



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW  
COMMISSION

Agenda

September 8, 2014

City of Whitewater Municipal Building  
312 W. Whitewater St., Whitewater, Wisconsin  
6:30 p.m.

**\*Amended agenda 9/2/14 as of 3:00 p.m. Item #4 added a new a.**

**\*\*Amended Agenda 9/3/14 as of 3:00 p.m. Item #12. Discussion of new Zoning Code.**

1.	Call to order and Roll Call.
2.	<b>Hearing of Citizen Comments.</b> 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 and approve the Plan Commission minutes of July 14, 2014.
4.	<p>*a. Review a conceptual development plan to accommodate a business expansion in the Whitewater Business Park.</p> <p>b. Review a proposed Certified Survey Map to combine and re-divide city owned vacant land (tax parcel #'s /A3130 00001 and /A3130 00002 located north of Innovation Drive in the Whitewater Business Park; and for the sale of Lot 2 to the Community Development Authority (CDA).</p> <p>c. Review a proposed Certified Survey Map to combine Lot 2 as shown on the certified survey map as created under item # 4a of this agenda and Lot 3 of Certified Survey Map 2509 (tax parcel # /A2509 00003).</p> <p><b>This is a joint meeting agenda item with the Community Development Authority.</b></p>
5.	Hold a public hearing for consideration of a change of the District Zoning Map for the following parcel to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 of the Zoning Ordinance of the City of Whitewater on the following area: 250-252 S. Fourth Street (Tax ID# /OT 00175) for Randall Aschbrenner/RLA Properties LLC.
6.	Hold a public hearing for consideration of a Conditional Use Permit in an R-2A Overlay Zoning District, to allow for 4 unrelated persons per unit to live in the house located at 250-252 S. Fourth Street for Randall Aschbrenner/RLA Properties LLC.
7.	Hold a public hearing for consideration of a change of the District Zoning Map for the following parcel to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 of the Zoning Ordinance of the City of Whitewater on the following area: 255 S. Prairie Street (Tax ID# /CL 00051) for Mark and

	Lexy Maas.
8.	Hold a public hearing for consideration of a Conditional Use Permit in an R-2A Overlay Zoning District, to allow for 5 unrelated persons to live in the house located at 255 S. Prairie Street for Mark and Lexy Maas.
9.	Hold a public hearing for consideration of a Conditional Use Permit for the construction of a 3,024 sq. ft. (72' x 42') detached garage to be located at 647 W. Harper Street for Chris Thein. (This is 2,224 sq. ft. more than the maximum size (800 sq. ft.) allowed for a detached accessory structure).
10.	Hold a public hearing for consideration of a Conditional Use Permit (tavern and other places selling alcohol by the drink) for Kathy Gibbs (Agent) to serve beer and liquor at 204 W. Main Street (for a "Class B" Beer and Liquor License) formerly "The Downstairs Bar".
11.	Hold a public hearing for a Conditional Use Permit to allow for a 5 unit townhouse style residential apartment building in an R-3 (Multi-family) Zoning District in addition to the existing residence located at 1014 W. Main Street for Ryan Hughes. <b>This item has been postponed.</b>
12.	**Discussion of new Zoning Code.
13.	Information Items: a. Possible future agenda items. b. Next regular Plan Commission Meeting – October 13, 2014
14.	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 Director, 312 W. Whitewater Street, Whitewater, WI, 53190 or [jwegner@whitewater-wi.gov](mailto:jwegner@whitewater-wi.gov).  
The City of Whitewater website is: [whitewater-wi.gov](http://whitewater-wi.gov)

## MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission  
From: Mike Slavney, FAICP, Consulting City Planner  
Date: 3 September 2014  
Re: **Item # 4** Two Proposed Certified Survey Maps for Lots North of Innovation Drive  
in the Whitewater Business Park

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### **Description of the Proposal:**

The subject property is located on the far east side of the City, between Universal Boulevard and Innovation Drive in the Whitewater Business Park. The property is zoned M-1, General Manufacturing District. The intention of this proposal is to enable Lavelle Industries to expand their operations onsite.

There are two proposed certified survey maps (CSMs). These CSMs create a very clear paper trail in map form. If approved, the CSMs will be filed at the Walworth County Register of Deeds, making the paper trail permanent.

The first CSM adjusts the boundary between Lot 1 and Lot 2. It squares-up Lot 2 so that its boundaries are aligned with those of the surrounding lots.

The second CSM combines the current Lavelle Industries lot (shown as Lot 3 on the first CSM) with the newly-adjusted lot (formerly Lot 2) to the south. This results in one larger lot (labeled Lot 1 on the second CSM) that runs through the entire block from Universal Blvd to Innovation Dr.

### **PLANNER'S RECOMMENDATIONS:**

I recommend approval of the two proposed CSMs, subject to any requirements identified by the Plan and Architectural Review Commission.

4a. + 4b.



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

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

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Whitewater Municipal Building Community Room located at 312 W. Whitewater Street on the 8th day of September, 2014, at 6:30 p.m. to review the following items:

1. A proposed Certified Survey Map to combine and re-divide city owned vacant land (tax parcel #'s /A3130 00001 & /A3130 00002) located north of Innovation Drive in the Whitewater Business Park; and for the sale of lot 2 to the Community Development Authority (CDA).
2. A proposed Certified Survey Map to combine Lot 2 as shown on the certified survey map as created under item #1 of this notice and Lot 3 of Certified Survey Map 2509 (tax parcel # /A2509 00003).

**This is a joint meeting agenda item with the Community Development Authority.**

The proposals are 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 4:30 p.m.

The above 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.



Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Address1	City	State	Zip
/A2509 00002	TREK BICYCLE CORP	801 W MADISON ST/P O BOX 18	WATERLOO	WI	53594-0183
/A250900003	LAVELLE INDUSTRIES INC	665 MCHENRY ST	BURLINGTON	WI	53105-0000
/A294300001	MARCUSSEN TOOL & DIE INC	1227 UNIVERSAL BLVD	WHITEWATER	WI	53190-0000
/A295900001	BAVARIA EQUITIES 1171 LLC	W184 S8395 CHALLENGER DR	MUSKEGO	WI	53150-0000
/A305000001	<del>CITY OF WHITEWATER 'PUMP HOUSE'</del>	312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/A313000001	<del>CITY OF WHITEWATER 'PUMP HOUSE'</del>	312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/A313000002	<del>CITY OF WHITEWATER 'PUMP HOUSE'</del>	312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/A444300001	<del>CITY OF WHITEWATER 'PUMP HOUSE'</del>	312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/A444300002	<del>CITY OF WHITEWATER 'PUMP HOUSE'</del>	312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/WUP 00322	CITY OF WHITEWATER	312 W WHITEWATER ST	WHITEWATER	WI	53190-0000



Whitewater CDA - Board of Directors  
Monday September 8, 2014  
6:30 PM  
Community Room  
Whitewater Municipal Building  
312 W. Whitewater St.  
Whitewater, WI 53190

1. **Call to order and roll call.**
2. **HEARING OF CITIZEN COMMENTS.** *No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.*
3. **Consideration, discussion and approval of the following items:**
  - a. **A proposed Certified Survey Map to combine and re-divide city owned vacant land (tax parcel #'s /A3130 00001 & /A3130 00002) located north of Innovation Drive in the Whitewater Business Park; and for the sale of lot 2 to the Community Development Authority.**
  - b. **A proposed Certified Survey Map to combine Lot #2 (as shown of the Certified Survey Map as created under item#1 of this agenda) and Lot 3 of Certified Survey Map 2509 (tax parcel /A2509 00003)**
4. **Future agenda referrals**
5. **Adjourn**

*It is possible that a quorum of Common Council and Technology Park Board members may attend this meeting. Even if a quorum is present, no Common Council and/or Technology Park Board business will be conducted at this meeting. Anyone requiring special arrangements is asked to call the office of the City Manager/ City Clerk at least 24 hours prior to the meeting.*

**Future Meeting Dates:**

September 10, 2014  
October 8, 2014  
November 12, 2014  
December 10, 2014



Lot 1

Lot 3

Lot 2



Lot 1

Combined Lot  
of Second CSM

Lot 2

City of Whitewater  
Application for Plan Review

**IDENTIFICATION AND INFORMATION ON APPLICANT(S):**

Applicant's Name: Community Development Authority of City of Whitewater, Wisconsin; Lavelle Industries Inc  
 Applicant's Address: 312 W. Whitewater St  
Whitewater WI 53190 Phone # 262 473 0148

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

Street address of property: \_\_\_\_\_

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

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

Name of Individual: <u>PATRICK A Cannon</u>	<u>Deborah schreffler</u>
Name of Firm: <u>Whitewater CDA</u>	<u>Lavelle Industries</u>
Office Address: <u>312 W. Whitewater St</u>	<u>465 N Henry St Burlington WI 53105</u>
<u>Whitewater WI 53190</u>	Phone: <u>262 257 2223</u>
Name of Contractor: <u>N/A</u>	

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: Currently Zoned M1, vacant land Current Land Use:

Accessory or Secondary Uses: CSM Being completed for lot sale; combining lots

**Proposed Use**

Lavelle Industries Inc is expanding their current facility.  
The additional lot is required for set backs and  
Access purposes.

No. of occupants proposed to be accommodated: one

No. of employees: \_\_\_\_\_

Zoning District in which property is located: M1

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;	yes - lot size meets minimum requirements
B. The proposed development will be consistent with the adopted city master plan;	yes - Business Park Development
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;	Correct. Building is subject to Restrictive Covenants in Business Park

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p>Correct</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>Yes - CSMS will only create and combine lots. Future Building will meet restrictive covenants.</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>Correct</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>Correct</p>

**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.



Applicant's Signature



8-11-14  
Date

**APPLICATION FEES:**

*Fee for Plan Review Application: \$100*

Date Application Fee Received by City \_\_\_\_\_

Receipt No. \_\_\_\_\_

Received by \_\_\_\_\_

**TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:**

Date notice sent to owners of record of opposite & abutting properties: 8-27-14

Date set for public review before Plan & Architectural Review Board: 9-8-14

**ACTION TAKEN:**

Plan Review: \_\_\_\_\_ Granted \_\_\_\_\_ Not Granted by Plan & Architectural Review Commission.

**CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:**

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Signature of Plan Commission Chairman

Date

## **Tips for Minimizing Your Development Review Costs:**

### **A Guide for Applicants**

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

### **Meet with Neighborhoods Services Department before submitting an application**

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

### **Submit a complete and thorough application**

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

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

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

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

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and planning consultant still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.

6. Indicate the colors and materials of all existing and proposed site/building improvements. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

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

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

## **For more complex projects, submit your project for conceptual review**

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

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

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

## **Hold a neighborhood meeting for larger and potentially more controversial Projects**

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

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

## Typical City Planning Consultant Development Review Costs

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

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

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

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

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

### Applicant's Information:

Name of Applicant:

LAVELLE INDUSTRIES, INC.

Applicant's Mailing Address:

665 MCHENRY ST.

BURLINGTON, WI 53105

Applicant's Phone Number:

262 763 2434

Applicant's Email Address:

dscheffler@lavelle.com

### Project Information:

Name/Description of Development:

Address of Development Site:

Tax Key Number(s) of Site:

Property Owner Information (if different from applicant):

Name of Property Owner:

CDA of the City of Whitewater

Property Owner's Mailing Address:

**Section B: Applicant/Property Owner Cost Obligations**

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

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

- A. Application Fee.....\$ N/A
- B. Expected Planning Consultant Review Cost .....\$
- C. Total Cost Expected of Applicant (A+B) .....\$
- D. 25% of Total Cost, Due at Time of Application.....\$

E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

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

**Section C: Agreement Execution**

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

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

*Deborah M Scheffler*, CFO  
Signature of Applicant/Petitioner

\_\_\_\_\_  
Signature of Property Owner (if different)

DEBORAH M SCHEFFLER ON  
Printed Name of Applicant/Petitioner  
BEHALF OF LAVELLE INDUSTRIES  
INC.  
8/10/14

\_\_\_\_\_  
Printed Name of Property Owner (if different)

Date of Signature

\_\_\_\_\_  
Date of Signature

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

To be filled out by the Applicant/Property Owner

### Applicant's Information:

Name of Applicant:

LAVELLE INDUSTRIES, INC.

Applicant's Mailing Address:

665 McHENRY ST.  
BURLINGTON, WI 53105

Applicant's Phone Number:

262 763 2434

Applicant's Email Address:

dscheffler@lavelle.com

### Project Information:

Name/Description of Development:

Address of Development Site:

Tax Key Number(s) of Site:

Property Owner Information (if different from applicant):

Name of Property Owner:

CDA of the City of Whitewater

Property Owner's Mailing Address:

312 W. Whitewater ST  
Whitewater WI 53190

**Section B: Applicant/Property Owner Cost Obligations**

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

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

- A. Application Fee.....\$ N/A
- B. Expected Planning Consultant Review Cost .....\$
- C. Total Cost Expected of Applicant (A -B) .....\$
- D. 25% of Total Cost, Due at Time of Application.....\$

E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

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

**Section C: Agreement Execution**

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

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

  
Signature of Applicant/Petitioner

DEBORAH M SCHEFFLER ON  
Printed Name of Applicant/Petitioner  
BEHALF OF LAVELLE INDUSTRIES,  
INC.  
Date of Signature 8/11/14

  
Signature of Property Owner (if different)

Whitewater CPA  
Printed Name of Property Owner (if different)  
Date of Signature 8-10-14

**NOTICE:** The Plan Commission meetings are scheduled on the 2nd Monday of each month. All completed plans must be in by 9:00 a.m. four weeks prior to the scheduled meeting. If not, the item will be placed on the next available Plan Commission meeting agenda.

CITY OF WHITEWATER  
PLAN REVIEW APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$100.00 fee. Filed on 8-11-14.
2. Agenda Published in Official Newspaper on \_\_\_\_\_.
3. Notices of the public review mailed to property owners on \_\_\_\_\_.
4. Plan Commission holds the public review on \_\_\_\_\_.  
They will hear comments of the Petitioner and comments of property owners.  
Comments may be made in person or in writing.
5. At the conclusion of the public review, the Plan Commission makes a decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

Refer to Chapter 19.63 of the City of Whitewater Municipal Code of Ordinances, entitled PLAN REVIEW, for more information on the application.

Fifteen complete sets of all plans should be submitted. All plans should be drawn to a scale of not less than 50 feet to the inch; represent actual existing and proposed site conditions in detail; and indicate the name, address, and phone number of the applicant, land owner, architect, engineer, landscape designer, contractor, or others responsible for preparation. It is often possible and desirable to include two or more of the above 8 plans on one map. The Zoning Administrator or Plan and Architectural Review Commission may request more information, or may reduce the submittal requirements. If any of the above 10 plans is not submitted, the applicant should provide a written explanation of why it is not submitted.

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

A CERTIFIED SURVEY MAP LOCATED IN PARTS OF THE NW 1/4 OF THE NE 1/4, AND THE SW 1/4 OF THE NE 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST. BEING A COMBINATION OF LOT 3 OF CERTIFIED SURVEY MAP NO. 2509, AND LOT 2 OF CERTIFIED SURVEY MAP NO. \_\_\_\_\_ IN THE CITY OF WHITEWATER, WALWORTH CO., WISCONSIN.

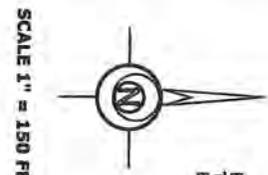
OWNER: LAVELLE INDUSTRIES INC.  
665 MCHENRY STREET  
BURLINGTON, WI 53105

NOTE: DRAINAGE AND UTILITY EASEMENTS (PUE) AS SHOWN, RESERVED FOR THE EXCLUSIVE USE OF THE CITY OF WHITEWATER AND PRIVATE UTILITIES IT GRANTS USAGE TO.

Mark L. Miritz  
MARK L. MIRITZ  
WI REGISTERED LAND SURVEYOR S-2582  
AUGUST 24, 2014

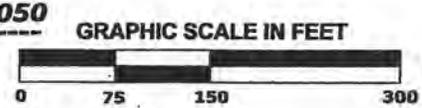


reserved for Walworth County register of Deeds



BASIS FOR BEARINGS:  
THE E. LINE OF THE NE 1/4, SEC. 3, T4N, R15E  
BEING N 00°14'18" W

UNIVERSAL BLVD. 66' WIDE



- Legend**
- ☒ Found County Section Corner Concrete Mon. with Brass Cap
  - Found iron pipe 1 1/4" dia.
  - Set 3/4" dia. iron rod, 18" long weighing 1.13 lbs./ lin. ft.
  - (xx) Recorded Dimension

SHEET 1 OF 2 SHEETS  
PROJECT NO. 14.708

N9330 KNUTESON DRIVE  
WHITEWATER, WI 53190

**LAND-MARK SURVEYING**  
www.Land-MarkSurveying.com

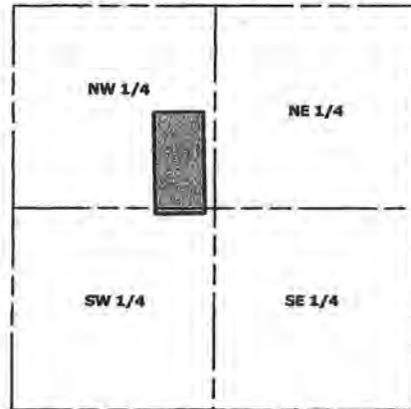
PHONE: (262) 495-3284  
CELL: (262) 949-1239

**CERTIFIED SURVEY MAP NO.** \_\_\_\_\_

VOL. \_\_\_\_\_, PAGES \_\_\_\_\_

A CERTIFIED SURVEY MAP LOCATED IN PARTS OF THE NW 1/4 OF THE NE 1/4, AND THE SW 1/4 OF THE NE 1/4, OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST. BEING A COMBINATION OF LOT 3 OF CERTIFIED SURVEY MAP NO. 2509, AND LOT 2 OF CERTIFIED SURVEY MAP NO. \_\_\_\_\_, IN THE CITY OF WHITEWATER, WALWORTH CO., WISCONSIN.

