECT.

RIGHT-OF-WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY SYSTEM OR OTHER "SURVEYS OF PUBLIC RECORD".

PROPERTY LINES SHOWN ON THIS PLAT ARE DRAWN FROM DATA DERIVED FROM MAPS AND DOCUMENTS OF PUBLIC RECORD AND/OR EXISTING OCCUPATIONAL LINES. THIS PLAT MAY NOT BE A TRUE REPRESENTATION OF EXISTING PROPERTY LINES, EXCLUDING RIGHT-OF-WAY LINES, AND SHOULD NOT BE USED AS A SUBSTITUTE FOR AN ACCURATE FIELD SURVEY.

A TEMPORARY LIMITED EASEMENT (TLE) IS A RIGHT FOR CONSTRUCTION PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON AND THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM NECESSARY OR DESIRABLE. ALL TLE'S ON THIS PLAT EXPIRE AT THE COMPLETION OF THE CONSTRUCTION PROJECT FOR WHICH THIS INSTRUMENT IS GIVEN.

A PERMANENT LIMITED EASEMENT (PLE) IS A RIGHT FOR CONSTRUCTION AND MAINTENANCE PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON AND THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM NECESSARY OR DESIRABLE, BUT WITHOUT PREJUDICE TO THE OWNER'S RIGHT TO MAKE OR CONSTRUCT IMPROVEMENT ON SAID LANDS OR TO FLATTEN THE SLOPES, PROVIDING SAID ACTIVITIES WILL NOT IMPAIR OR OTHERWISE ADVERSELY AFFECT THE HIGHWAY FACILITIES.

A HIGHWAY EASEMENT (HE) IS AN EASEMENT FOR HIGHWAY PURPOSES, AS LONG AS SO USED, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM NECESSARY OR DESIRABLE.

DIMENSIONING FOR THE NEW RIGHT-OF-WAY IS MEASURED ALONG AND PERPENDICULAR TO NEW REFERENCE LINES.



LAYOUT
SCALE 0 1/2 MI.

TOTAL NET LENGTH OF CENTERLINE = 0.127 MI.

RESERVED FOR REGISTER OF DEEDS
PROJECT NUMBER 3110-06-20 - 4.01
SHEET 2 OF 2
AMENDMENT NO:



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: Review first draft of proposed chicken ordinance

Summary of Discussion

On October 8th, 2012, the Plan Commission reviewed an ordinance amendment application to allow chickens in the backyard of residential properties. The Plan Commission directed staff to work with the applicant to provide a first draft to review. You will find that draft attached.

There were concerns about diseases that might be spread because of chickens being located in residential areas. Staff has attached the informational items from the applicant in this packet.

From: Peter Underwood [<mailto:peter@jrswab.com>]
Sent: Monday, November 05, 2012 9:12 PM
To: Latisha Birkeland
Subject: RE: Chicken Ordinance

Hi Latisha,

There was brief discussion of diseases in the context of backyard chickens at the Plan Commission meeting. I am very happy to fully address any disease related concerns at the next Plan Commission meeting and I believe that Dr. Ken Kidd would be an additional resource at the City Council level or perhaps to validate my comments maybe he could be invited to the Plan Commission meeting since he is an alternate and he could provide additional commentary (although probably not worth his time since these are really non-issues). But, these are diseases that he would also be knowledgeable about . . . although I would bet he has never seen a person with a disease contracted from a live chicken.

The publication "Urban Poultry" that I provided the Plan Commission I feel covers the topic of diseases well as does the letter from Poultry Scientist Ron Kean that I have attached to this email. There is also a nice little section on disease relevant to chickens in the large Environmental Law Report publication I provided the Plan Commission on pages 10894 and 10895.

The one particular disease that was brought up by Mr. Hartmann, Histoplasmosis, is caused by a fungal organism that does not reside in chickens and is not a fecal or enteric organism (meaning it doesn't exist natively in chicken feces or in their intestinal tract). Birds and poultry are not carriers of histoplasmosis. It is a soil organism and only gets into chicken feces through the soil. . . so effectively if you are worried about histoplasmosis, you have to be worried about dirt in general as that is the source of histoplasmosis.

