



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Agenda

May 9, 2016

City of Whitewater Municipal Building
Community Room

312 W. Whitewater St., Whitewater, Wisconsin

6:30 p.m.

***Amended Agenda as of 9:00 a.m. Friday, May 6, 2016: added #8 Review of an ordinance amending chapter 19.19 R-2 Residential Increased Occupancy Overlay District.**

1.	Call to order and Roll Call.
2.	<u>Hearing of Citizen Comments.</u> 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 April 11, 2016.
4.	Hold a public hearing for consideration of a Conditional Use Permit to allow for the keeping of horses at 509 S. Franklin Street Thayer and Anne Coburn.
5.	Hold a public hearing for consideration of a Conditional Use Permit for a Certified Survey map for a division of land located in the Whitewater Business Park at the intersection of Universal Blvd. and Technology Drive for future sale ability.
6.	Hold a public hearing for consideration of a change of the District Zoning Map for the parcel at 707 W. Walworth Ave. (Tax Parcel # /HA 00001) to enact an ordinance to change from B-1 (Community Business) Zoning District to R-3 (Multi-family Residence) Zoning District classification under Chapter 19.21 of the Zoning Ordinance of the City of Whitewater. The owners of the property are Ronald B. Walenton and Rebecca R. Walenton.
7.	Hold a public hearing for the consideration of a Conditional Use Permit for the construction of a 1,750 sq. ft. (35' x 50') detached garage to be located at 647 W. Harper Street for Chris Thein. (This proposal is 950 sq. ft. more than the maximum size (800 sq. ft.) allowed for a detached accessory structure.
*8.	Review of an ordinance amending chapter 19.19 R-2 Residential Increased Occupancy Overlay District.
9.	Information Items: a. Possible future agenda items.

	b. Next regular Plan Commission Meeting – June 13, 2016
10.	Adjournment.

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

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
April 11, 2016

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

Call to order and roll call.

Chairperson Meyer called the meeting of the Plan and Architectural Review Commission to order at 6:30 p.m.

Present: Greg Meyer, Bruce Parker, Tom Hinspater, Kristine Zaballos, Sherry Stanek, Daniel Comfort, Chris Grady (City Council Alternate). Absent: Lynn Binnie. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Hearing of Citizen Comments. No Comments.

Approval of the Plan Commission Minutes. Moved by Stanek and Hinspater to approve the minutes of March 14, 2016. Aye: Stanek, Hinspater, Parker, Grady, Zaballos, Comfort, Meyer. No: None. Motion approved.

Public hearing for a Conditional Use Permit to allow for a commercial building along with residential apartments, (proposed Phase 2 includes 3 apartments (studio and 1 bedroom) on the first floor) in a B-1 (Community Business) Zoning District located at 885 S. Janesville Street for Russell Walton. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard reviewed her Planner Report and recommendations.

Russell Walton questioned the requirement of an access easement with the adjacent property. There is more than one access point to the property.

City Planner Munz-Pritchard stated that the access easement was required with the original conditional use permit for Phase 1 of this project.

City Attorney McDonell stated that this is not a requirement that will affect this proposal.

Plan Commission Member Parker was concerned about how many apartments were needed for the State approval requirements for ADA. What about green space? He thought the City was going to stay away from having residential and commercial on the first floor.

Only one apartment is needed to provide the requirement for ADA accessibility on the first floor. Russell brought in a map showing the green space. They are removing the blacktop that was used for a previous day care, and returning it to green space, approximately 4,000 sq. ft.

When asked about the efficiency apartments, Russell Walton explained that they are popular. People like to be able to have their own space. He would like to do more of them. He stated that 99 % of the efficiency apartments are perfect when the tenant leaves. Russell Walton also commented that once all the utilities are run through the building to provide for the 2nd floor apartments, there is not enough open space on the first floor for commercial use.

City Planner Chris Munz-Pritchard stated that the B-1 Zoning never allowed first floor residences. The new ordinance allows up to 50% of the first floor area of the building can be residential. She also noted that “green space” is usable open space.

Chairperson Meyer closed the public hearing.

Moved by Comfort and seconded by Grady to approve the conditional use permit for a remodel to the Walton Building located at 885 S. Janesville Street to include three (3) ADA compliant residential apartments on the first floor (one (1) efficiency and two (2) one-bedroom) for Russell Walton subject to the City Planner Conditions. (See attached Conditional Use Permit.) Aye: Comfort, Grady, Stanek, Hinspater, Parker, Zaballos, Meyer. No: None. Motion approved.