**LOCATION SKETCH**



**NORTHEAST 1/4, SEC. 3-4-15**

**SURVEYOR'S CERTIFICATE**

I, MARK L. MIRITZ, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF LAVELLE INDUSTRIES, INC., 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 SECTION 236.34 OF THE WISCONSIN STATE STATUTES, AND LOCAL REGULATIONS OF THE CITY OF WHITEWATER, WISCONSIN,

A CERTIFIED SURVEY MAP LOCATED IN PARTS OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST, IN THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS, TO-WIT:

A COMBINATION OF LOT 3 OF CERTIFIED SURVEY MAP NO. 2509 AND LOT 2 OF CERTIFIED SURVEY MAP NO. \_\_\_\_\_

CONTAINING 214,509 SQ. FT. (4.9244 ACRES)

*Mark L. Miritz*  
MARK L. MIRITZ  
WI REGISTERED LAND SURVEYOR S-2582  
AUGUST 24, 2014



**OWNER'S CERTIFICATE**

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

\_\_\_\_\_  
LAVELLE INDUSTRIES INC. (REPRESENTATIVE)

STATE OF WISCONSIN) SS  
COUNTY OF WALWORTH)

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_\_  
THE ABOVE NAMED LAVELLE INDUSTRIES INC. (REPRESENTATIVE) TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_ COUNTY, WISCONSIN.

**CITY OF WHITEWATER APPROVAL**

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

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014. \_\_\_\_\_

MICHELE R. SMITH, CITY CLERK

SHEET 2 OF 2 SHEETS  
PROJECT NO. 14.708

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

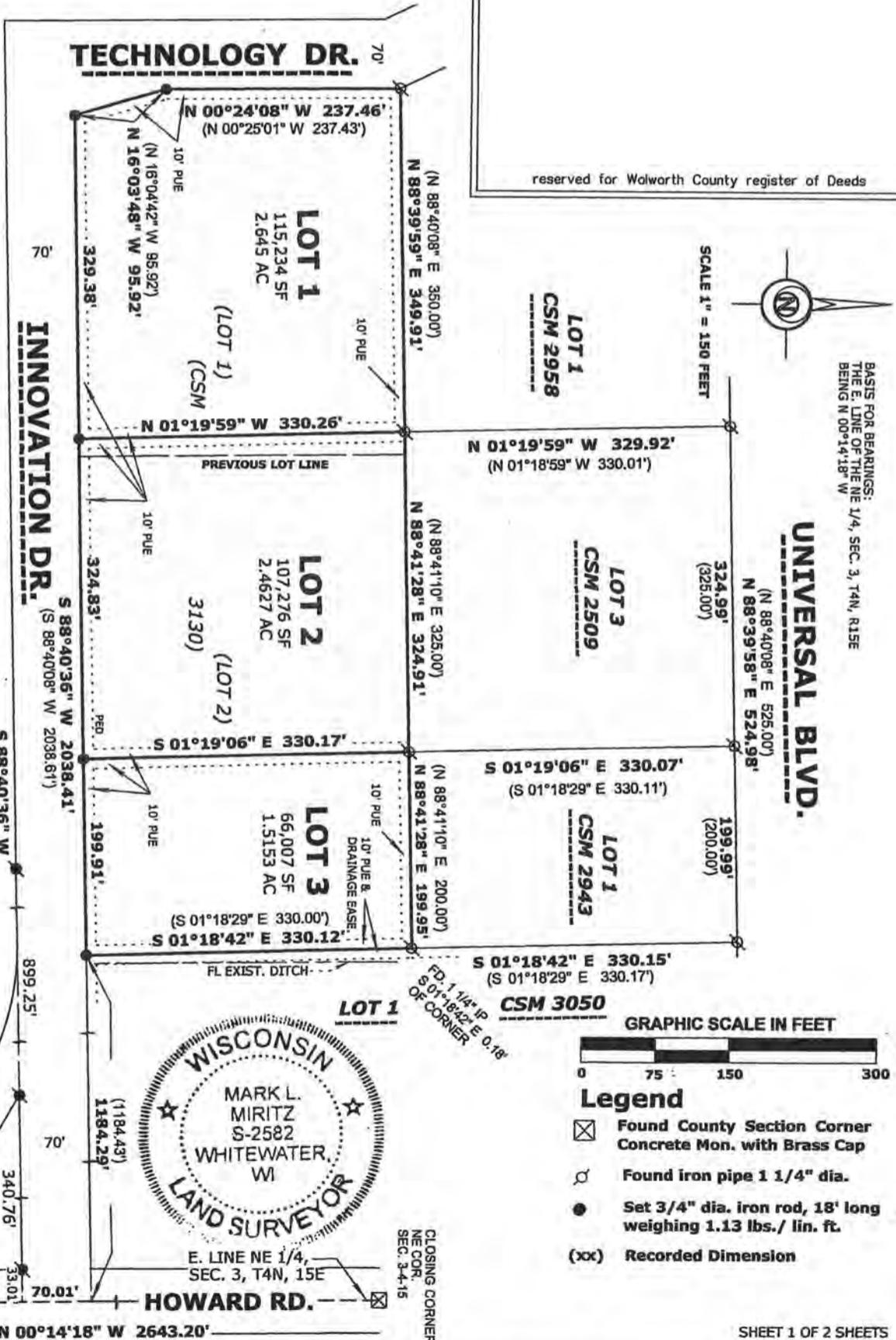
IN THE NE 1/4 OF THE NE 1/4, AND THE NW 1/4 OF THE NE 1/4, AND THE SW 1/4 OF THE NE 1/4, AND THE SE 1/4 OF THE NE 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST. BEING A RE-DIVISION OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 3130, IN THE CITY OF WHITEWATER, WALWORTH CO., WISCONSIN.

OWNER: CITY OF WHITEWATER  
312 W. WHITEWATER STREET  
WHITEWATER, WI 53190

NOTE: DRAINAGE AND UTILITY EASEMENTS (PUE) AS SHOWN, RESERVED FOR THE EXCLUSIVE USE OF THE CITY OF WHITEWATER AND PRIVATE UTILITIES IT GRANTS USAGE TO.

MARK L. MIRITZ  
WI REGISTERED LAND SURVEYOR S-2582  
AUGUST 24, 2014

*Mark L. Miritz*



reserved for Walworth County register of Deeds

E. 1/4 COR.  
SEC. 3-4-15

CLOSING CORNER  
NE COR.  
SEC. 3-4-15

SHEET 1 OF 2 SHEETS  
PROJECT NO. 14.708

**CERTIFIED SURVEY MAP NO.** \_\_\_\_\_

VOL. \_\_\_\_\_, PAGES \_\_\_\_\_

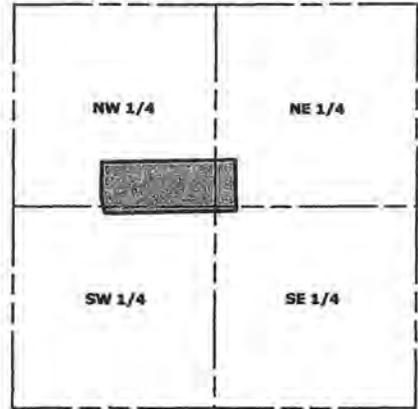
IN THE NE 1/4 OF THE NE 1/4, AND THE NW 1/4 OF THE NE 1/4, AND THE SW 1/4 OF THE NE 1/4, AND THE SE 1/4 OF THE NE 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST. BEING A RE-DIVISION OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 3130, IN THE CITY OF WHITEWATER, WALWORTH CO., WISCONSIN.

**SURVEYOR'S CERTIFICATE**

I, MARK L. MIRITZ, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE CITY OF WHITEWATER, 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 SECTION 236.34 OF THE WISCONSIN STATE STATUTES, AND LOCAL REGULATIONS OF THE CITY OF WHITEWATER, WISCONSIN,

A PARCEL OF LAND LOCATED IN PARTS OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWN 4 NORTH, RANGE 15 EAST, IN THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS, TO-WIT: LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 3130.

**LOCATION SKETCH**



**NORTHEAST 1/4, SEC. 3-4-15**

*Mark L. Miritz*  
MARK L. MIRITZ  
WI REGISTERED LAND SURVEYOR S-2582  
AUGUST 24, 2014



**OWNER'S CERTIFICATE**

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

\_\_\_\_\_  
CAMERON CLAPPER (CITY MANAGER)

\_\_\_\_\_  
MICHELE R. SMITH (CITY CLERK)

STATE OF WISCONSIN) SS  
COUNTY OF WALWORTH)

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_  
THE ABOVE NAMED CITY OF WHITEWATER (CITY MANAGER) TO ME KNOWN TO BE PERSON  
WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_, \_\_\_\_\_ COUNTY, WISCONSIN.  
NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_.

**CITY OF WHITEWATER APPROVAL**

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

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014. \_\_\_\_\_

MICHELE R. SMITH, CITY CLERK

SHEET 2 OF 2 SHEETS  
PROJECT NO. 14.708

**M E M O R A N D U M**

To: City of Whitewater Plan and Architectural Review Commission  
 From: Mike Slavney, FAICP, Consulting City Planner  
 Date: 25 August 2014  
 Re: **Item # 5** Proposed Zoning Map Amendment to Impose the R-2A Residential Overlay District Zoning Classification per Section 19.19 at 250-252 S. Fourth Street (Tax ID# /OT 00175) for Randall Aschbrenner, RLA Properties, LLC.

<b>Summary of Request</b>		
<b>Requested Approvals:</b>	Zoning Map Amendment to Add the R-2A Overlay District	
<b>Location:</b>	250-252 S. Fourth Street	
<b>Current Land Use:</b>	Two Family Dwelling with Two Four-Bedroom Units	
<b>Proposed Land Use:</b>	Same, but with up to 4 unrelated individuals per unit (up from 3)	
<b>Current Zoning:</b>	R-2 One and Two Family Residential	
<b>Proposed Zoning:</b>	R-2A Overlay District over the Current R-2 Zoning District	
<b>Comprehensive Plan's Future Land Use:</b>	Central Business	
<b>Surrounding <i>Zoning</i> and Current Land Uses:</b>		
<b>Northwest:</b>	Subject Property	<b>Northeast:</b>
R-2 Two-Family		<i>B-2</i> Office building and surface parking
<b>Southwest:</b>	Subject Property	<b>Southeast:</b>
R-2 Two-Family		R-2 Two-Family

**Description of the Proposal:**

This proposal involves a request to amend the Zoning Map to add the R-2A Residential Overlay zoning district to the existing R-2 zoning district for a home at 250-252 S. Fourth Street.

The R-2A Residential Overlay district is established by Chapter 19.19 of the Zoning Ordinance. Adopting the R-2A Residential Overlay district enables the consideration of a Conditional Use Permit, which if approved, would increase the number of permitted unrelated individuals in a non-family household from three to four. No other requirements of the existing R-2 Residential Zoning District are affected.

Current Zoning: R-2 One & Two Family Residence  
Proposed Zoning: R-2A Overlay District

The Plan Commission holds the public hearing on a Zoning Map Amendment request, and forwards a recommendation to the Common Council.

**PLANNER’S RECOMMENDATIONS:**

The existing dwelling is a two family residence with one unit on the first floor and one unit on the second. Each unit contains four bedrooms, one bathroom, a living room and kitchen. Eight surface parking spaces are provided, with four spaces located alongside the northwest side of the house and four spaces alongside the southeast side.

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed Zoning Map Amendment to add the R-2A overlay zoning district to the subject property, subject to the finding presented below.

**SUGGESTED FINDING TO BE MADE BY THE PLAN COMMISSION**

Zoning Map Amendments and other changes to the Zoning Ordinance are addressed by Chapter 19.69.

Subsection 19.69.010 enables the Plan Commission to review and recommend, and the City Council to consider, amendments to zoning district boundaries whenever the public necessity, general welfare or good zoning practice are accomplished.

I note that the subject property is within an area identified as potentially appropriate for the R-2A Overlay Zoning District. The number of existing bedrooms and the fact that limited exterior building modifications are being proposed further indicates the suitability of this building for the proposed R-2A District.

I further note that granting this request for the subject property is consistent with the public necessity and general welfare of the community.

**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 parcel to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 of the Zoning Ordinance of the City of Whitewater on the following area:

<u>Property Address:</u>	<u>Tax ID #:</u>	<u>Property Owner:</u>
250-252 S. Fourth Street	/OT 00175	Randall Aschbrenner/RLA Properties LLC.

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, September 8, 2014, at 6:30 p.m. to hear any person for or against said change. Opinions for or against said change 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 4:30 p.m. Monday through Friday.

Michele Smith, City Clerk  
By: Jane Wegner, Neighborhood Services Administrative Asst.

Dated: August 5, 2014

Publish: in "Whitewater Register"  
on August 7, 2014, and August 14, 2014

**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 7-28-14.
2. Class 2 Notices published in Official Newspaper on 8-7-14 & 8-14-14.
3. Notices of Public Hearing mailed to property owners on 8-27-14.
4. Plan Commission holds PUBLIC HEARING on 9-8-14.  
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.  

---
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: Randall Aschbrenner Phone # 608-843-0606  
Applicant's Address: PO Box 511 McFarland, WI 53558

Owner of Site, according to current property tax records (as of the date of the application):  
RLA Properties LLC

Street address of Property: 250-252 Fourth St.

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):  
LOT 00175

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

Name of Individual: \_\_\_\_\_ Name of Firm: \_\_\_\_\_

Office Address: \_\_\_\_\_ Phone: \_\_\_\_\_

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:**

**Current Zoning District or Ordinance to be Amended:**

R-2A

**Proposed Zoning District or Ordinance**

R-2A

Zoning District in which Property is located: R-2A  
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.

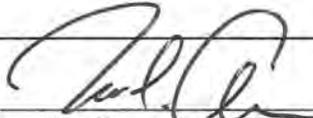
**STANDARDS**

STANDARD	APPLICANT'S EXPLANATION
A. The proposed amendment for future structure, addition, alteration or use will meet the minimum standards of this title for the district being proposed;	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. Building envelope will remain unchanged.
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	None.

STANDARD	APPLICANT'S EXPLANATION
E. The proposed development will not create traffic circulation or parking problems;	None. Current use of property has 4 adequate parking stalls per unit on each side of Building.
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;	unchanged
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;	N/A.
H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	None.

**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

6/28/14  
Date

**APPLICATION FEES:**

*Fee for Amendment to Zoning or Ordinance: \$200*

Date Application Fee Received by City 7-28-14 Receipt No. 6.011361

Received by J. Wegner

**TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:**

Date notice sent to owners of record of opposite & abutting properties: 8-27-14  
Date set for public review before Plan & Architectural Review Board: 9-8-14

**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

## **Tips for Minimizing Your Development Review Costs:**

### **A Guide for Applicants**

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

### **Meet with Neighborhoods Services Department before submitting an application**

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

### **Submit a complete and thorough application**

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

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

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

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

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

plans should:

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

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

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

### **For more complex projects, submit your project for conceptual review**

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

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

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

## **Hold a neighborhood meeting for larger and potentially more controversial Projects**

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

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

## Typical City Planning Consultant Development Review Costs

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

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

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

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

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

### Applicant's Information:

Name of Applicant: Randall Aschbrenner

Applicant's Mailing Address: Po Box 511

McFarland, WI 53558

Applicant's Phone Number: 608-843-0606

Applicant's Email Address: raschbrenner21@gmail.com

### Project Information:

Name/Description of Development: R2A overlay

Address of Development Site: 250-252 Fourth St

Tax Key Number(s) of Site: LOT 00175

### Property Owner Information (if different from applicant):

Name of Property Owner: Randall Aschbrenner

Property Owner's Mailing Address: Po Box 511

McFarland, WI 53558

**Section B: Applicant/Property Owner Cost Obligations**

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

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

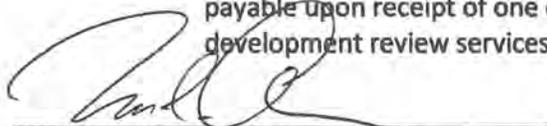
- A. Application Fee.....\$ \_\_\_\_\_
- B. Expected Planning Consultant Review Cost .....\$ \_\_\_\_\_
- C. Total Cost Expected of Applicant (A+B) .....\$ \_\_\_\_\_
- D. 25% of Total Cost, Due at Time of Application.....\$ \_\_\_\_\_
- E. Project Likely to Incur Additional Engineering or Other Consultant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

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

**Section C: Agreement Execution**

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

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



Signature of Applicant/Petitioner

Randall Aschbrenner  
Printed Name of Applicant/Petitioner

\_\_\_\_\_

7/28/14  
Date of Signature

Signature of Property Owner (if different)

Printed Name of Property Owner (if different)

Date of Signature

## M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission  
 From: Mike Slavney, FAICP, Consulting City Planner  
 Date: 25 August 2014  
 Re: **Item # 6** Proposed Conditional Use Permit to Enable Up to Four Unrelated Persons in a Residence per Section 19.19 at 250-252 S. Fourth Street (Tax ID# /OT 00175) for Randall Aschbrenner, RLA Properties, LLC.

Summary of Request		
<b>Requested Approvals:</b>	Conditional Use to Enable Up to Four Unrelated Residents	
<b>Location:</b>	250-252 S. Fourth Street	
<b>Current Land Use:</b>	Two Family Dwelling with Two Four-Bedroom Units	
<b>Proposed Land Use:</b>	Same, but with up to 4 unrelated individuals per unit (up from 3)	
<b>Current Zoning:</b>	R-2 One and Two Family Residential	
<b>Proposed Zoning:</b>	R-2A Overlay District over the Current R-2 Zoning District	
<b>Comprehensive Plan's Future Land Use:</b>	Central Business	
<b>Surrounding <i>Zoning</i> and Current Land Uses:</b>		
<b>Northwest:</b>	Subject Property	<b>Northeast:</b>
R-2 Two-Family		B-2 Office building and surface parking
<b>Southwest:</b>	Subject Property	<b>Southeast:</b>
R-2 Two-Family		R-2 Two-Family

### **Description of the Proposal:**

This proposal involves a request to approve a Conditional Use Permit to increase the number of permitted unrelated individuals in a non-family household from three to four. No other requirements of the existing R-2 Residential Zoning District are affected.

The existing dwelling is a two-family residence with one unit on the first floor and one unit on the second. Each unit contains four bedrooms, one bathroom, a living room and kitchen. A window on the second floor will be removed in order to accommodate a second exit in the second floor unit, as requested by the City. No other changes are proposed to the building.

Eight surface parking spaces are provided, with four spaces located alongside the north side of the house and four spaces alongside the south side. The parking spaces are stacked so that vehicles are parked in when the parking area is full. In its current configuration, the parking area does not meet the Zoning Code requirements for minimum parking space length of 20 feet (Section 19.51.050(A)(1)). In addition, Section 19.51.080(B.) of the Zoning Code permits a maximum of 6 vehicles parked in any combination of the front and side yard area, and the site currently provides eight parking spaces in the side yards, exceeding the maximum.

The Plan Commission holds the public hearing on a Conditional Use Permit, and makes the final determination of approval, approval with conditions, or denial.