The histoplasmosis organism can proliferate in large prolonged accumulations of any bird or bat droppings (or many animal droppings). It generally requires disturbing large quantities of accumulated droppings in places like caves, large farm buildings, attics, or other abandoned buildings to acquire a pulmonary infection with histoplasmosis. You can't get histoplasmosis from just handling chicken feces and I would bet there has never been a case of histoplasmosis reported from a small chicken flock.

Severe histoplasmosis is only likely in people with severely weakened immune systems (like people on cancer chemotherapy drugs or people with AIDS), but again, it is only large prolonged accumulations of droppings that are problematic and you need other composted material or soil for histoplasmosis to get into the droppings.

The more relevant organism to talk about when discussing chickens is Salmonella. Salmonella is a more important cause of human illness, but it is most commonly caused by consumption of uncooked eggs, from improperly processed chicken meat, or from a multitude of other processed food sources. It is only very rarely, if at all, associated with chicken droppings.

Salmonella is a common cause of outbreak illness in humans from many other sources. Just this year there have been outbreaks of salmonella associated with peanut butter, hedgehogs, mangoes, cantaloupes, ground beef, dry dog food, small turtles, and tuna products. Outbreaks have occurred from contact with live poultry, but the only ones I am aware of came from large industrial chicken hatcheries. Salmonella can also be contracted from many reptiles, rodents, dogs, and cats.

I am actually more worried about catching salmonella from food from our grocery store than from my chickens (and I am not very worried about the food in our grocery store).

The Environmental Law Reporter article comments regarding Salmonella are concise and appropriate:

Another illness that causes concern because it can be transferred to humans is salmonella. Chickens, like

other common household pets—including dogs, turtles, and caged birds—can carry salmonella. For this reason, the CDC counsels that people should wash their hands after touching poultry, should supervise young children around poultry, and make sure that young children wash their hands after touching chicks or other live poultry .

I believe that our current ordinance effectively avoids issues such as histoplasmosis by only allowing a small flock of birds and requiring frequent cleaning of the coop. Salmonella can be avoided by not eating undercooked eggs and by appropriate hand hygiene one should do after contact with any domestic pet.

Let me know if you need further information or feel free to give me a call. I will be at the November 12th meeting barring any emergency.

Take care,

Peter

Peter Underwood
262-893-7742

From: Latisha Birkeland [<mailto:LBirkeland@whitewater-wi.gov>]
Sent: Monday, November 05, 2012 4:05 PM
To: 'Peter Underwood'
Subject: RE: Chicken Ordinance

Peter,

Concerns were raised at the meeting regarding diseases that can be caught from chickens/feces. Can you provide some information to me specifically regarding this? I know you spoke about and there are some items in the information you submitted, but you have more specific feces or diseases?

Latisha

Latisha Birkeland | Neighborhood Services Manager / City Planner | City of Whitewater | 312 W. Whitewater St. | Whitewater, WI 53190

☎ (262) 473-0143 | ✉ lbirkeland@whitewater-wi.gov | e <http://www.whitewater-wi.gov>

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College of Agriculture and Life Sciences • University of Wisconsin-Madison

Department of Animal Sciences • 1675 Observatory Drive • Madison, WI 53706-1284 • TEL 608-263-4300 • FAX 608-262-5157

Ron Kean
255 Animal Science Building
Voice: 608 262 –8807
Fax: 608 262-5157
E-mail: rpkean@wisc.edu

August 22, 2012

Dear Mr. Underwood,

You asked me to offer some thoughts on small urban flocks of poultry, so here are some.

Let me start by telling you a little about my training and experience with poultry. I grew up on a small, diversified farm and we kept a backyard flock of poultry, including chickens, ducks, turkeys and guineas. I have a BS in Animal Science, an MS in Animal Breeding, working with chickens, and have worked with poultry here at the university for more than 19 years. I took numerous classes on poultry husbandry, diseases, and general animal science during my schooling, and have taught several classes here as well.

I will comment briefly on a few topics that often come up when discussing small flocks. I have been somewhat involved with several municipalities as they looked at legalizing these small flocks, so I'll assume you are proposing a similar ordinance (4-6 hens, no roosters, no slaughtering, etc.).

One of the first considerations is usually the risk of disease. While there are several diseases that can possibly be transmitted between chickens and humans, most of them are rare and are not usually a problem. As with any animal, some simple precautions (such as washing your hands after handling them and keeping clean facilities) can be taken to avoid most of these.