Review proposed changes to the Sign Ordinance by Downtown Whitewater.

Dave Saalsaa, representing the Design Committee for Downtown Whitewater, worked with the City Planner to suggest some changes to the Sign Ordinance including housekeeping clarifications to make the ordinance user friendly for businesses in the downtown area. Dave went through a power point presentation on the changes that were proposed to make the ordinance clearer. The signs that require a conditional use permit, the Design Committee would like to look at the plan in order to give recommendations to the Plan Commission prior to the public hearing.

Ken Kienbaum, a Whitewater resident, stated that the changes were good. They clarified the ordinance so it was easier to understand.

Chairperson Meyer closed the public hearing.

Plan Commission Member Stanek stated that the changes made the ordinance very clear. She especially liked the calculations and the illustrations.

City Planner Chris Munz-Pritchard stated that most of the language stayed the same. Like items were put together.

City Attorney McDonell stated that there would need to be a formal public hearing for the zoning ordinance amendment, which requires two notices to the paper. Plan Commission decides if they want to set it up for the public hearing and recommendation to the City Council.

Plan Commission Member Meyer suggested that the ordinance be looked at every 5 years for updates, particularly with technology changes.

City Attorney McDonell stated that this could be made a Plan Commission policy.

Plan Commission Member Parker stated that the National standard is to review ordinances every 5 years.

City Planner Munz-Pritchard stated that when the State Statutes change, the City ordinances need to be updated.

Plan Commission Member Stanek thanked all who put in their time and effort to update the ordinance. Clarity is a good thing.

Moved by Stanek and seconded by Comfort to request a public hearing for the proposed sign ordinance changes. Aye: Stanek, Comfort, Hinspater, Parker, Grady, Zaballos, Meyer. No: None. Motion approved.

Public hearing for a change in the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Chapter 19, specifically Section 19.57.160, addressing an amendment to allow as a conditional use the keeping of horses in Whitewater in all zoning districts. This amendment would include deleting sub-sections 19.15.030 G Keeping of horses in R-1 Districts and 19.18.030 I Keeping of horses in R-2 Districts.

Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that they proposed to remove the keeping of horses from the R-1 and R-2 Zoning Districts and make it possible to keep horses in all zoning districts with approval of a conditional use permit. The City's main concern is taking care of the manure and having enough area to have horses.

Ken Kienbaum, resident of Whitewater, stated that this is a good addition to the City ordinance, especially with the 4H and FFA programs for Whitewater Kids. Being around horses is beneficial for kids with autism.

Chairperson Meyer closed the public hearing.

Plan Commission Member Grady asked what animals are allowed in the City, and if donkeys or mules would be considered.

Bees, chickens, rabbits, dogs, and cats are allowed now.

City Attorney McDonell explained that in an AT (Agricultural Transition) Zoning District, dairying, livestock and poultry were allowed.

City Planner Chris Munz-Pritchard suggested leaving the ordinance as allowing only horses. If something else would come up, it would be dealt with then. The main concern is having a manure plan for the horses and the acreage for them.

Moved by Zaballos and seconded by Parker to recommend to the City Council to change to City of Whitewater Municipal Code Chapter 19.57.160 to allow the keeping of horses in all zoning districts as a conditional use. Aye: Zaballos, Parker, Comfort, Stanek, Grady, Hinspater, Meyer. No: None. Motion approved.

Public hearing for consideration of a change of the Zoning Ordinance regulations, to enact proposed amendments to the City of Whitewater Municipal Code Title 19, Chapter 19.46 Floodplain Ordinance, by: Amending 19.46 1.5(2) by adding:

(c) Old Stone Mill Dam, Field File: 64.17, Whitewater Creek, Walworth County Floodplain Mapping

Prepared by the USDA Natural Resources Conservation Service and approved by the Wisconsin Department of Natural Resources on August 2012.

- 1. Floodplain map dated August 2012 and titled “Old Stone Mill Dam – 100-Year Flood Map Dam in Place With Failure (Hydraulic Shadow)”**
- 2. Flood profiles dated August 2012. The profile to reference is “Q100BR”**
- 3. Floodway data table dated August 2012 and titled “Hydraulic Shadow Floodway Data”**

Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that when the flood plain maps were updated, the City needed to adopt the updated maps by ordinance. The City updated the ordinance at that time, but somehow missed this section. The DNR made two changes to the proposed ordinance.