### **PLANNER'S RECOMMENDATIONS:**

The driveway and parking spaces should be paved in order to meet Zoning Code requirements, but Section 19.18.060 establishes a maximum of 40% impervious surface area in any yard. Between the limitation on the number of parking spaces in the front and side yards and the impervious surface area requirement, reconfiguring the parking to meet the Zoning Code requirements results in the removal of trees and green space in the side and rear yards as well as a significant increase the site's impervious surface area. Given the difficulty in meeting the Zoning Code requirements, I recommend that the Plan and Architectural Review Commission recognize the existing parking areas as grandfathered rather than require that parking spaces be moved to the rear yard. I would recommend allowing for four stacked parking spaces on each side of the house, as currently arranged. The Commission could require the applicant to pave the driveway and parking spaces, which I would recommend.

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed Conditional Use Permit to Enable Up to Four Unrelated Persons in a Residence at 250-252 S. Fourth Street; subject to the recommendations and findings presented below:

### **Suggested Conditions of Approval:**

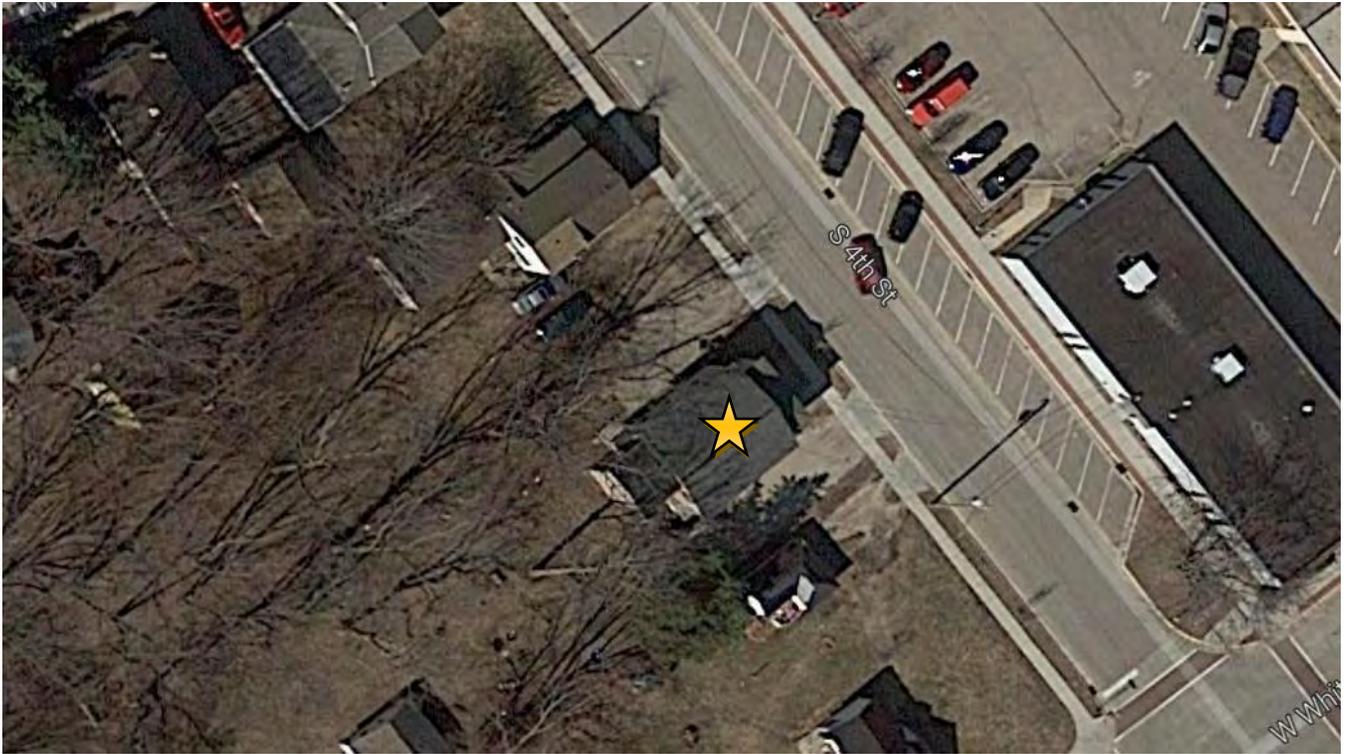
1. The parking areas and driveways must be paved with concrete or asphalt, as required by the City's Zoning Code and as depicted on the attached drawing provided by Vandewalle and Associates.
2. Any other conditions identified by City Staff or the Plan Commission.

**Suggested Findings** are presented on the following page.

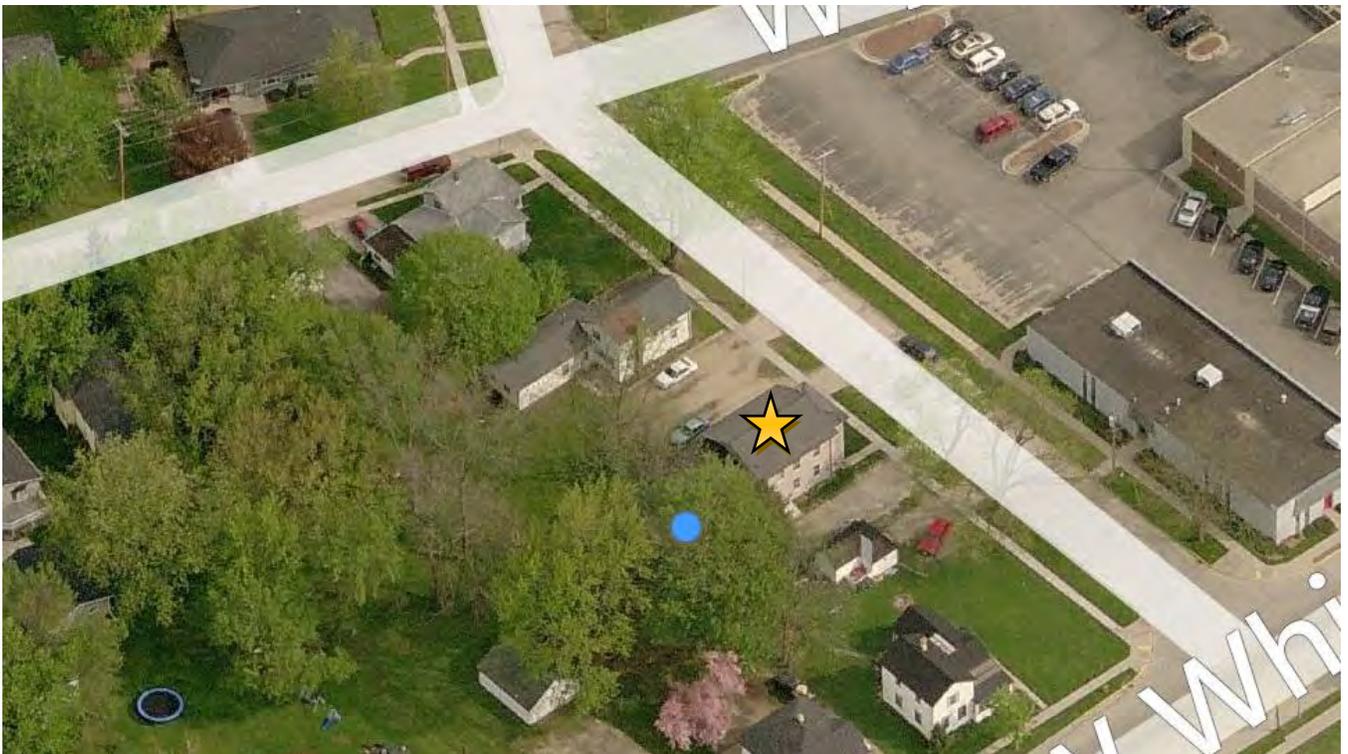
**SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION**

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050).

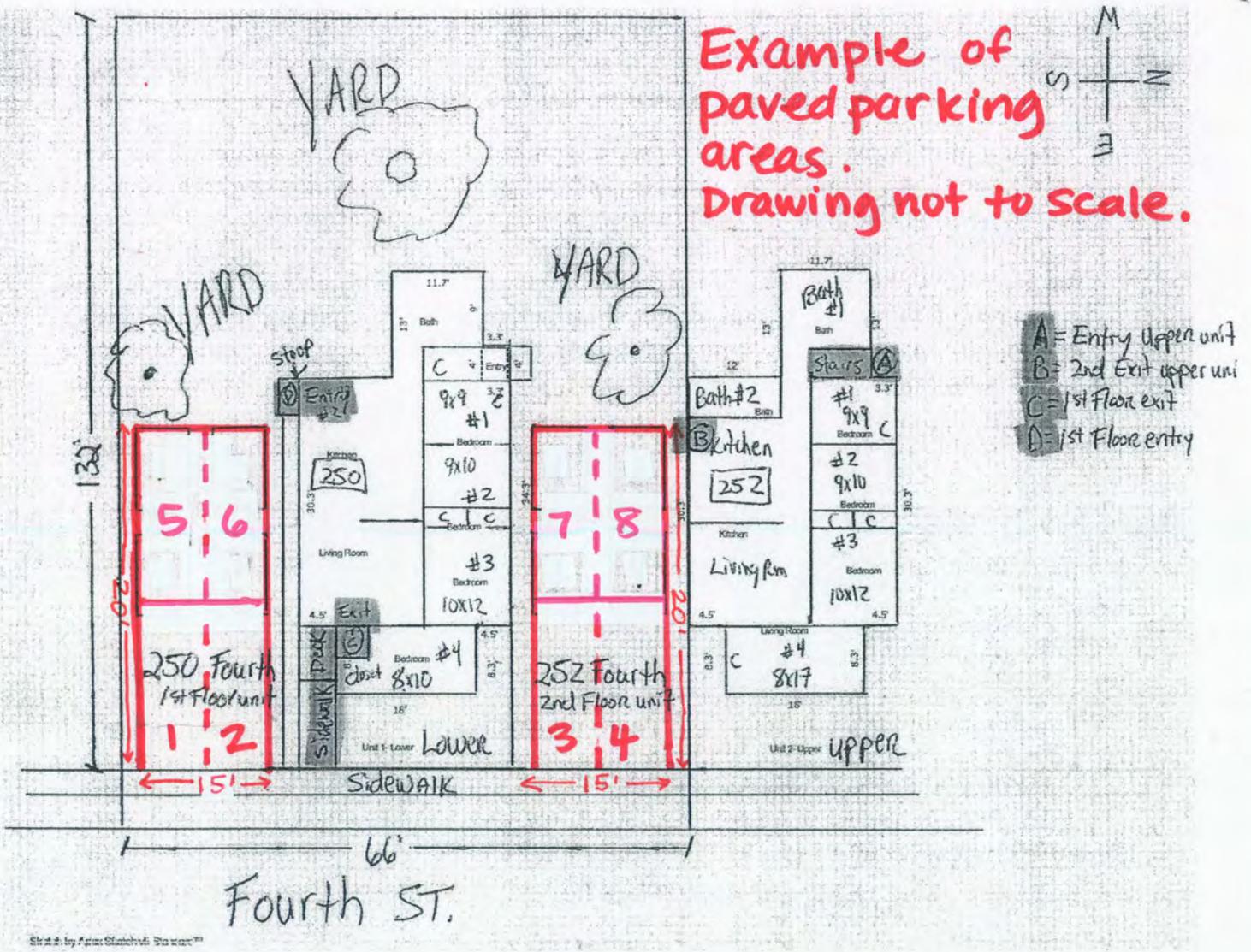
<b>Analysis of Proposed Conditional Use Permit for: 250-252 S. Fourth Street</b>		
<i>Conditional Use Permit Review Standards per Section 19.66.050:</i>		
STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	This project will involve no exterior building modifications and maintains the number of bedrooms currently in the dwelling.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	No	All utilities are adequate. The parking area does not meet the current parking requirements, but the current arrangement could be grandfathered.
3. 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 variance.	Yes	No exemptions or variances are being requested.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The proposal does not change the two-family use of the property.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The project is consistent with the use and density requirements of the R-2A District and the Comprehensive Plan.



250-252 S. Fourth Street - Google Maps



250-252 S. Fourth Street - Bing Maps



Comments:

250-252 Fourth St. Whitewater, WI 53190

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	1119.60	1119.60
GLA2	Second Floor	1119.60	1119.60
P/P	Porch	13.20	13.20

LIVING AREA BREAKDOWN			
Breakdown		Subtotals	
<b>First Floor</b>			
18.0	x	8.3	149.40
27.0	x	30.3	818.10
9.0	x	11.7	105.30
4.0	x	15.0	60.00
<b>Second Floor</b>			
27.0	x	30.3	818.10
8.3	x	18.0	149.40
13.0	x	11.7	152.10
P			-



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 8th day of September 2014 at 6:30 p.m. to hold a public hearing for a Conditional Use Permit, in an R-2A Overlay Zoning District, to allow for 4 unrelated persons per unit to live in the house located at 250-252 S. Fourth Street for Randall Aschbrenner (RLA Properties, LLC.).

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 4:30 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

Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/A267400001	HOME LUMBER CO INC		499 WHITEWATER ST	WHITEWATER	WI	53190-0000
/A267400002	CITY OF WHITEWATER 'PUMP HOUSE'		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/A267400003	CITY OF WHITEWATER 'PUMP HOUSE'		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00155	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00156	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00157	COMMERCIAL BANK FREMONT ST.			WHITEWATER	WI	53190-0000
/OT 00158	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00159	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00160	CITY OF WHITEWATER					
/OT 00162	TOPPERS PROPERTIES LLC		333 W CENTER ST	WHITEWATER	WI	53190-0000
/OT 00163	TOPPERS PROPERTIES LLC		261 S FOURTH ST	WHITEWATER	WI	53190-0000
/OT 00165	TOPPERS PROPERTIES LLC		261 S FOURTH ST	WHITEWATER	WI	53190-0000
/OT 00166	TOPPERS PROPERTIES LLC		261 S FOURTH ST	WHITEWATER	WI	53190-0000
/OT 00167	COMMERCIAL BANK		200 S. FREMONT ST	WHITEWATER	WI	53190-0000
/OT 00174	MARK ROE	JEFFREY ROE	7515 STURTEVANT RD	WHITEWATER	WI	53190-0000
/OT 00175	RLA PROPERTIES LLC		PO BOX 511	MCFARLAND	WI	53558-0000
/OT 00176	LADWIG & VOS INC		140 LONGMEADOW DR	BURLINGTON	WI	53105-0000
/OT 00177	STEVEN GOUTCHER	RITA GOUTCHER	W5318 DAM RD	GLEN FLORA	WI	54526-9506
/OT 00177A	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00178	SAMUEL S ERICKSON		18917 SPRING ST	UNION GROVE	WI	53182-0000
/OT 00179	MARC ROE	JEFFREY ROE	7515 STURTEVANT RD	WHITEWATER	WI	53190-0000
/OT 00180	RUSSELL R WALTON		1005 W MAIN ST SUITE C	WHITEWATER	WI	53190-0000
/OT 00181	BRIAN H KILIAN		417 W. FOREST ST	WHITEWATER	WI	53190-0000
/OT 00182	MICHAEL J SWANSON	SUSAN L SWANSON	426 W. WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00182A	JEANNE F AMBROSE		423 W. FOREST AVE	WHITEWATER	WI	53190-0000
/OT 00183	RUSSELL ROGERS	MARY E ROGERS	430 W. WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00184	KENNETH E MOEHRING	JOLYNN M MOEHRING, et al.	N8137 RANGELINE RD	SHEBOYGAN	WI	53083-5205
/OT 00185	ALEJANDRO PEREZ	JUANA PEREZ, ETAL	436 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00186	KATIE M JOHNSON		437 W. FOREST AVE	WHITEWATER	WI	53190-0000
/OT 00188	GEOFFREY R HALE	JACQUELINE A HALE	261 S CHURCH ST	WHITEWATER	WI	53190-0000
/OT 00189	RODRIGUEZ PROPERTIES LLC		N9707 N MCCORD RD	WHITEWATER	WI	53190-0000
/OT 00190	SCOTT ALLEN KREBS	KIMBERLY ANN KREBS	440 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00196	CITY OF WHITEWATER					
/OT 00197A	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00198A	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00200	FOURTH STREET PAD LLC		4328 TANGLEWOOD DR	JANESVILLE	WI	53546-9375
/OT 00201	LADWIG & VOS INC		140 LONGMEADOW DR	BURLINGTON	WI	53105-2325
/OT 00202	MARY ANN RODRIGUEZ		220 S. 4TH ST	WHITEWATER	WI	53190-0000
/SMVK 00001	DUANE R SCHAUB		261 S FOURTH ST	WHITEWATER	WI	53190-0000
/SMVK 00002	M SCOTT GITTRICH		333 W CENTER ST	WHITEWATER	WI	53190-0000
/SMVK 00003	RUSSELL W DEVITT		1210 W WALWORTH AVE	WHITEWATER	WI	53190-0000
/WUP 00321	STATE OF WISCONSIN DEPT OF TRANSPORTATION			MADISON	WI	53702-0000



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## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 250-252 Fourth St.  
Owner's Name: Randall Aschbrenner RLA Properties LLC  
Applicant's Name: SAME  
Mailing Address: PO Box 511 McFarland, WI 53558  
Phone #: 608-843-0606 Email: randall.aschbrenner2@gmail.com  
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions):  
LOT 00175

### Existing and Proposed Uses:

Current Use of Property: R-2 2unit  
Zoning District: R2-A  
Proposed Use: R2-A 4 original Bedrooms per unit

**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.	Same use that is existing.
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	All items in Box "B" are unchanged
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.	yes.
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	yes it does.

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

Applicant's Signature: 

Date: 7/28/14

Printed: Randall Aschbrenner

**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 7-28-14. Received by: J. Wegner Receipt #: 6. 011361
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-28-14.
- 3) Notices of the Public Hearing mailed to property owners on 8-27-14.
- 4) Plan Commission holds the PUBLIC HEARING on 9-8-14. 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:**

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\_\_\_\_\_  
Signature of Plan Commission Chairperson

\_\_\_\_\_  
Date

## **Tips for Minimizing Your Development Review Costs: A Guide for**

### **Applicants**

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

### **Meet with Neighborhoods Services Department before submitting an application**

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

### **Submit a complete and thorough application**

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

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

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

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

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

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

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

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

## **For more complex projects, submit your project for conceptual review**

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

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

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

## **Hold a neighborhood meeting for larger and potentially more controversial Projects**

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

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

## **Typical City Planning Consultant Development Review Costs**

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

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

<b>Type of Development Review Being Requested</b>	<b>Planning Consultant Review Cost Range</b>
<b>Minor Site/Building Plan</b> (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
<b>Major Site/Building Plan</b> (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
<b>Conditional Use Permit with no Site Plan Review</b> (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$up to \$600
<b>Rezoning</b>	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
<b>Land Division</b>	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
<b>Annexation</b>	\$200 to \$400

**\*\*Note:** The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

\_\_\_\_\_ To be filled out by the Applicant/Property Owner \_\_\_\_\_

Name of Applicant: Randall Aschbrenner

Applicant's Mailing Address: PO Box 511  
McFarland, WI 53558

Applicant's Phone Number: 608-843-0606

Applicant's Email Address: raschbrenner2@gmail.com

Project Information:

Name/Description of Development: 250-252 Fourth St.