Following is a list of potential diseases and some comments about each of them:

Salmonellosis – This is often what people think of when they think of chickens. There are about 2500 different species of *Salmonella* and a few of them can be carried by chickens and can make people sick. The type that usually makes the news (*Salmonella enteritidis* or SE) can be contracted by consuming undercooked eggs or from contamination from raw chicken meat. It can rarely be contracted from contact with fecal material, but a good hand washing with soap after handling any chicken will take care of this. I'd also point out that salmonellosis can be contracted from pet turtles, iguanas, pygmy hedgehogs, etc. as well as dogs and cats.

Psittacosis – This is a bacterial disease that can be contracted from poultry, although it is very rare. It's more commonly carried by cage birds (parrots, etc.) than by poultry. It can be treated with antibiotics.

Tuberculosis – While rare, there have been records of people contracting tuberculosis from birds. Typically, those who are immunocompromised are most at risk. Tuberculosis is not a common disease in poultry.

Histoplasmosis – this is a fungal disease that is actually caused by a soil fungus. It's not carried by birds, but can grow in old poultry or pigeon manure. It's commonly connected with pigeon droppings in church belfries, barns, etc. where these droppings accumulate. As long as a poultry house is cleaned regularly, this should not be an issue at all.

Parasites – Because chickens are not closely related to humans (Class *Aves* vs. Class *Mammalia*), parasites are generally adapted to one or the other. Mites, lice, etc. from birds will not live on humans for more than a few hours. Likewise, internal parasites are typically adapted to the poultry gut and won't be a problem for humans. One protozoa, *Giardia*, can occasionally affect birds and humans. This is more commonly seen in cage birds (parakeets, canaries, etc.). Most hobby flock owners routinely monitor and treat their birds for parasites anyway, in an effort to improve the livelihood of the birds.

Influenza – This has been in the news quite a bit recently, and there has been evidence in some other countries that humans can become infected from chickens. The subtypes that affect humans have not occurred in poultry in the United States for many, many years. The USDA conducts an aggressive program to depopulate flocks that may have other subtypes in an effort to prevent this from happening in the future.

There are a few other viruses that have been transmitted to people in lab conditions, but which are not really concerns in a hobby flock situation.

Some other non-disease issues that are often brought up can also be easily controlled:

Flies – The best way to prevent flies is to keep the litter dry. The eggs and larvae (maggots) need moisture to develop, so if the litter is dry, they will not be an issue. Also, most small flock owners clean out regularly, so manure buildup is not an issue. With a flock size of a few chickens, excess moisture should not be a problem.

Odor – Similar to the issue of flies, odor is seldom a problem if the litter is kept dry. Odor is usually associated with ammonia production, and this will be prevented by keeping the litter dry. Again, with a flock size of a few chickens, I'd be surprised if there is a moisture problem.

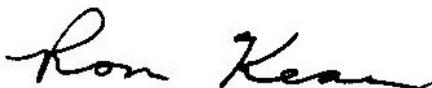
Noise – Roosters crowing can be an annoyance, especially in the early morning! Hens are typically considerably quieter and shouldn't be an issue. Certainly, they should be no more disruptive than a barking dog.

After listing all of these things, I know it sounds horrible, but the risks are really quite minimal. With any animal, there are possible issues, but a list of possible threats from a dog or cat would be at least as long, and probably longer. I think a small flock of hens can make wonderful, if unique, pets in an urban backyard. They also offer some benefits, such as eggs, garden fertilizer, etc., that dogs or cats can't provide.

I have also followed the Madison chicken ordinance fairly closely. I believe it has been in effect for about 9 years, and I have heard of very few complaints over that time. Chickens are kept by a fairly small percentage of the households, but those owners seem to be very happy with their flocks. To my knowledge, their neighbors have not been bothered much either.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ron Kean". The signature is written in a cursive, flowing style.

Ron Kean
UW-Extension Poultry Specialist

From: Peter Underwood [<mailto:peter@jrswab.com>]
Sent: Tuesday, November 06, 2012 6:32 AM
To: Latisha Birkeland
Subject: RE: Chicken Ordinance

Hi again Latisha,

I am not sure if you are looking for a different reference source for chicken related diseases, but if that is what you are seeking the Center for Disease Control has specific informational web pages on many diseases.

Since Salmonella is really the only infectious disease relevant to chickens, it may be useful for you to have the CDC web page on Salmonella for reference.