Chairperson Meyer closed the public hearing.

Moved by Grady and Stanek to recommend to the City Council to adopt the proposed amendment to the City of Whitewater Municipal Code Title 19, Chapter 19.46 Floodplain Ordinance by amending 19.46.1.5(2). Aye: Grady, Stanek, Hinspater, Parker, Zaballos, Comfort, Meyer. No: None. Motion approved.

Information Items:

- a. Possible future agenda items. There were none.
- b. Next regular Plan Commission Meeting – May 9, 2016.

Moved by Zaballos and seconded by Stanek to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 7:30 p.m.

Chairperson Greg Meyer

M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission

From: Chris Munz-Pritchard City Planner

Date: May 9th 2016

Re: **Item # 4** Proposed keeping of horses as a residential accessory use at 509 S Franklin Street (/WUP 0000278) for Thayer & Anne Coburn.

Summary of Request		
Requested Approvals:	keeping of horses as a residential accessory use (19.57.160)	
Location:	509 S Franklin Street	
Current Land Use:	Single Family Home	
Proposed Land Use:	Same	
Current Zoning:	R-3 Multifamily Residence District	
Proposed Zoning:	No change	
Comprehensive Plan's Future Land Use:	Single-Family Residential - City	
Surrounding <i>Zoning</i> and Current Land Uses:		
	North:	
	R-2 One and Two Family Residence	
West:	Subject Property	East:
R-3 Multi Family Residence		Cravath Lake
	South:	
	R-3 Multi Family Residence	

Description of the Proposal:

The proposed requires Conditional Use (CUP) per of keeping of a horse as a residential accessory use. The CUP is a request of the Neighborhood Services Director. This proposal is a single family residence located on 9.2361 acres.

19.57.160 - Keeping of horses as an accessory use.

Horses may be kept as an accessory use in any zoning district, upon the granting of a conditional use permit, and subject to the following standards:

1. The lot on which the horses will be kept and exercised shall be not less than two (2) acres in total area.
2. For each horse kept on the lot, there shall be a minimum of one (1) acre of open usable land for horse exercise and manure management. Such open land may not include wetlands, woodlands, and lands with over a twelve (12) percent slope, or lands within seventy-five (75) feet of wetlands or navigable water.
3. Outdoor horse containment areas, including, but not limited to barns and exercise areas, shall be completely enclosed and shall meet the standards of Wisconsin Statutes Chapter 90 (fences).
4. The use shall meet and maintain specific conditions of the conditional use permit approval including, but not limited to, the protection of human, animal, and environmental health; and the character of the surrounding neighborhood and publicly owned lands.
5. The applicant is required to submit a manure management plan that must be approved by the neighborhood services director. Manure storage shall be designed to limit leachate entering surface and ground water. Manure must be placed at least fifty (50) feet from property lines and at least one-hundred (100) feet from wetlands and surface water

PLANNER'S RECOMMENDATIONS:

I recommend the Plan and Architectural Review Commission grant *conditional approval* for the request to keep horses at 509 S Franklin Street, subject to the following conditions of approval:

1. Due to the location of the existing Barn. The fencing may be closer to the property line than 20 feet following the guidelines established in Wisconsin Statutes Chapter 90 and inspected by the City Building inspector. Fences should be constructed of: wood materials, woven wire, pipe, or PVC with a height of 48" and posts that are no more than 10' apart. Electric fence may be used as an interior fence and not as a major exterior fence.
2. The applicant will need a manure management plan.
 - a. The manure storage should be designed to limit the changes of leachate entering surface and ground water. Manure must be placed 50 to 100 feet from property line and 100 to 200 from wetland or surface water.
3. The acreage is within 75 feet of a navigable water/wetland. I ask that the number of horses be limited to 3.
4. Any other conditions identified by City Staff or the Plan Commission.





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 9th day of May 2016 at 6:30 p.m. to hold a public hearing for consideration of a Conditional Use Permit for the keeping of horses at 509 S. Franklin Street for Thayer and Anne Coburn.