Address of Development Site: SAME

Tax Key Number(s) of Site: LOT 00175

Property Owner Information (if different from applicant):

Name of Property Owner: SAME

Property Owner's Mailing Address: SAME AS ABOVE

## Section B: Applicant/Property Owner Cost Obligations

\_\_\_\_\_ To be filled out by the Neighborhood Services Department \_\_\_\_\_

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

- A. Application Fee.....\$ \_\_\_\_\_
- B. Expected Planning Consultant Review Cost .....\$ \_\_\_\_\_
- C. Total Cost Expected of Applicant (A+B) .....\$ \_\_\_\_\_
- D. 25% of Total Cost, Due at Time of Application.....\$ \_\_\_\_\_

E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

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

## Section C: Agreement Execution

\_\_\_\_\_ To be filled out by the Applicant and Property Owner \_\_\_\_\_

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



\_\_\_\_\_  
Signature of Applicant/Petitioner

*Randall Aschbrenner*

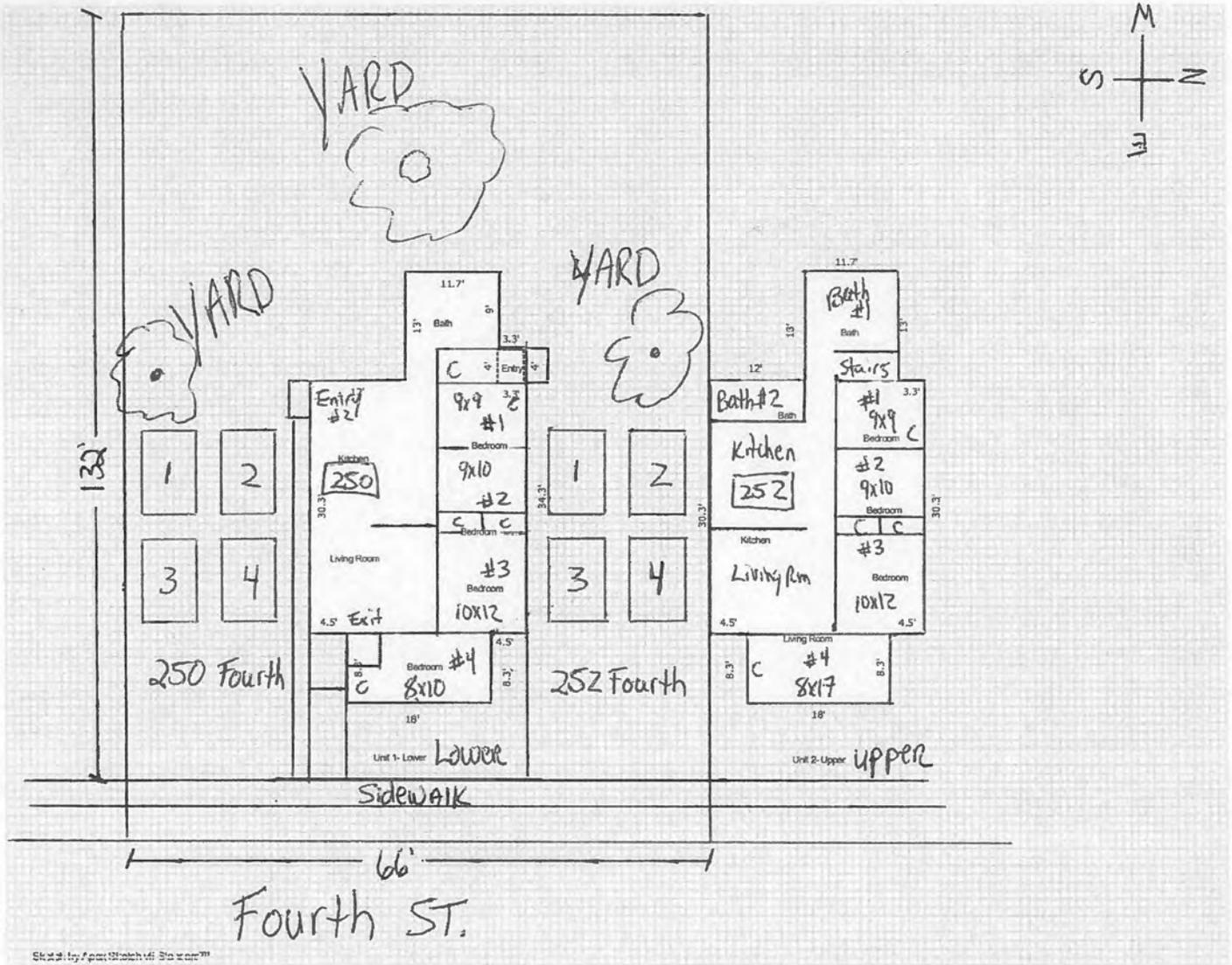
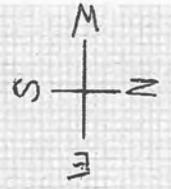
\_\_\_\_\_  
Printed Name of Applicant/Petitioner

*6/28/14*  
\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Signature of Property Owner (if different)

\_\_\_\_\_  
Printed Name of Property Owner (if different)

\_\_\_\_\_  
Date of Signature

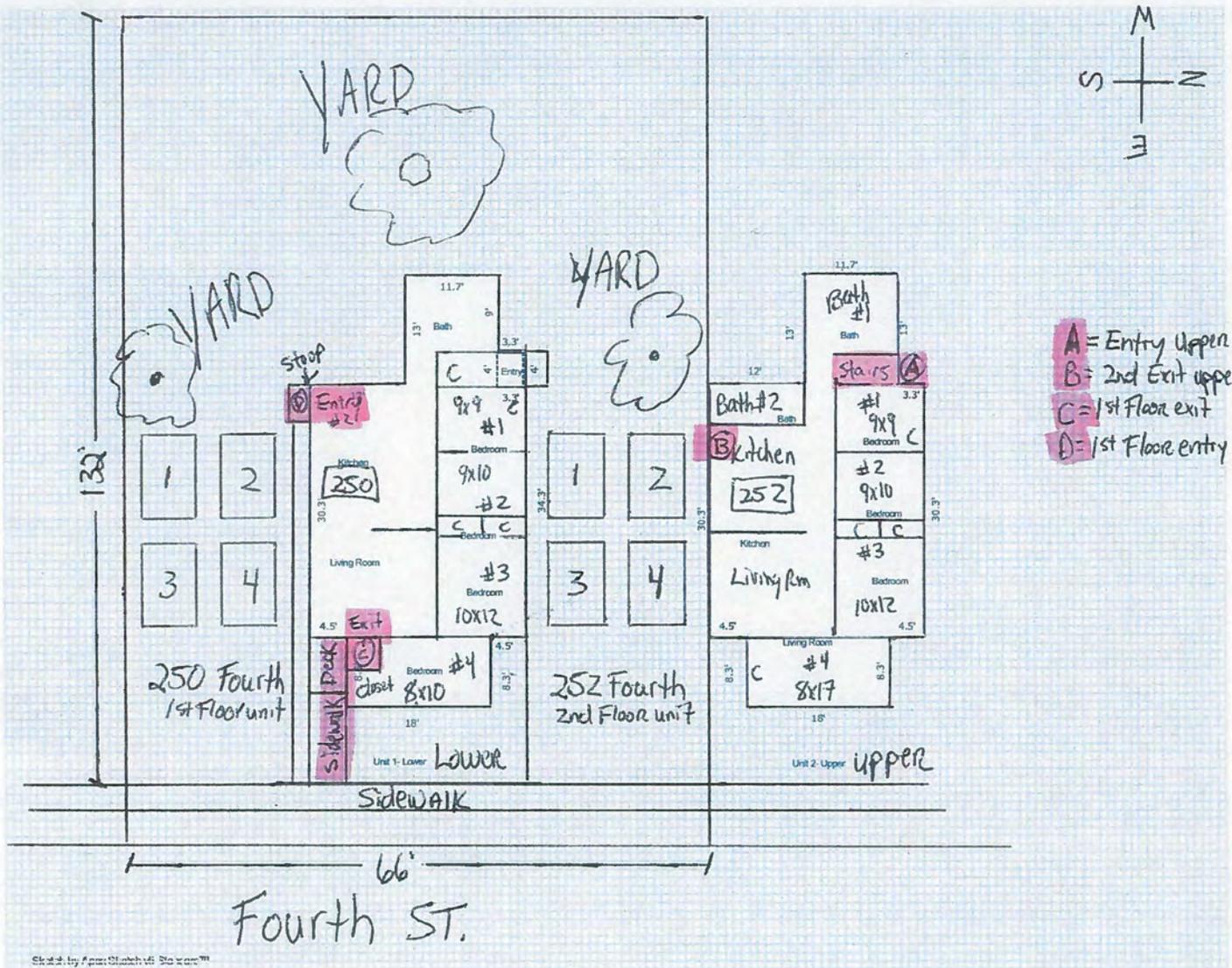


Comments:

250-252 Fourth St. Whitewater, WI 53190

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	1119.60	1119.60
GLA2	Second Floor	1119.60	1119.60
P/P	Porch	13.20	13.20

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
<b>First Floor</b>			
18.0	x	8.3	149.40
27.0	x	30.3	818.10
9.0	x	11.7	105.30
4.0	x	15.0	60.00
<b>Second Floor</b>			
27.0	x	30.3	818.10
8.3	x	18.0	149.40
13.0	x	11.7	152.10
P			-

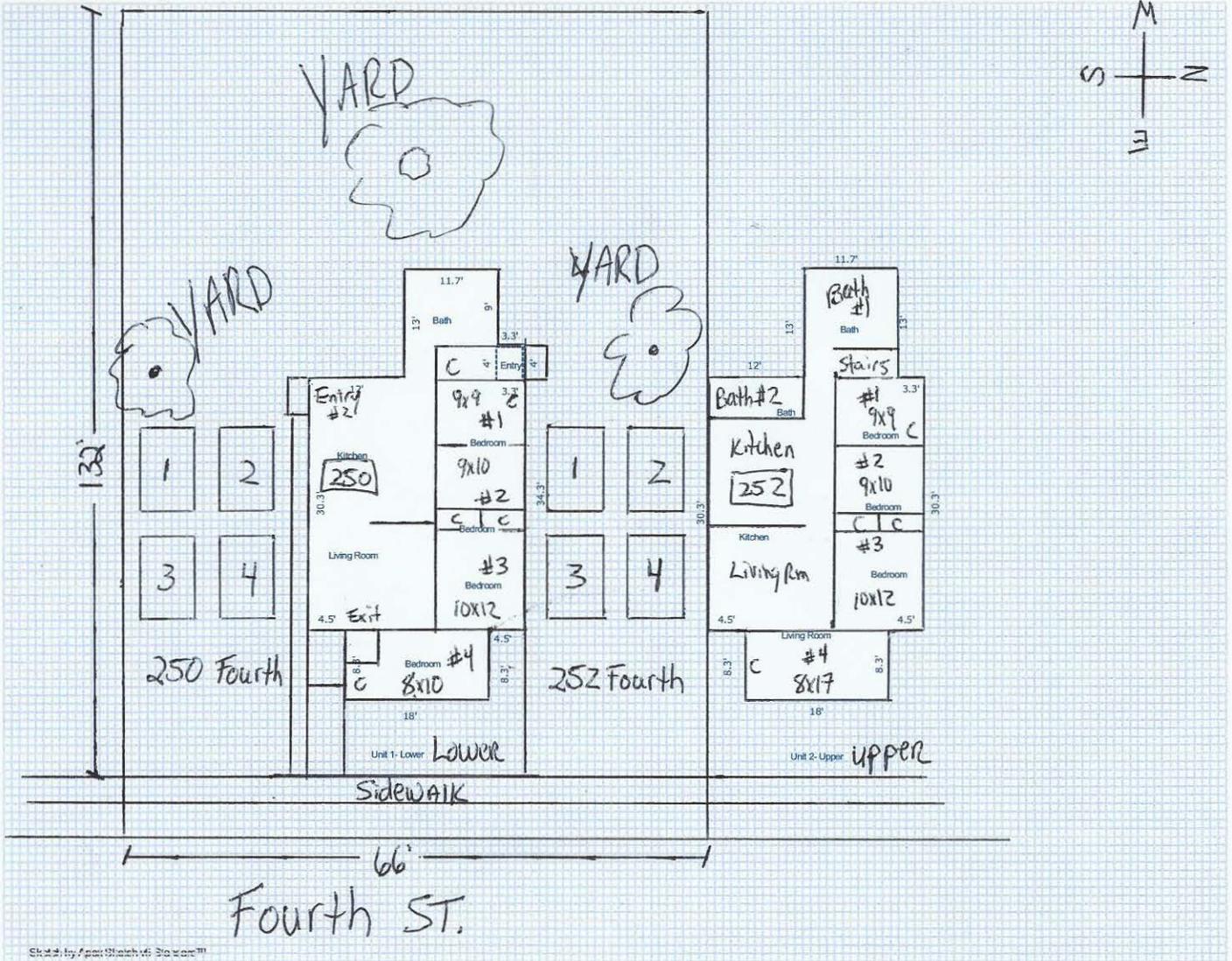


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P			-

## M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission  
 From: Mike Slavney, FAICP, Consulting City Planner  
 Date: 25 August 2014  
 Re: **Item # 7** Proposed Zoning Map Amendment to Impose the R-2A Residential Overlay District Zoning Classification per Section 19.19 at 255 S. Prairie Street (Tax ID# /CL 00051) for Mark and Lexy Maas.

Summary of Request		
<b>Requested Approvals:</b>	Zoning Map Amendment to Add the R-2A Overlay District	
<b>Location:</b>	255 S. Prairie Street	
<b>Current Land Use:</b>	4-Bedroom Single Family Detached Dwelling Unit	
<b>Proposed Land Use:</b>	5-Bedroom Single Family Detached Dwelling Unit with up to 5 unrelated individuals (up from 3)	
<b>Current Zoning:</b>	R-2 One and Two Family Residential	
<b>Proposed Zoning:</b>	R-2A Overlay District over the Current R-2 Zoning District	
<b>Comprehensive Plan's Future Land Use:</b>	Higher Density Residential	
<b>Surrounding Zoning and Current Land Uses:</b>		
	<b>North:</b>	
	R-2 Two Family	
<b>West:</b>	Subject Property	<b>East:</b>
R-2 Single Family		R-2 Single Family
	<b>South:</b>	
	R-2 Single Family	

**Description of the Proposal:**

This proposal involves a request to amend the Zoning Map to add the R-2A Residential Overlay zoning district to the existing R-2 zoning district for a home at 255 S. Prairie Street.

The R-2A Residential Overlay district is established by Chapter 19.19 of the Zoning Ordinance. Adopting the R-2A Residential Overlay district enables the consideration of a Conditional Use Permit, which if approved, would increase the number of permitted unrelated individuals in a non-family household from three to four. No other requirements of the existing R-2 Residential Zoning District are affected.

Current Zoning: R-2 One & Two Family Residence  
Proposed Zoning: R-2A Overlay District

The Plan Commission holds the public hearing on a Zoning Map Amendment request, and forwards a recommendation to the Common Council.

**PLANNER’S RECOMMENDATIONS:**

The existing dwelling is a single family home with a front porch and a detached garage in the rear yard. The first floor contains one bathroom, a living room, a kitchen, a laundry room, and one bedroom connected to a front living room/parlor. The second floor contains three bedrooms and one bathroom. The proposal involves converting the living room/parlor on the first floor to a bedroom by closing off a wall and adding a closet. This would bring the total number of bedrooms to five.

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed Zoning Map Amendment to add the R-2A overlay zoning district to the subject property, subject to the finding presented below.

**SUGGESTED FINDING TO BE MADE BY THE PLAN COMMISSION**

Zoning Map Amendments and other changes to the Zoning Ordinance are addressed by Chapter 19.69.

Subsection 19.69.010 enables the Plan Commission to review and recommend, and the City Council to consider, amendments to zoning district boundaries whenever the public necessity, general welfare or good zoning practice are accomplished.

I note that the subject property is within an area identified as potentially appropriate for the R-2A Overlay Zoning District. The number of existing bedrooms and the fact that no exterior building modifications are being proposed further indicates the suitability of this building for the proposed R-2A District.

I further note that granting this request for the subject property is consistent with the public necessity and general welfare of the community.

**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 parcel to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 of the Zoning Ordinance of the City of Whitewater on the following area:

<u>Property Address:</u>	<u>Tax ID #:</u>	<u>Property Owner:</u>
250-252 S. Fourth Street	/OT 00175	Randall Aschbrenner/RLA Properties LLC.

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, September 8, 2014, at 6:30 p.m. to hear any person for or against said change. Opinions for or against said change 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 4:30 p.m. Monday through Friday.

Michele Smith, City Clerk  
By: Jane Wegner, Neighborhood Services Administrative Asst.

Dated: August 5, 2014

Publish: in "Whitewater Register"  
on August 7, 2014, and August 14, 2014

**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 7-28-14.
2. Class 2 Notices published in Official Newspaper on 8-7-14 & 8-14-14.
3. Notices of Public Hearing mailed to property owners on 8-27-14.
4. Plan Commission holds PUBLIC HEARING on 9-8-14.  
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.  
  
\_\_\_\_\_
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: Randall Aschbrenner Phone # 608-843-0606  
Applicant's Address: PO Box 511 McFarland, WI 53558

Owner of Site, according to current property tax records (as of the date of the application):  
RLA Properties LLC

Street address of Property: 250-252 Fourth St.

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):  
LOT 00175

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

Name of Individual: \_\_\_\_\_ Name of Firm: \_\_\_\_\_

Office Address: \_\_\_\_\_ Phone: \_\_\_\_\_

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:**

**Current Zoning District or Ordinance to be Amended:**

R-2A

**Proposed Zoning District or Ordinance**

R-2A

Zoning District in which Property is located: R-2A  
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.