<http://www.cdc.gov/salmonella/general/diagnosis.html>

There are so many ways to contract salmonella that it is hard to get concerned about backyard chickens (and it is really just the chicken owners who are at more risk if they don't use proper hand hygiene, just as they are at risk if they don't practice proper hand hygiene with any domestic pet).

As the poultry scientist Ron Kean mentions in his letter of support for backyard chickens, the risk of disease is quite minimal and the list of possible threats from a dog or cat would be at least as long, and probably longer.

Hope this helps.

Peter

From: Latisha Birkeland [<mailto:LBirkeland@whitewater-wi.gov>]
Sent: Monday, November 05, 2012 4:05 PM
To: 'Peter Underwood'
Subject: RE: Chicken Ordinance

Peter,

Concerns were raised at the meeting regarding diseases that can be caught from chickens/feces. Can you provide some information to me specifically regarding this? I know you spoke about and there are some items in the information you submitted, but you have more specific feces or diseases?

Latisha

Latisha Birkeland | Neighborhood Services Manager / City Planner | City of Whitewater | 312 W. Whitewater St.
| Whitewater, WI 53190

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ORDINANCE NO. _____
ORDINANCE CREATING SECTION 9.06.015
ENTITLED CHICKEN ORDINANCE

11/06/12 2:00 p.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.

(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 coop 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.

(4) If the applicant proposes to keep chickens in the yard of a multi-family or rented dwelling, the applicant must present a signed statement from all owners and all adult tenants of the multi-family dwelling consenting to the applicant's proposal for keeping chickens on the premises.

(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



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: Discussion of site plan review requirements

Discussion

The intention of this discussion is to determine what has worked for plan review over the past year and what might need to be changed. The list below is a starting point. We can add to this list and review it at this meeting or wait until the next meeting.

Items to discuss:

- 1) The code allows for the zoning administrator or the plan and architectural review commission may reduce the information requirements when deemed appropriate.
 - a. Should we be requiring some items on each application?
- 2) Digital submittal requirements? Amount of large paper copies needed?
- 3) GIS maps
- 4) Other?

19.63.020 - Plan review—Application requirements.

Applications for plan review shall be made to zoning administrator at least ten days prior to the plan and architectural review committee meeting at which the plan is to be considered, and shall include the following information to be considered complete. The zoning administrator or plan and architectural review commission may reduce the information requirements where deemed appropriate. Twenty complete sets of all required plan materials shall be required.

- A. Names, phone numbers, and addresses of the applicant, owner of the site, architect, professional engineer, contractor and all other individuals responsible for preparation of plan materials;
- B. Identification of the subject site by lot, block and recorded subdivision, or by metes and bounds;
- C. Description of the existing and proposed use or operation of the structure or site, number of employees, building lot coverage, landscaped surface ratio, residential density and existing zoning;
- D. Building elevations and exterior architectural drawings, including enough detail to show the proposed building style, exterior materials, colors, mechanicals and lighting;
- E. Site plans drawn to a scale not less than fifty feet to the inch, showing:
 - 1. The natural features of the site, including water bodies, wetlands, floodplains, environmental corridors, trees with trunks greater than four inches in diameter, existing drainage patterns, and topography at two foot intervals,
 - 2. The location and dimensions of proposed and existing structures in relation to street and property lines, including buildings, Dumpsters, signs, mechanicals, walls and fences,
 - 3. The location, dimensions and arrangement of all open spaces, yards, and landscape plantings and buffer yards, including the species and size at time of planting for all landscaping,
 - 4. The location, arrangement and capacity of all areas used for vehicle and pedestrian access, off-street parking, off-street loading and unloading, including methods for screening,
 - 5. The capacity and arrangement of all buildings used or intended to be used for dwelling purposes,
 - 6. The proposed location and other characteristics of all outdoor lighting fixtures, pursuant to [Section 19.57.150\(C\)](#),
 - 7. The location and size of all existing and proposed utilities and all related easements,
 - 8. The location of any proposed stormwater management facilities, including proposed drainage patterns and detention/retention facilities where required;
- F. Other information deemed necessary by the zoning administrator or the plan and architectural review commission to fully assess the impacts of a proposed project.

(Ord. 1452 § 18, 2000; Ord. 994 § 8.2, 1982).