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

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

For information, call (262) 473-0540

Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/A 66400001	MICHAEL R KINNEY	SUSAN J KINNEY	541 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/A 66400002	JORGE ISLAS-MARTINEZ		565 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/A125900001	LAND & WATER INVESTMENTS LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/A125900002	LAND & WATER INVESTMENTS LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/CA 00001	DLK ENTERPRISES INC		PO BOX 239	WHITEWATER	WI	53190-0000
/CA 00002	515 CLARK LLC		N588 HOWARD RD	WHITEWATER	WI	53190-0000
/CA 00002A	BLGL LLC		1691 MOUNDVIEW PL	WHITEWATER	WI	53190-0000
/CA 00009	RYAN MCKEVITT	THERA A MCKEVITT	542 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/K 00019	LAND & WATER INVESTMENTS LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/K 00020	LAND & WATER INVESTMENTS LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/TR 00036B	MICHAEL J HALE		599 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/TR 00039	WISCONSIN DAIRY SUPPLY CO TAX COMMISSIONER C.M.ST.P.& P. RR CO.		PO BOX 239	WHITEWATER	WI	53190-0000
/TR 00040	ARACELI PARTIDA		371 W ANN ST	WHITEWATER	WI	53190-0000
/TR 00041	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/TR 00042	DON L WARGOWSKY	JOANN WARGOWSKY	1130 W HIGHLAND ST	WHITEWATER	WI	53190-0000
/TR 00043	JESUS MANRIQUEZ	MARIA D MANRIQUEZ	201 S MAPLE LN	WHITEWATER	WI	53190-0000
/TR 00044	GERALD BYERS	JOYCE A BYERS	457 W ANN ST	WHITEWATER	WI	53190-0000
/TR 00044A	TERRY J SPLITTER		3402 COLBY LN	JANESVILLE	WI	53546-1950
/TR 00045	JUAN M GOMEZ	MARIA J GOMEZ	467 W ANN ST	WHITEWATER	WI	53190-0000
/TR 00046	KAREN SINGER		477 W ANN ST	WHITEWATER	WI	53190-0000
/TR 00050	WDSC 460 WEST ANN LLC		PO BOX 239	WHITEWATER	WI	53190-0000
/WUP 00261	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/WUP 00265	DONALD L WARGOWSKY	JOANN WARGOWSKY	1130 W HIGHLAND ST	WHITEWATER	WI	53190-0000
/WUP 00278	THAYER A COBURN	ANNE E FLEMMING-COBURN	PO BOX 147	WHITEWATER	WI	53190-0000
/WUP 00279	513 S FRANKLIN LLC		509 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/WUP 00280	DORIS A LEASTMAN		521 S FRANKLIN ST	WHITEWATER	WI	53190-2201
/WUP 00292	BRADLEY K DARWIN		512 S FRANKLIN ST	WHITEWATER	WI	53190-2202
/WUP 00293	MICHAEL W PIEPER JR	BRIANNA L BEALS	528 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/TR 00051	DLK WEST ANN STREET LLC		PO BOX 239	WHITEWATER	WI	53190-0000
/TR 00051A	WISCONSIN DAIRY SUPPLY CO		PO BOX 239	WHITEWATER	WI	53190-0000
/A454900001	LAND & WATER INVESTMENTS LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/WUP 00281	BERNARD J BUCHLI		529 S FRANKLIN ST	WHITEWATER	WI	53190-0000



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

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

4-12-16

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 509 S. FRANKLIN ST

Owner's Name: ANNE COBURN

Applicant's Name: ANNE COBURN

Mailing Address: 509 S. FRANKLIN ST

Phone #: 920-723-4815 Email: annecoburn@coburn.com

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

Existing and Proposed Uses:

Current Use of Property: Single Family Residence without horses

Zoning District: R3

Proposed Use: Single Family Residence with horses

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.
 - N/A 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.
 - N/A 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.
 - N/A 8. Loading: location, dimensions, number of spaces, internal circulation.
 - N/A 9. Landscaping: including location, size and type of all proposed planting materials.
 10. Floor plans: of all proposed buildings and structures, including square footage.
existing barn, horse enclosure
 - N/A 11. Signage: location, height, dimensions, color, materials, lighting and copy area.
 12. Grading /drainage plan of the proposed site.
existing
 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.
Landscaping
- **Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**



CONDITIONAL USE PERMIT APPLICATION

Address of Property: 509 S. Franklin St. 53190

Owner's Name: Thayer + Anne Coburn

Applicant's Name: Anne Coburn

Mailing Address: 509 S. Franklin St. 53190

Phone #: 920-723-4815 Email: annecoburn@coburn.com
thayercoburn@coburn.com

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

Existing and Proposed Uses:

Current Use of Property: Residential (without horses)

Zoning District: R3

Proposed Use: Residential - with horses

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.