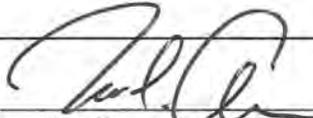
**STANDARDS**

STANDARD	APPLICANT'S EXPLANATION
A. The proposed amendment for future structure, addition, alteration or use will meet the minimum standards of this title for the district being proposed;	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. Building envelope will remain unchanged.
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	None.

STANDARD	APPLICANT'S EXPLANATION
E. The proposed development will not create traffic circulation or parking problems;	None. Current use of property has 4 adequate parking stalls per unit on each side of Building.
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;	unchanged
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;	N/A.
H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	None.

**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

6/28/14  
Date

**APPLICATION FEES:**

*Fee for Amendment to Zoning or Ordinance: \$200*

Date Application Fee Received by City 7-28-14 Receipt No. 6.011361

Received by J. Wegner

**TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:**

Date notice sent to owners of record of opposite & abutting properties: 8-27-14  
Date set for public review before Plan & Architectural Review Board: 9-8-14

**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

## **Tips for Minimizing Your Development Review Costs:**

### **A Guide for Applicants**

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

### **Meet with Neighborhoods Services Department before submitting an application**

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

### **Submit a complete and thorough application**

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

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

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

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

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

plans should:

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

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

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

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

### Applicant's Information:

Name of Applicant: Randall Aschbrenner

Applicant's Mailing Address: PO Box 511

McFarland, WI 53558

Applicant's Phone Number: 608-843-0606

Applicant's Email Address: raschbrenner21@gmail.com

### Project Information:

Name/Description of Development: R2A overlay

Address of Development Site: 250-252 Fourth St

Tax Key Number(s) of Site: LOT 00175

### Property Owner Information (if different from applicant):

Name of Property Owner: Randall Aschbrenner

Property Owner's Mailing Address: PO Box 511

McFarland, WI 53558

**Section B: Applicant/Property Owner Cost Obligations**

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

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

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

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

**Section C: Agreement Execution**

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

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

  
\_\_\_\_\_

Signature of Applicant/Petitioner

Randall Aschbrenner  
\_\_\_\_\_

Printed Name of Applicant/Petitioner

7/28/14  
\_\_\_\_\_

Date of Signature

\_\_\_\_\_  
Signature of Property Owner (if different)

\_\_\_\_\_  
Printed Name of Property Owner (if different)

\_\_\_\_\_  
Date of Signature

## M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission  
 From: Mike Slavney, FAICP, Consulting City Planner  
 Date: 25 August 2014  
 Re: **Item # 8** Proposed Conditional Use Permit to Enable Up to Five Unrelated Persons in a Residence per Section 19.19 at 255 S. Prairie Street (Tax ID# /CL 00051) for Mark and Lexy Maas.

Summary of Request		
<b>Requested Approvals:</b>	Conditional Use to Enable Up to Five Unrelated Residents	
<b>Location:</b>	255 S. Prairie Street	
<b>Current Land Use:</b>	4-Bedroom Single Family Detached Dwelling Unit	
<b>Proposed Land Use:</b>	5-Bedroom Single Family Detached Dwelling Unit with up to 5 unrelated individuals (up from 3)	
<b>Current Zoning:</b>	R-2 One and Two Family Residential	
<b>Proposed Zoning:</b>	R-2A Overlay District over the Current R-2 Zoning District	
<b>Comprehensive Plan's Future Land Use:</b>	Higher Density Residential	
<b>Surrounding <i>Zoning</i> and Current Land Uses:</b>		
	<b>North:</b>	
	R-2 Two Family	
<b>West:</b>	Subject Property	<b>East:</b>
R-2 Single Family		R-2 Single Family
	<b>South:</b>	
	R-2 Single Family	

### **Description of the Proposal:**

This proposal involves a request to approve a Conditional Use Permit to increase the number of permitted unrelated individuals in a non-family household from three to five. No other requirements of the existing R-2 Residential Zoning District are affected.

The existing dwelling is a single family home with a front porch and a detached garage in the rear yard. The first floor contains one bathroom, a living room, a kitchen, a laundry room, and one bedroom connected to a front living room/parlor. The second floor contains three bedrooms and one bathroom. The proposal involves converting the living room/parlor on the first floor to a bedroom by closing off a wall and adding a closet. This would bring the total number of bedrooms to five. No other changes are proposed to the building or building exterior.

The driveway is unpaved until it reaches the rear yard, where a paved parking area is located. A two-car garage is located behind the paved area. The paved area is 14 feet wide where it begins at the gravel driveway and widens to approximately 27 feet at the garage. The paved area is 24 feet long between the garage and the driveway, but narrows to 14 feet long where it meets the patio. This area has been used to park three vehicles, however, it does not meet the Zoning Code requirements for minimum parking space length. At minimum, parking spaces must be 20 feet long, and a three-car parking area must be 24 feet by 20 feet in order to meet the requirements of Section 19.51.050(A)(1). The existing parking area is wide enough, but, due to its curved shape, it is not 20 feet long at its northern end.

The Plan Commission holds the public hearing on a Conditional Use Permit, and makes the final determination of approval, approval with conditions, or denial.

### **PLANNER'S RECOMMENDATIONS:**

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed Conditional Use Permit to Enable Up to Five Unrelated Persons in a Residence at 255 S. Prairie Street; subject to the recommendations and findings presented below:

#### **Suggested Conditions of Approval:**

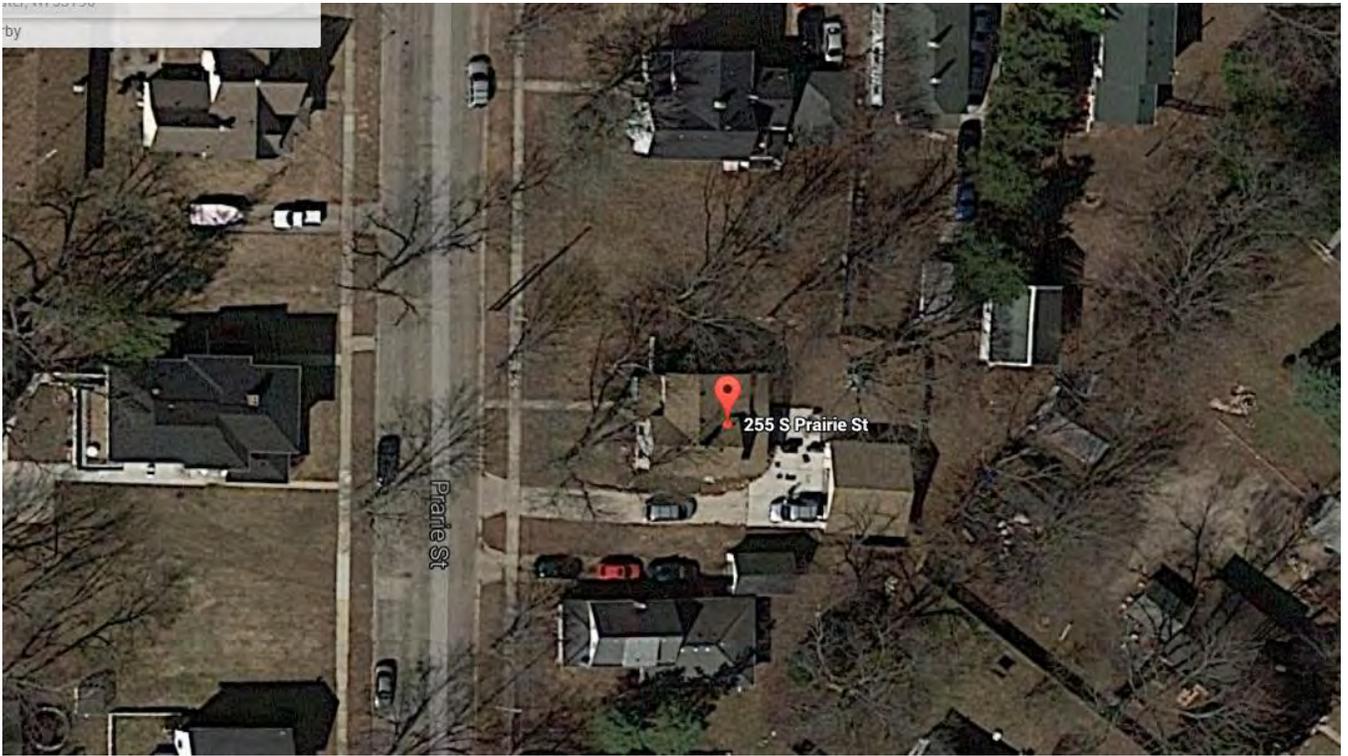
1. Because the northernmost parking space is not long enough to meet the requirements of the City's Zoning Code, this space must be assigned to a small or compact car only.
2. Pave the driveway with concrete or asphalt so that it is in full conformance with the parking requirements of the City's Zoning Code, unless this requirement is waived by the Plan Commission.
3. Any other conditions identified by City Staff or the Plan Commission.

**Suggested Findings** are presented on the following page.

**SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION**

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050).

<b>Analysis of Proposed Conditional Use Permit for: 255 S. Prairie Street</b>		
<i>Conditional Use Permit Review Standards per Section 19.66.050:</i>		
STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	This project will involve no exterior building modifications and creates one new bedroom.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	No	All utilities are adequate. The driveway to be paved in order to meet the current parking requirements. The northernmost parking space is too short and must be used for a compact car only.
3. 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 variance.	Yes	No exemptions or variances are being requested.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The proposal does not change the single family use of the property.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The project is consistent with the use and density requirements of the R-2A District and the Comprehensive Plan.



255 S. Prairie Street - Google Maps



Street View

8



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

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

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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 8th day of September 2014 at 6:30 p.m. to hold a public hearing for a Conditional Use Permit, in an R-2A Overlay Zoning District, to allow for 5 unrelated persons to live in the house located at 255 S. Prairie Street for Mark and Lexy Maas.

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 4:30 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

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Chris Munz-Pritchard, Neighborhood Services Director/City Planner



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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
(262) 473-0143

## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 255 S. Prairie St.

Owner's Name: Mark and Lepy Maas

Applicant's Name: Mark and Lepy Maas

Mailing Address: 255 S. Prairie St.

Phone #: 262-473-2646 Email: \_\_\_\_\_

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

Pt. Lots 1, 2, 11 Block 23 Chapman and Ludington's  
Addition to the city of Whitewater PC00051

### Existing and Proposed Uses:

Current Use of Property: Residential

Zoning District: R2

Proposed Use: R2A 5 unrelated occupants

**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.

— Duplicate Property Owners

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/A 55600001	KARL N OLSON	JANET E OLSON	651 DARCY LN	WHITEWATER	WI	53190-0000
/A 55600002	D&L TRIEBOLD TRUST		N7618 ENGEL RD	WHITEWATER	WI	53190-0000
/CL 00030	ROBERT A JANKE		229 S COTTAGE ST	WHITEWATER	WI	53190-0000
/CL 00031	LADWIG & VOS INC		140 LONGMEADOW DR	BURLINGTON	WI	53105-0000
/CL 00031A	RAYMOND L KRAMER		224 S PRAIRIE ST	WHITEWATER	WI	53190-0000
/CL 00036	KEVIN SPRY	JUDITH K SPRY	233 S PRAIRIE ST	WHITEWATER	WI	53190-0000
/CL 00037	JEREMY J BLOCK	BILLIE JO BLOCK	620 HIGH ST	WHITEWATER	WI	53190-0000
/CL 00038	RAYMOND STRITZEL TRUST		530 S JANESVILLE AVE	WHITEWATER	WI	53190-0000
/CL 00039	KAYLA A WARMUTH	DEBRA M WARMUTH	604 W HIGH ST	WHITEWATER	WI	53190-0000
/CL 00044	RICHARD R HELMICK		227 S BOONE ST	WHITEWATER	WI	53190-0000
/CL 00045	RODRIGUEZ PROPERTIES LLC		N9707 N MCCORD RD	WHITEWATER	WI	53190-0000
/CL 00050	JEFFREY S PETERSEN TRUST	LAUREL A PETERSEN TRUST	N9211 WOODDED COURT	WHITEWATER	WI	53190-0000
/CL 00051	MARK C MAAS	LEXY MAAS	255 S PRAIRIE ST	WHITEWATER	WI	53190-0000
/CL 00052	SANTOS J BARAJAS		615 HIGH ST	WHITEWATER	WI	53190-0000
/CL 00053	DONNA J HENRY	J PHILIP HENRY	347 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00054	WHITEWATER BIBLE CHURCH		511 W HIGH ST	WHITEWATER	WI	53190-0000
/CL 00055	JAMES H MINETTE	BONNIE LAGG MINETTE	254 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00056	JEFFREY T ROE	MARC A ROE	7515 STURTEVANT RD	WHITEWATER	WI	53190-0000
/CL 00057	MARC ROE	JEFFREY T ROE	7515 STURTEVANT RD	WHITEWATER	WI	53190-0000
/CL 00058	THOMAS J KLEMENT	KATHRYN S KLEMENT	5315 BLACK WALNUT DR	MCFARLAND	WI	53703-0000
/CL 00059	CAMERY MANAGEMENT LLC		408 PANTHER CT	WHITEWATER	WI	53190-0000
/CL 00060	SOBO PROPERTIES LLC		787 E CLAY ST UNIT 1	WHITEWATER	WI	53190-0000
/CL 00061	ARKI PRAIRIE LLC		W396 S3675 HARDCRABBLE RD	DOUSMAN	WI	53118-0000
/CL 00062	CHAD CHPMAN		505 MEADOWVIEW LANE	JOHNSON CREEK	WI	53038-9485
/CL 00063	HARRIET J STRITZEL TRUST		530 S JANESVILLE AVE	WHITEWATER	WI	53190-0000
/CL 00063A	LINDGREN TRUST		245 S COTTAGE ST	WHITEWATER	WI	53190-0000
/CL 00063B	JESUS GOMEZ	BEATRIZ GOMEZ	249 S COTTAGE ST	WHITEWATER	WI	53190-0000
/CL 00063C	RAUL PEREZ SR		267 S COTTAGE ST	WHITEWATER	WI	53190-0000
/CL 00063D	MARTIN SOTO	SARAH SOTO	724 W PECK ST	WHITEWATER	WI	53190-0000
/CL 00064	JOHN J TINCHER TRUST		N1190 CTY RD N	WHITEWATER	WI	53190-0000
/CL 00064A	KEVIN MCKINNON	MARSHA MCKINNON	716 W PECK ST	WHITEWATER	WI	53190-0000
/CL 00065	JOHN J TINCHER TRUST		N1190 COUNTY RD N	WHITEWATER	WI	53190-0000
/CL 00080	APRIL K ARDELT	C/O CARL J KIENBAUM	318 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00081	JOSE SOTO RODRIGUEZ		701 W PECK ST	WHITEWATER	WI	53190-0000
/CL 00082	TITUS J GREENWOOD	CHRISTINA M GREENWOOD	304 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00083	PAUL KRAHN	SANDRA L KRAHN	812 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00102	KEITH MORGAN	MELANIE A MORGAN	5106 W36653 SADDLE RIDGE DR	EAGLE	WI	53119-0000
/CL 00103	ROGER L BARRETT	SHELLI L BARRETT	277 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00104	MARK REITZ	KEVIN REITZ	4735 CATHERINE CT	PEWAUKEE	WI	53072-0000
/CL 00104A	CERANSKE PROPERTY MANAGEMENT LLC		N9503 WOODWARD RD	WHITEWATER	WI	53190-0000
/CL 00105	CERANSKE PROPERTY MANAGEMENT LLC		N9503 WOODWARD RD	WHITEWATER	WI	53190-0000
/CL 00105A	CERANSKE PROPERTY MANAGEMENT LLC		N5903 WOODWARD RD	WHITEWATER	WI	53190-0000

## 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>It will not. Properties to the north, South, East, and West are rental properties</i>
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	<i>No exterior additions, alterations, or improvements are being made.</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>Yes</i>
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	<i>Yes</i>

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

Applicant's Signature: *Mark Maas, Lexy Maas* Date: *8-6-14*

Printed: *Mark Maas, Lexy Maas*

**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 8-11-14. Received by: JWagner Receipt #: 6.011386
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-28-14.
- 3) Notices of the Public Hearing mailed to property owners on 8-27-14.
- 4) Plan Commission holds the PUBLIC HEARING on 9-8-14. 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:**

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\_\_\_\_\_  
Signature of Plan Commission Chairperson

\_\_\_\_\_  
Date

## **Tips for Minimizing Your Development Review Costs: A Guide for**

### **Applicants**

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

### **Meet with Neighborhoods Services Department before submitting an application**

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

### **Submit a complete and thorough application**

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

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

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

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

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

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

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

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

## **For more complex projects, submit your project for conceptual review**

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

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

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

## **Hold a neighborhood meeting for larger and potentially more controversial Projects**

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

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

## **Typical City Planning Consultant Development Review Costs**

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

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

<b>Type of Development Review Being Requested</b>	<b>Planning Consultant Review Cost Range</b>
<b>Minor Site/Building Plan</b> (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
<b>Major Site/Building Plan</b> (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
<b>Conditional Use Permit with no Site Plan Review</b> (e.g., home occupation, sale of liquor request, substitution of use in existing building)	Sup to \$600
<b>Rezoning</b>	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
<b>Land Division</b>	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
<b>Annexation</b>	\$200 to \$400

**\*\*Note:** The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

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

Name of Applicant: Mark & Lexy Maas

Applicant's Mailing Address: 255 S. Prairie St.  
Whitewater, WI 53190

Applicant's Phone Number: 473-2646

Applicant's Email Address: \_\_\_\_\_

Project Information:

Name/Description of Development: 255 S. Prairie St.