5 feb 2016

COBURN PROPERTY
509 S. FRANKLIN ST.
WHITEWATER, WI 53190

STATEMENT OF USE

- Home owner intends to keep horses on property in existing barn and proposed enclosed pasture.
- Horses and structures involved are intended for private/homeowner use.

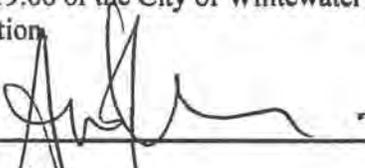

Anne Coburn
Home Owner

STANDARDS FOR REVIEW AND APPROVAL

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

STANDARD	APPLICANT'S EXPLANATION
<p>A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property.</p>	<p>Neighbors have been contacted and have responded positively - i.e. neighbors have indicated they would have no trouble with the proposed horse enclosure or having horses on their neighboring property.</p>
<p>B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.</p>	<ul style="list-style-type: none"> - Electric will be handled by Bright Nights, - Landscaping, and all related issues to landscaping will be handled by New View Landscape, LLC. - Minimal disturbance of land predicted (i.e. fence installation)
<p>C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.</p>	<ul style="list-style-type: none"> - Regulations of the district have been followed. - Lot is 9.8 Acres / Approx 6 Acres useable for horses - Barn and containment area will be enclosed - Horses will be kept for private use - Neighbors have been contacted about fence location - Manure management will be established
<p>D. That the conditional use conforms to the purpose and intent of the city Master Plan.</p>	<ul style="list-style-type: none"> - This conditional use is intended for private/home-owner use. - Neighbors are in favor of site plan - All costs associated will be paid for by home owner.

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

Applicant's Signature: 

Date: 13 Feb 2016

Printed: Anne Coburn

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 2-3-16 ~~2-18-16~~. Received by: J Wegner Receipt #: 6,012372
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 4-28-16.
- 3) Notices of the Public Hearing mailed to property owners on 4-25-16.
- 4) Plan Commission holds the PUBLIC HEARING on 5-9-16. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

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

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

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: Anne Coburn

Applicant's Mailing Address: 509 S. Franklin St
Whitewater WI 53190

Applicant's Phone Number: 920.723.4815

Applicant's Email Address: annecoburn@coburn.com

Project Information:

Name/Description of Development: fencing for horses

Address of Development Site: 509 S. Franklin St.

Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: same

Property Owner's Mailing Address: same

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.....\$ _____

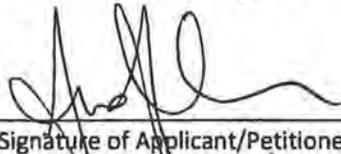
E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

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

Signature of Property Owner (if different)

Anne Coburn

Printed Name of Applicant/Petitioner

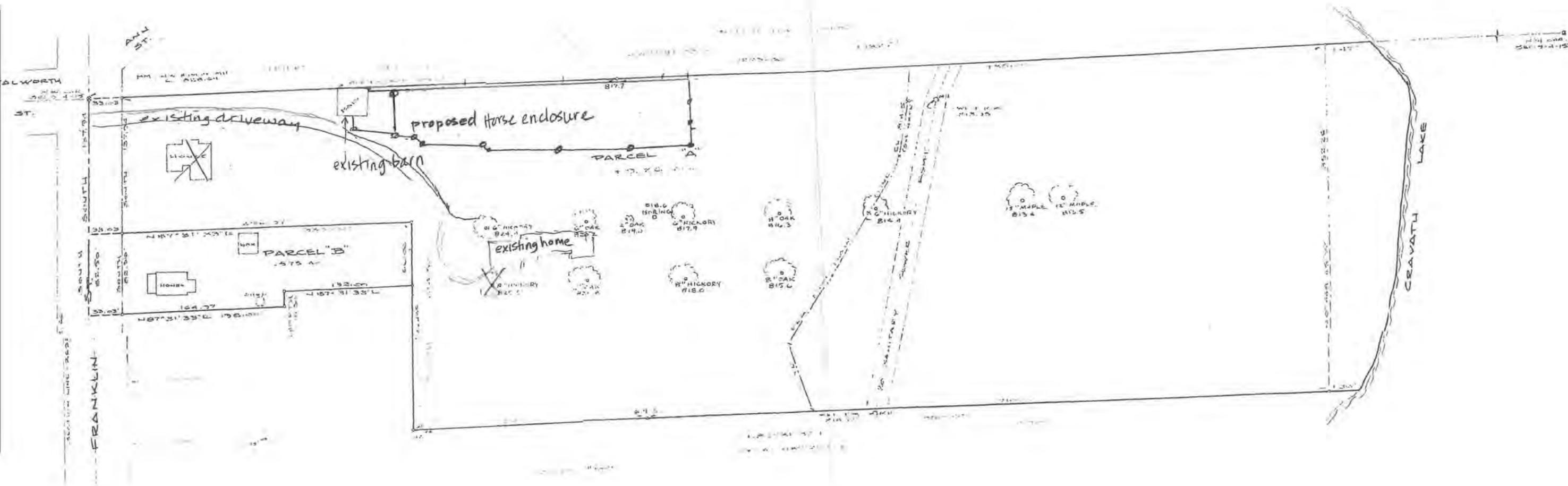
Printed Name of Property Owner (if different)

2nd Feb 2016

Date of Signature

Date of Signature

COBURN PROPERTY
509 S. FRANKLIN ST
WHITEWATER, WI 53190



- ⊙ Corner location from County Survey or ties.
- ⊙ Found 4" Diameter Aluminum Monument.
- ⊙ Found 1" O.D. Iron Pipe.
- ⊙ Set 1/2"x18" Iron Rod.

LEGAL DESCRIPTION PARCEL "B"
Part of the NW 1/4 of Section 9, T4N, R15E, City of Whitewater, Walworth County, Wisconsin to-wit:
Commencing at the NW corner of said Section 9, thence SOUTH, along the west line of said NW 1/4 also being the centerline of Franklin Street, 137.94 feet to the point of beginning; thence continue SOUTH, along said west line and centerline, 82.50 feet; thence N87°31'33"E, 188.00 feet to a 1/2" iron rod; thence NORTH, 18.50 feet to a 1/2" iron rod; thence N87°31'33"E, 132.00 feet to a 1/2" iron rod; thence NORTH, 66.00 feet to a 1/2" iron rod; thence S87°31'33"W, 330.00 feet to the point of beginning, containing 0.575 acres and subject to a road right-of-way

DESCRIPTION - PARCEL "A"
Part of the NW 1/4 of Section 9, T4N, R15E, City of Whitewater, Walworth County, Wisconsin, to-wit:
Beginning at the NW corner of said Section 9, thence SOUTH, along the west line of said NW 1/4 also being the centerline of Franklin Street, 137.94 feet; thence N87°31'33"E, 330.00 feet to a 1/2" iron rod; thence SOUTH, 214.50 feet to a 1/2" iron rod on the north line of Certified Survey Map #684; thence N87°31'33"E, along said north line 950.00 feet to a 1/2" iron rod meander corner which is S87°31'33"W, 30 feet more or less from Cravath Lake; thence N0°48'45"W, along a meander line, 352.28 feet to a 1/2" iron rod meander corner on the north line of said NW 1/4 which is S87°31'33"W, 47 feet more or less from Cravath Lake; thence S87°31'33"W, along said north line, 1276.00 feet to the point of beginning, containing 9.26 acres more or less which includes all lands between the described meander line the courses S87°31'33"W, 30 feet more or less, S87°31'33"W, 47 feet more or less and Cravath Lake and subject to a road right-of-way across the west 33 feet.

CERTIFICATION
I hereby certify that the property described above has been surveyed under my responsible direction and supervision and that this map is an accurate representation of the lot lines and dimensions, and the principle lines of the permanent structures thereon.

Date: 9-23-06
BY: J.B.W.

James B. Woodman
Professional Land Surveyor, S-1239

NOTES: This lot may be subject to any and all easements or agreements either recorded or unrecorded.
The 100 year regional flood plain elevation of 814.5 was determined from a flood hazard investigation by the Army Corps of Engineers dated May, 1979, and confirmed by Bruce Parker, Whitewater Zoning Administrator.
Elevations are to U.S.G.S. datum.
This lot may contain, or be in close proximity to wetlands. If so, it is subject to the various regulations governing same.