Address of Development Site: JCL00051

Tax Key Number(s) of Site: \_\_\_\_\_

Property Owner Information (if different from applicant):

Name of Property Owner: \_\_\_\_\_

Property Owner's Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

**Section B: Applicant/Property Owner Cost Obligations**

\_\_\_\_\_ **To be filled out by the Neighborhood Services Department** \_\_\_\_\_

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

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

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

**Section C: Agreement Execution**

\_\_\_\_\_ **To be filled out by the Applicant and Property Owner** \_\_\_\_\_

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

*Mark Maas, Lexy Maas*  
 \_\_\_\_\_  
 Signature of Applicant/Petitioner

*Mark Maas Lexy Maas*  
 \_\_\_\_\_  
 Printed Name of Applicant/Petitioner

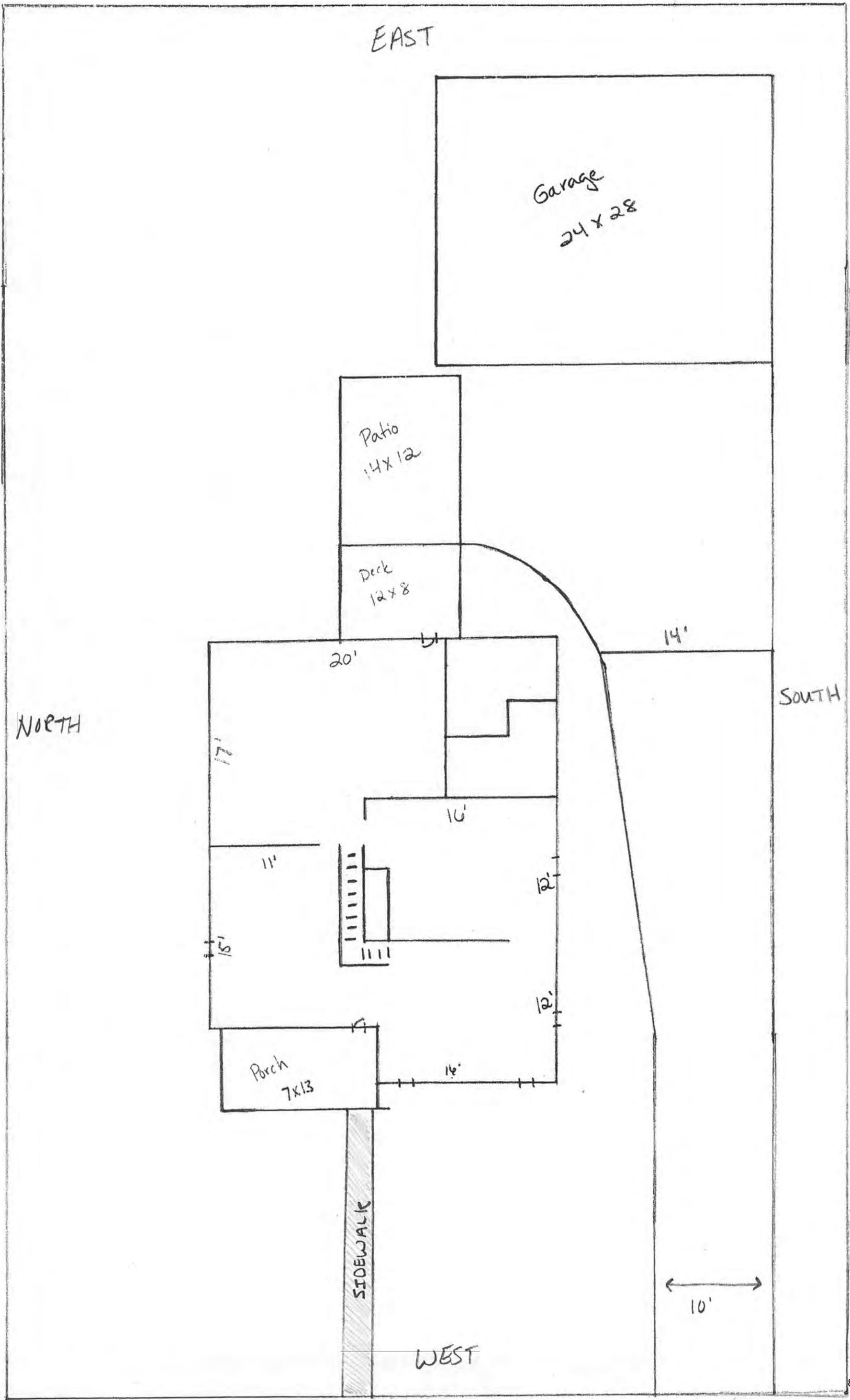
*8-6-14*  
 \_\_\_\_\_  
 Date of Signature

*Mark Maas Lexy Maas*  
 \_\_\_\_\_  
 Signature of Property Owner (if different)

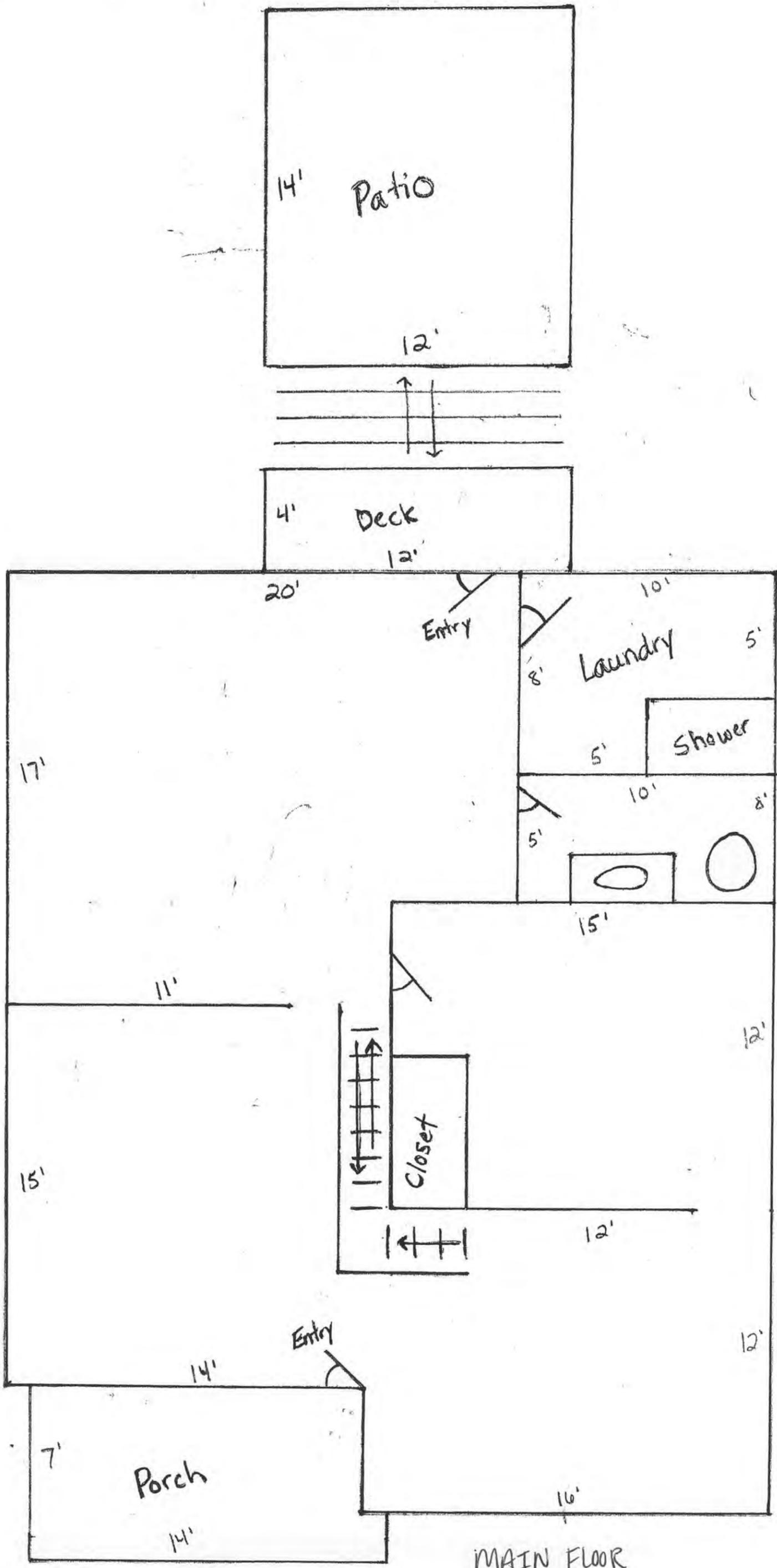
*Mark Maas Lexy Maas*  
 \_\_\_\_\_  
 Printed Name of Property Owner (if different)

*8-6-14*  
 \_\_\_\_\_  
 Date of Signature

Scale 1/4" = 2'



Scale 1/4" = 1'



MAIN FLOOR

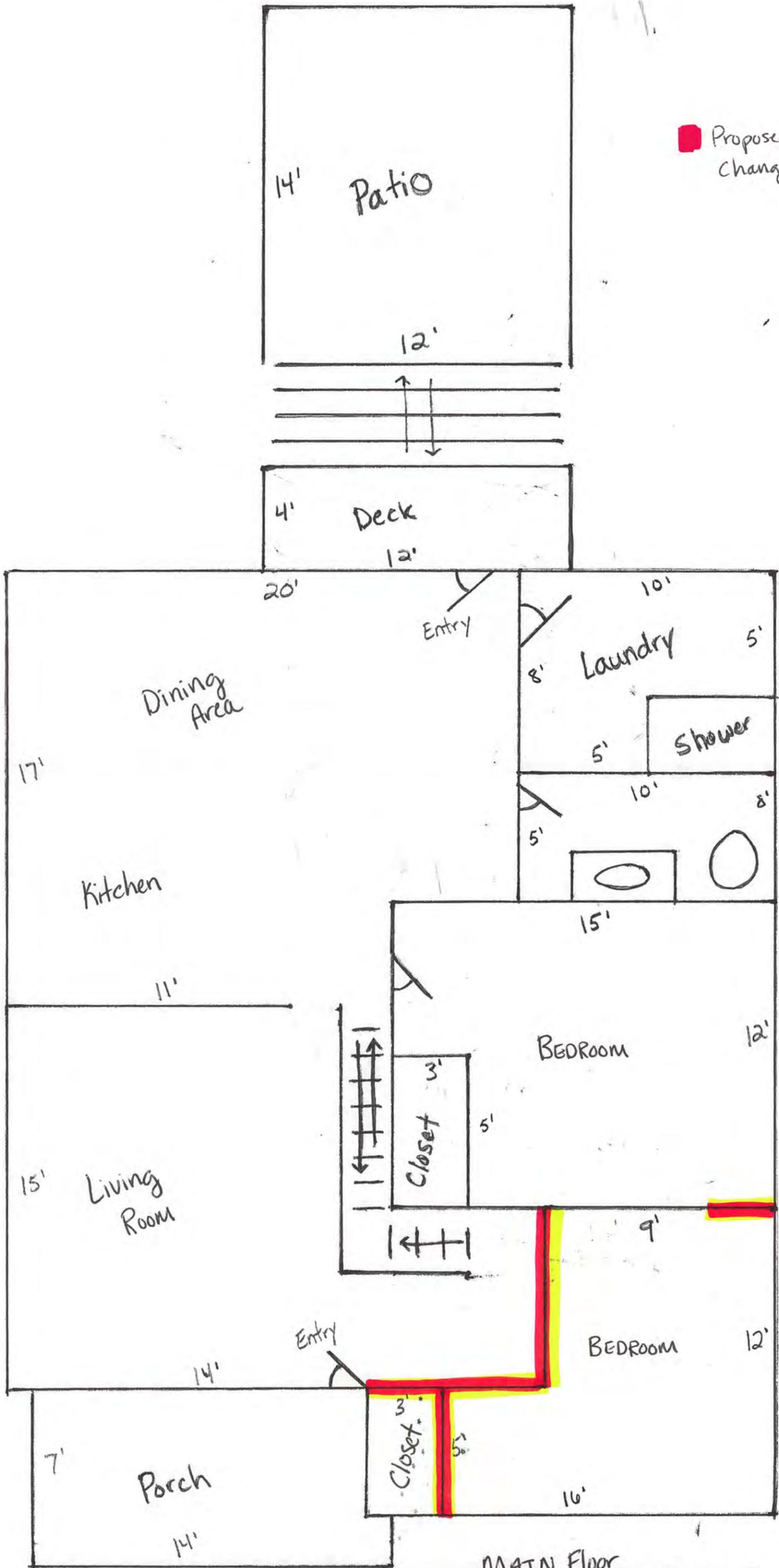
Scale 1/4" = 1'

EAST

Proposed Change

NORTH

SOUTH

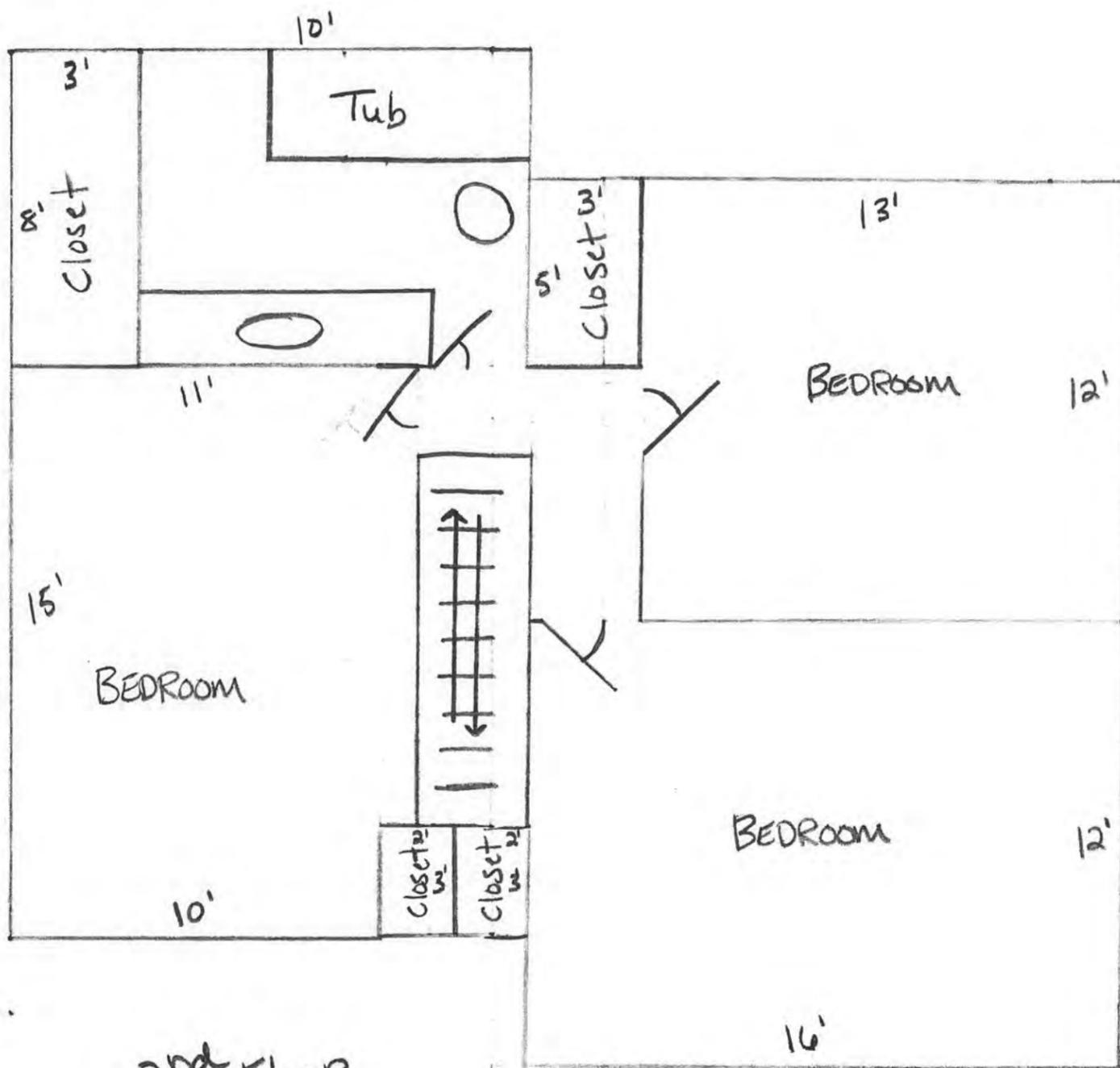


WEST

Prairie St  
↓

Scale 1/4" = 1'

EAST



NORTH

SOUTH

2nd Floor

WEST

## M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission  
 From: Mike Slavney, FAICP, Consulting City Planner  
 Date: 29 August 2014  
 Re: **Item #**\_\_\_ Proposed Conditional Use Permit to Permit an Oversized Garage at 647 W. Harper Street for Chris Thein

---

Summary of Request		
<b>Requested Approvals:</b>	Conditional Use Permit for an oversized detached accessory structure	
<b>Location:</b>	647 W. Harper Street	
<b>Current Land Use:</b>	Single family home with detached garage	
<b>Proposed Land Use:</b>	Same, but with an additional detached garage	
<b>Current Zoning:</b>	R-3 Multifamily Residence	
<b>Proposed Zoning:</b>	No change.	
<b>Comprehensive Plan's Future Land Use:</b>	Central Area Neighborhood	
<b>Surrounding <i>Zoning</i> and Current Land Uses:</b>		
	<b>North:</b>	
	<i>B-1</i> Multi-Tenant Commercial	
<b>West:</b>	Subject Property	<b>East:</b>
<i>R-3</i> Single Family		<i>R-3</i> Two Family
	<b>South:</b>	
	<i>B-1</i> Vacant/State-owned	

### **Description of the Proposal:**

This proposal involves constructing a large detached garage for the storage of recreational vehicles. The garage will be a pole building with beige metal siding. It will be 72 feet in length, 42 feet in width, and 18 feet in height. It will have a man door and a large garage door on the north elevation, a man door on the south elevation, a garage door on the east elevation, and no openings on the west elevation. Detached accessory structures in excess of 15 feet in height or 800 square feet in area require a conditional use permit, per Section 19.06.120 (F.). The proposed garage would be 3,024 square feet, more than 3.75 times the maximum area permitted by right. The garage would also be three feet taller than the maximum height permitted by right.

The garage is proposed to be set back 150 feet from the front lot line, 75 feet from the side lot line (on the west side), and 30 feet from the existing house, which exceeds the minimum setback and building separation requirements of the zoning code. It is proposed to be located in the front and side yards, which does not meet the requirement that detached accessory structures are permitted in the front and side yard only (Section 19.06.120 (F.)).

The proposed garage will take access to an existing driveway and paved parking area, which connects to the attached garage at the front of the house. The applicant does not plan to add additional paving to connect the driveway to the proposed garage.

No additional changes are proposed to the site or existing building.

### **PLANNER'S RECOMMENDATIONS:**

If the size of the garage is acceptable to the Plan and Architectural Review Commission, I recommend the Commission grant *conditional approval* for the requested Conditional Use Permit to allow for an oversized garage at 647 W. Harper Street, subject to findings on the following page, and subject to the following conditions of approval:

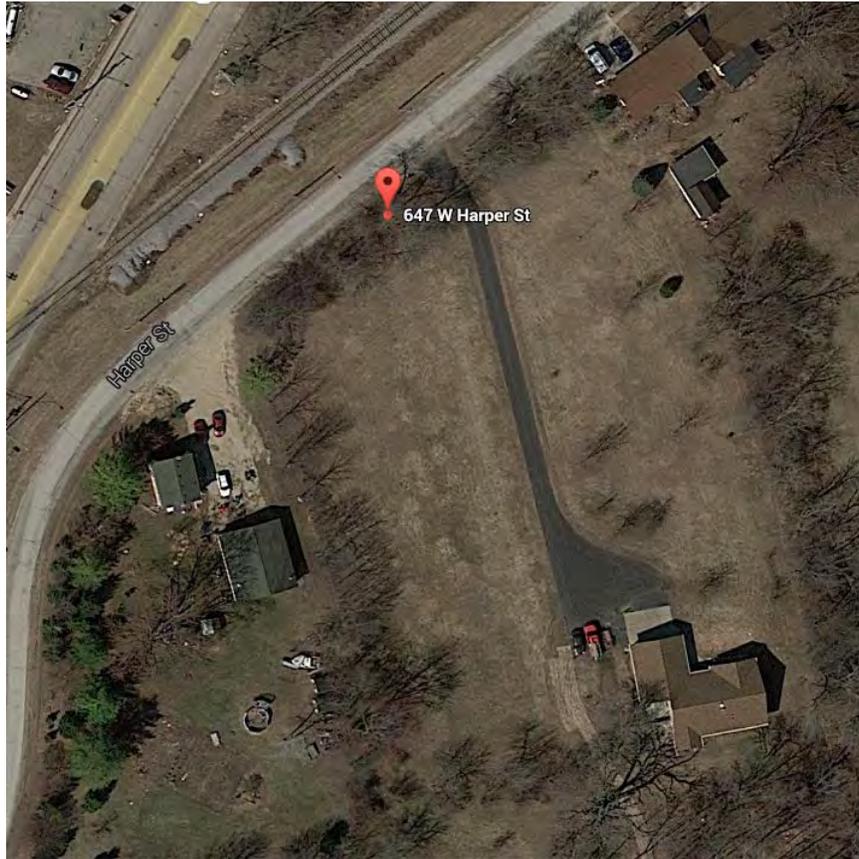
1. The materials, colors, and textures of the roof and garage must match the materials, colors, and textures of the existing house.
2. The driveway must be enlarged so that it connects to both garage doors.
3. The garage must be moved southward, behind the front plane of the house, so that it is located in the side and rear yards rather than the front yard.
4. The applicant shall submit a statement affirming that the structure will not be used for a home occupation. This statement must be signed by both the applicant and the property owner.
5. Any other conditions identified by the Plan Commission.

**Suggested Findings** are presented on the following page.

**SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION**

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050). See the following page for suggested findings:

<b>Analysis of Proposed Conditional Use Permit for: 647 W. Harper Street</b>		
<i>Conditional Use Permit Review Standards per Section 19.66.050:</i>		
STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	The site is already used for recreation vehicle parking.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	No	The proposal does not include paving to connect the structure to the driveway.
3. 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 variance.	No	The structure must be located in the side and/or rear yard.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The Comprehensive Plan recommends the site for residential principal uses and residential accessory uses.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Possibly	The proposed garage would be more than 3.75 times the maximum area permitted by right, but the lot's size and location may minimize the impact it may have on neighboring properties.



647 W. Harper Street - Google Maps



647 W. Harper Street - Bing Maps



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 8th day of September, 2014 at 6:30 p.m. to hold a public hearing for the consideration of conditional use permit for the construction of a 3,024 sq. ft. (72' x 42') detached garage to be located at 647 W. Harper Street for Chris Thein. (This is 2,224 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 4:30 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

  
Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Owner2	Address1	Address2	City	State	Zip
/A274400001	JAMES E MILLS	LISA M MILLS	3086 ST MICHEL LN		ST CHARLES	IL	60175-4641
/A274400002	LYNN A CUNNINGHAM	KAREN M BOYER	683 HARPER ST		WHITEWATER	WI	53190-0000
/T 00021	JOSE ALFREDO RAMIREZ	YOLANDA RAMIREZ	620 S. JANESVILLE ST		WHITEWATER	WI	53190-0000
/T 00021A	LORI J HEIDENREICH		630 S. JANESVILLE ST		WHITEWATER	WI	53190-0000
/WUP 00296	JOHN A SANDERSON JR		563 S JANESVILLE ST		WHITEWATER	WI	53190-0000
/WUP 00297	WALTON DISTRIBUTING LLC		1005 W MAIN ST	SUITE C	WHITEWATER	WI	53190-0000
/WUP 00304	RICHARD H KRAUS JR TRUST	PAMELA T KRAUS TRUST	N8039 HWY 89		WHITEWATER	WI	53190-0000
/WUP 00307	PHILLIP R YOWELL	DANA L YOWELL	617 W. HARPER ST		WHITEWATER	WI	53190-0000
/WUP 00308	ELIZABETH L MEYER TRUST	STANLEY C MEYER TRUST	645 W HARPER		WHITEWATER	WI	53190-6611
/WUP 00306	RICHARD P PLATNER	SHARON J FAUST	645 W HARPER ST		WHITEWATER	WI	53190-0000
/WUP 00305	STANLEY C MEYER FAMILY SHARE TRUST		417 SANDALWOOD CT		MILTON	WI	53563-1269
/A274400001A	RICHARD P PLATNER	SHARON J FAUST	645 W HARPER ST		WHITEWATER	WI	53190-0000
/WUP 00298	NATIONAL PROPANE CORP		AMERIGAS EAGLE PROPANE LP	PO BOX 798	VALLEY FORGE	PA	19482-9908
/T 00022	NATHAN A SCHOENBORN		W8099 CLOVER VALLEY RD		WHITEWATER	WI	53190-0000
/T 00022A	DAVID S MEYER	CHRISTINE M MEYER	424 S PLEASANT ST		WHITEWATER	WI	53190-9908
	CHRIS THEIN		647 W HARPER ST		WHITEWATER	WI	53190-0000



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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
(262) 473-0143

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## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 647 W. HARPER ST

Owner's Name: JIM MILLS

Applicant's Name: CHRIS THEIN

Mailing Address: 647 W. HARPER ST.

Phone #: 608-354-5492 Email: CTHEIN77@YAHOO.COM

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

### Existing and Proposed Uses:

Current Use of Property: RESIDENT

Zoning District: MULTI FAMILY

Proposed Use: RESIDENT

**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.	OUR PROPERTY IS LARGE ENOUGH THAT THE BUILDING WILL BE SE BACK ENOUGH FROM VIEWS FROM, NEIGHBORS, ROAD AND OTHERS. THE LOT LINES FOR OUR PROPERTY ARE OVERRGROWN WITH TREES ALREADY. THE BUILDING IS GOING TO BE USED FOR STORAGE.
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	ALL LANDSCAPING FOR THE BUILDING WILL BE DONE UPON COMPLETION OF THE PROJECT. AT THIS TIME THERE WILL BE NO UTILITIES USED AND ACCESS WILL BE DIRECT FROM EXISTING DRIVEWAY.
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 WILL CONFORM WITH ALL APPLICABLE REGULATIONS. THE SIZE OF THE POLE BUILDING IS STRICTLY GOING TO BE USED FOR RECREATIONAL STORAGE.
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	THE POLE BUILDING IS GOING TO BE USED FOR RECREATIONAL STORAGE AND IT WILL KEEP THE SITE FROM LOOKING LIKE A CAR LOT.

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

Applicant's Signature: 

Date: 8-7-14

Printed: Chris Theriault

**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 8-11-14. Received by: Jwegner Receipt #: 6.011390
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-28-14.
- 3) Notices of the Public Hearing mailed to property owners on 8-27-14.
- 4) Plan Commission holds the PUBLIC HEARING on 9-8-14. 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:**

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\_\_\_\_\_  
Signature of Plan Commission Chairperson

\_\_\_\_\_  
Date

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

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

### **Meet with Neighborhoods Services Department before submitting an application**

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

### **Submit a complete and thorough application**

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

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

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

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

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

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

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

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

## **For more complex projects, submit your project for conceptual review**

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

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

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

### **Hold a neighborhood meeting for larger and potentially more controversial Projects**

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

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

### **Typical City Planning Consultant Development Review Costs**

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

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

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

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

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

Name of Applicant: CHRIS THEIN

Applicant's Mailing Address: 647 W. HARPER ST

Applicant's Phone Number: 608-354-5497

Applicant's Email Address: Cthein77@yahoo.com

Project Information:

Name/Description of Development: \_\_\_\_\_

Address of Development Site: SAME

Tax Key Number(s) of Site: \_\_\_\_\_

Property Owner Information (if different from applicant):

Name of Property Owner: JIM MILLS

Property Owner's Mailing Address: 3086 ST MICHEL LN  
ST CHARLES, IL 60174

**Section B: Applicant/Property Owner Cost Obligations**

----- To be filled out by the Neighborhood Services Department -----

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

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

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

**Section C: Agreement Execution**

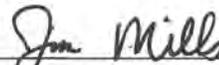
----- To be filled out by the Applicant and Property Owner -----

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

  
\_\_\_\_\_  
Signature of Applicant/Petitioner

Chris Thein  
\_\_\_\_\_  
Printed Name of Applicant/Petitioner

8-7-14  
\_\_\_\_\_  
Date of Signature

  
\_\_\_\_\_  
Signature of Property Owner (if different)

JIM MILLS  
\_\_\_\_\_  
Printed Name of Property Owner (if different)

8-7-14  
\_\_\_\_\_  
Date of Signature

NORTH

HARPER ST.

WEST PROPERTY LINE

EAST PROPERTY LINE

DRIVE

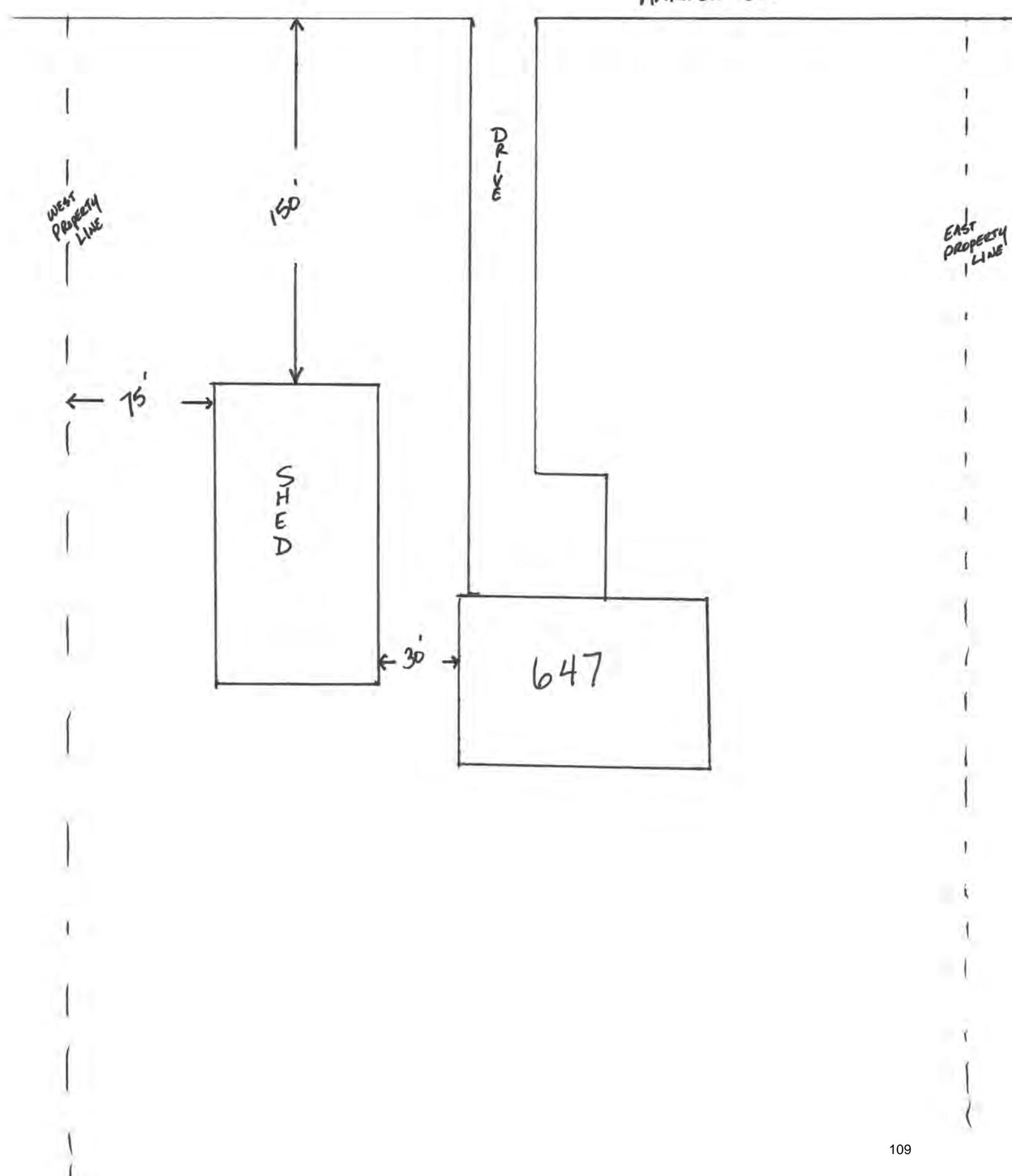
150'

75'

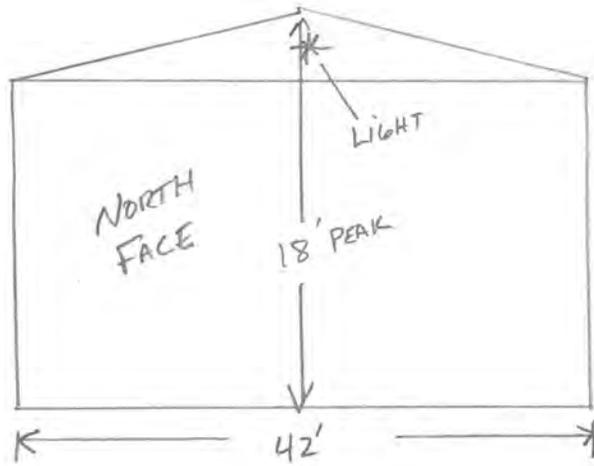
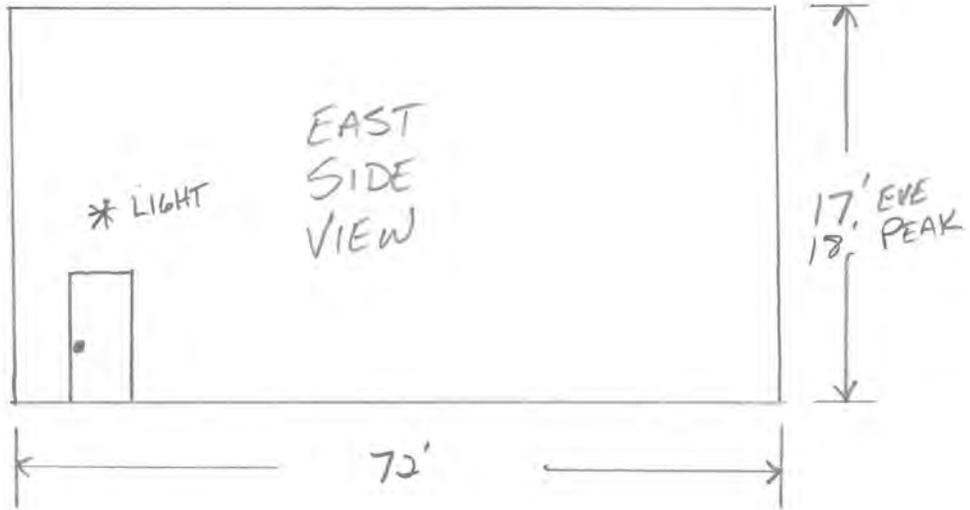
SHED

30'

647



647 W HARPER





P.O Box 930220  
Verona, WI 53593-0220  
Phone: (608) 845-9700  
Fax: (608) 845-7070

8/22/2014  
THEIN, CHRIS  
Doc ID: 9910120140822090437

## Elevations & Floor Plan

### Customer Information

**Building Specification For:**

THEIN, CHRIS  
N2775 COUNTY ROAD J  
FORT ATKINSON, WISCONSIN 53538  
Cell Phone: (608) 354-5492  
Email: edwin@bosdesignbuilders.com

**Building Site Location:**

Location: N/A  
Tenant: N/A  
N2775 COUNTY ROAD J  
FORT ATKINSON, WISCONSIN 53538  
County: JEFFERSON

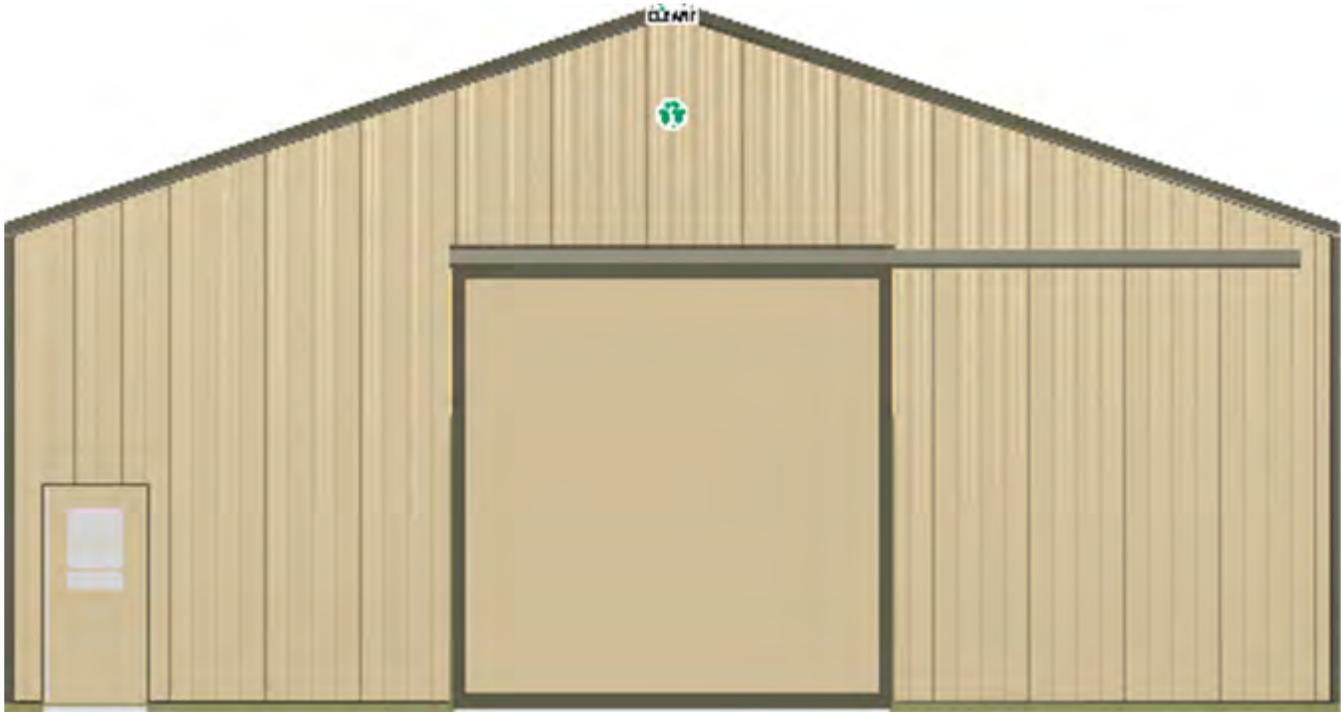


P.O Box 930220  
Verona, WI 53593-0220  
Phone: (608) 845-9700  
Fax: (608) 845-7070

8/22/2014  
THEIN, CHRIS  
Doc ID: 9910120140822090437

## Elevations & Floor Plan

### Elevations for Building 1



**North End Wall 1 on Building 1**

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



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Phone: (608) 845-9700  
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8/22/2014  
THEIN, CHRIS  
Doc ID: 9910120140822090437

## Elevations & Floor Plan



**South End Wall 2 on Building 1**

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



**East Side Wall 1 on Building 1**

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



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Verona, WI 53593-0220  
Phone: (608) 845-9700  
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8/22/2014  
THEIN, CHRIS  
Doc ID: 9910120140822090437

## Elevations & Floor Plan

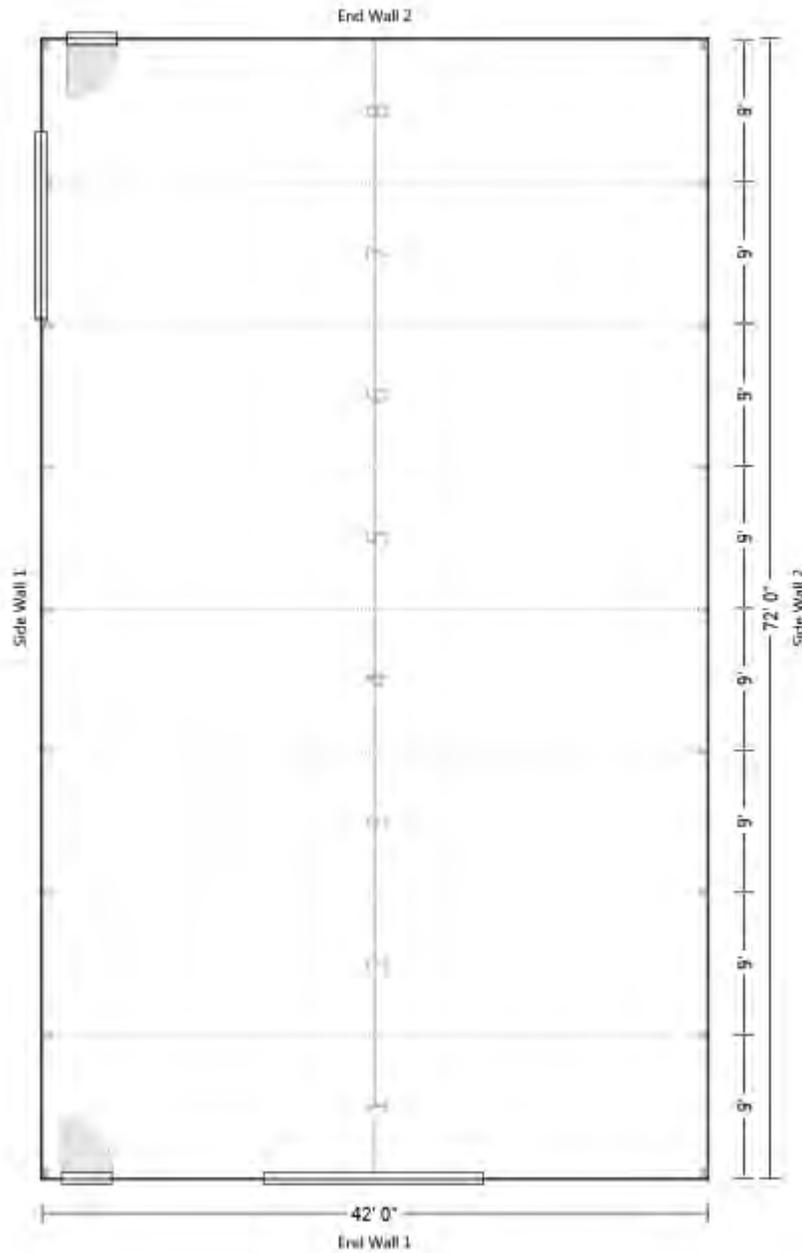


**West Side Wall 2 on Building 1**

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

## Elevations & Floor Plan

### Floor Plan



## M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission  
 From: Mike Slavney, FAICP, Consulting City Planner  
 Date: 25 August 2014  
 Re: **Item #10** Proposed Conditional Use Permit for a “Class B” Beer and Liquor License to Serve Beer and Liquor by the Bottle or Glass, at 204 W. Main Street for owners Jeff Schellpfeffer and Kathy Gibbs

Summary of Request		
<b>Requested Approvals:</b>	Conditional Use Permit for a Class B Beer and Liquor License	
<b>Location:</b>	204 W. Main Street	
<b>Current Land Use:</b>	Tavern	
<b>Proposed Land Use:</b>	Same but with new owners	
<b>Current Zoning:</b>	B-2 Central Business	
<b>Proposed Zoning:</b>	No change.	
<b>Comprehensive Plan’s Future Land Use:</b>	Central Business	
<b>Surrounding <i>Zoning</i> and Current Land Uses:</b>		
	<b>North:</b>	
	B-2 Two Family Home	
<b>West:</b>	Subject Property	<b>East:</b>
B-2 Living Word Fellowship		B-2 Quiet Hut Sports
	<b>South:</b>	
	B-2 First Citizens State Bank	

**Description of the Proposal:**

This proposal is for a Conditional Use Permit for a Class B Beer and Liquor License. The site has been a tavern for many years, and the new owners are proposing to continue the same use. No changes are proposed to the existing site plan, traffic flow, exterior lighting, or building exterior. No information about hours of operation or maximum capacity have been provided by the applicant.

The tavern is located in the basement of the Landmark Building, which houses residential uses on the upper floors. A mix of ground floor businesses and primarily upper-story office or residential uses are in the vicinity.

**PLANNER’S RECOMMENDATIONS:**

I recommend the Plan and Architectural Review Commission grant *conditional approval* for the requested Conditional Use Permit for a Class B Beer and Liquor License at 204 W. Main Street, subject to findings on the following page, and subject to the following conditions of approval:

1. No modifications may be made to the site. The applicant shall submit a statement affirming that no changes will be made to the existing site plan, traffic flow, exterior lighting, or building exterior. This statement must be signed by both the applicant and the property owner.
2. If there are any changes planned for the existing site plan, traffic flow, exterior lighting, or building exterior, the applicant will need to provide a Site Plan showing all current and proposed structures, all current and proposed impervious surfaces, and all property lines.
  - a. The Site Plan shall be subject to approval by the City Building Administrator, City Engineer, and City Planner;
  - b. All development shall be consistent with the approved Site Plan, and shall be completed, inspected and approved by appropriate City Staff prior to building occupancy.
3. Establish maximum hours of operation, as approved by the Plan Commission
4. Any other conditions identified by the Plan Commission.

**SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION**

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050). See the following page for suggested findings:

**Analysis of Proposed Conditional Use Permit for: 204 W. Main Street**

*Conditional Use Permit Review Standards per Section 19.66.050:*

STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	Continuation of existing use.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	All regulations are complied with.
3. 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 variance.	Yes	All regulations are complied with.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The Comprehensive Plan recommends the site for downtown mixed use development.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The project is consistent with the use requirements of the B-2 District and the Comprehensive Plan.



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 8th day of September 2014 at 6:30 p.m. for a public hearing for consideration of a Conditional Use Permit (tavern and other places selling alcohol by the drink) for Kathy Gibbs (Agent) to serve beer and liquor at 204 W. Main Street (for a "Class B" Beer and Liquor License) formerly "The Downstairs Bar".

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 4:30 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

  
Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/OT 00013	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00014	FIRST & MAIN OF WHITEWATER LLC		599 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/OT 00017	HICKS SURVIVORS TRUST		N7934 HWY 89	WHITEWATER	WI	53190-0000
/OT 00018	KJN DEVELOPMENT LLC		W316S2920 ROBERTS RD	WAUKESHA	WI	53188-0000
/OT 00019	KJN DEVELOPMENT LLC		W316S2920 ROBERTS RD	WAUKESHA	WI	53188-0000
/OT 00020	TERRENCE L STRITZEL		W5524 TRI COUNTY RD.	WHITEWATER	WI	53190-0000
/OT 00021	DAVID E SAALSAA		184 W MAIN ST #3	WHITEWATER	WI	53190-0000
/OT 00022	RODERICK O DALEE	MARY M DALEE	PO BOX 660	WHITEWATER	WI	53190-0000
/OT 00023	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00024	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00026	ROBERT A SWEET		N7598 LARRY'S RD	WHITEWATER	WI	53190-0000
/OT 00027	LIVING WORD FELLOWSHIP OF WHITEWATER INC		212 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00028	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00030	KICH PROPERTIES LLC		N6927 GREENLEAF CT	ELKHORN	WI	53121-0000
/OT 00031	ST JOHN LODGE 57 F. & A. M.	F&AM	266 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00032	MITCHELL J SIMON		211 N. PARK ST	WHITEWATER	WI	53190-0000
/OT 00033	MITCHELL J SIMON		211 N. PARK ST	WHITEWATER	WI	53190-0000
/OT 00046	BART J KRAUS		301 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00053	FIRST CITIZENS STATE BANK		207 W. MAIN ST	WHITEWATER	WI	53190-0000
/OT 00053A	FIRST CITIZENS STATE BANK		207 W. MAIN ST	WHITEWATER	WI	53190-0000
/OT 00054	FIRST CITIZENS STATE BANK		207 W. MAIN ST	WHITEWATER	WI	53190-0000
/OT 00055	FIRST CITIZENS STATE BANK		207 W. MAIN ST	WHITEWATER	WI	53190-0000
/OT 00055A	FIRST CITIZENS STATE BANK BUILDING CORPORATION		PO	WHITEWATER	WI	53190-0000
/OT 00056	FIRST CITIZENS STATE BANK		207 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00057	FIRST CITIZENS STATE BANK		207 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00058	FIRST CITIZENS STATE BANK	BANK OF WHITEWATER	PO BOX 177	WHITEWATER	WI	53190-0000
/OT 00059	FIRST CITIZENS STATE BANK OF WHITEWATER		TAX DEPT MC2408 200 E RANDOLPH	CHICAGO	IL	60607-0000
/OT 00060	FIRST CITIZENS STATE BANK		207 W. MAIN ST	WHITEWATER	WI	53190-0000
/OT 00061	FIRST CITIZENS STATE BANK		P. O. BOX 177	WHITEWATER	WI	53190-0000
/OT 00062	DONALD E LIGGETT TRUST		P. O. BOX 223061	PRINCEVILLE	HI	96722-0000
/OT 00065	TRIPLE J PROPERTIES LLC		W335 S2539 MORRIS RD	DOUSMAN	WI	53118-0000
/OT 00067	DIANE L TRAMPE		138 CENTER ST	WHITEWATER	WI	53190-0000
/OT 00068	FIRE STATION 1 LLC		138 W CENTER ST	WHITEWATER	WI	53190-0000
/OT 00069	CHERYL A BRESNAHAN	MICHAEL J BRESNAHAN JR	117 S. SECOND ST	WHITEWATER	WI	53190-0000
/OT 00070	BLGL LLC		1691 MOUND VIEW PL	WHITEWATER	WI	53190-0000
/OT 00071	TRIPLE J PROPERTIES LLC		W335 S2539 MORRIS RD	DOUSMAN	WI	53118-0000
/OT 00072	JORGE ISLAS MARTINEZ		565 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/OT 00073	KJN DEVELOPMENT LLC		W316 W2920 ROBERTS RD	WAUKESHA	WI	53188-9298
/OT 00074	MARK O BERGEY	JEAN BERGEY	173 W. MAIN ST	WHITEWATER	WI	53190-0000
/OT 00075	DLK ENTERPRISES INC		P. O. BOX 239	WHITEWATER	WI	53190-0000
/WSS 00001	ANTHONY M LOMBARDO	JANET M LOMBARDO	1180 THORNDALE LN	LAKE ZURICH	IL	60047-0000

/WSS 00002	DONNA JOANNE HENRY		347 S. JANESVILLE ST	WHITEWATER	WI	53190-0000
/WSS 00004	DALE R WOLF		1645 W. WILDWOOD DR	WHITEWATER	WI	53190-0000
/WSS 00006	STEVEN C SPEAR		577 EHLERT CT	WHITEWATER	WI	53190-0000
/WSS 00007	MICHAEL J RIPLEY		138 N. GEORGE ST	WHITEWATER	WI	53190-0000
/WSS 00008	ARKI GEORGE LLC		W396 S3675 HARDCRABBLE RD	DOUSMAN	WI	53118-0000
/WSS 00010	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/WSS 00011	RAYMOND N SHUPE JR	BRENDA SHUPE	1522 PARKVIEW LN	PORT WASHINGTON	WI	53074-0000
/WSS 00012	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/WUP 00061	W DANIEL SABLE	D JEAN SABLE	131 N FREMONT ST	WHITEWATER	WI	53190-0000
/WUP 00064	JAMES EHLERS	AMY EHLERS	N7174 COUNTRYSIDE LN	ELKHORN	WI	53121-0000
/WUP 00065	ROSEMARY METZDORFF		119 N. FREMONT ST	WHITEWATER	WI	53190-0000
/WUP 00066	HAROLD MILES	DARLENE MILES	234 W. NORTH ST	WHITEWATER	WI	53190-0000
/WUP 00067	D & L TRIEBOLD TRUST		N7618 ENGEL RD	WHITEWATER	WI	53190-0000
/WUP 00068	MEISNER ENTERPRISES LLC		N7547 W LAKESHORE DR	WHITEWATER	WI	53190-0000
/WUP 00087	JOHN W EJNIK	SARA L NORTON-EJNIK	130 N FREMONT ST	WHITEWATER	WI	53190-0000
/WUP 00088	KEVIN A NICKS	PATTY J NICKS	126 N. FREMONT ST	WHITEWATER	WI	53190-0000
/WUP 00089	MIKE & JEANS MONKEY BUSINESS		439 S PLEASANT ST	WHITEWATER	WI	53190-0000
	JEFF SCHELLPFEFFER/KATHY GIBBS		4477 HODGSON ROAD	SHOREVIEW	MN	55126-0000



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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
(262) 473-0143

## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 204 W Main Whitewater WI 53190  
Owner's Name: Jeff Schellpfetter / Kathy Gibbs  
Applicant's Name: Jeff Schellpfetter / Kathy Gibbs  
Mailing Address: 4477 Hodgson Rd Shoreview MN 55126  
Phone #: 651-357-3780 Email: JSchellpfetter@yahoo.com  
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions):  
OT 00026

### Existing and Proposed Uses:

Current Use of Property: Bar / Tavern  
Zoning District: B-2 (Central Business) Zoning District  
Proposed Use: Bar / Tavern

**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.**



**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 8-12-14. Received by: Jwegner Receipt #: 6-011394
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-28-14.
- 3) Notices of the Public Hearing mailed to property owners on 8-27-14.
- 4) Plan Commission holds the PUBLIC HEARING on 9-8-14. 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:**

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\_\_\_\_\_  
Signature of Plan Commission Chairperson

\_\_\_\_\_  
Date

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

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

### **Meet with Neighborhoods Services Department before submitting an application**

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

### **Submit a complete and thorough application**

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

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

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

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

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

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

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

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

## **For more complex projects, submit your project for conceptual review**

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

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

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

## **Hold a neighborhood meeting for larger and potentially more controversial Projects**

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

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

## **Typical City Planning Consultant Development Review Costs**

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

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

<b>Type of Development Review Being Requested</b>	<b>Planning Consultant Review Cost Range</b>
<b>Minor Site/Building Plan</b> (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
<b>Major Site/Building Plan</b> (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
<b>Conditional Use Permit with no Site Plan Review</b> (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$up to \$600
<b>Rezoning</b>	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
<b>Land Division</b>	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
<b>Annexation</b>	\$200 to \$400

**\*\*Note:** The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

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

Name of Applicant: Jeff Schellpfeffer / Kathy Gibbs

Applicant's Mailing Address: 4477 Hodgson Rd  
Shoreview MN 55116

Applicant's Phone Number: 651-357-3780

Applicant's Email Address: JSchellpfeffer@yahoo.com

Project Information:

Name/Description of Development: Pending Name

Address of Development Site: 204 W. Main Whitewater WI 53190

Tax Key Number(s) of Site: OT 0026

Property Owner Information (if different from applicant):

Name of Property Owner: Bob Swartz

Property Owner's Mailing Address: N7598 LARRY'S RD  
WHITWATER, WI 53190

**Section B: Applicant/Property Owner Cost Obligations**

----- To be filled out by the Neighborhood Services Department -----

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

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

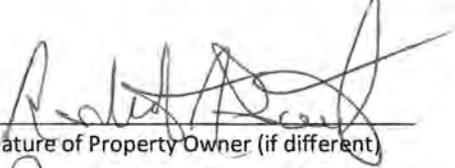
The balance of the applicant’s costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at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

**Section C: Agreement Execution**

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

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

  
 \_\_\_\_\_  
 Signature of Applicant/Petitioner  
 Jeff Schellpfeffer  
 \_\_\_\_\_  
 Printed Name of Applicant/Petitioner  
 8/8/14  
 \_\_\_\_\_  
 Date of Signature

  
 \_\_\_\_\_  
 Signature of Property Owner (if different)  
 Robert A. Suter  
 \_\_\_\_\_  
 Printed Name of Property Owner (if different)  
 8-58-14  
 \_\_\_\_\_  
 Date of Signature



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 8th day of September 2014 at 6:30 p.m. to hold a public hearing for a Conditional Use Permit to allow for a 5 unit townhouse style residential apartment building in an R-3 (Multi-family) Zoning District in addition to the existing residence located at 1014 W. Main Street for Ryan Hughes.

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 4:30 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

Chris Munz-Pritchard, Neighborhood Services Director/City Planner

**Please Note: This item has been postponed from the Plan Commission meeting of September 8, 2014.**