PREPARED FOR: Thayer Coburn
168 N. Fremont
Whitewater, WI 53190

WOODMAN & ASSOCIATES, S.C.
Professional Land Surveyors
210 MADISON AVENUE
FORT ATKINSON, WISCONSIN 53538
(920) 563-8100
FAX (920) 563-8654

M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission

From: Christine Munz-Pritchard City Planner

Date: May 9th 2016

Re: **Item # 5** Proposed Certified Survey Map (CSM) for a lot division to create a second buildable lot located in the Whitewater Business Park at the intersection of Universal Blvd. and Technology Drive for future sale ability.

Summary of Request	
Requested Approvals:	CSM
Location:	Whitewater Business Park at the intersection of Universal Blvd. and Technology Drive
Current Land Use:	Open Space / Technology Park
Proposed Land Use:	Technology Park
Current Zoning:	TP Technology Park
Proposed Zoning:	No change.

Description of the Proposal:

A Certified Survey Map (CSM) is being proposed to create a second buildable lot. The lot sits in the Whitewater Business Park at the intersection of Universal Blvd. and Technology Drive. This is for the CSM not the construction of the lots.

PLANNER’S RECOMMENDATIONS:

I recommend the Commission grant *conditional approval* for the requested to allow for a Certified Survey Map (CSM) for a lot division to create a second buildable lot in the Whitewater Business Park at the intersection of Universal Blvd. and Technology Drive subject to the following conditions of approval:

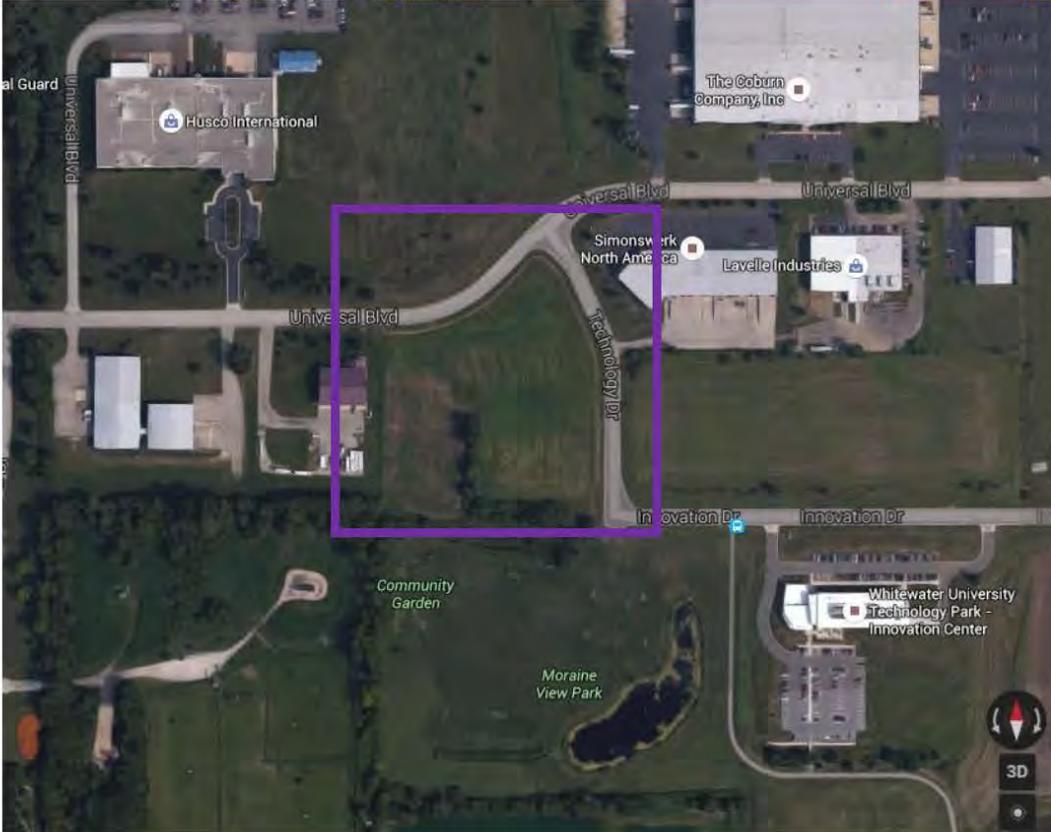
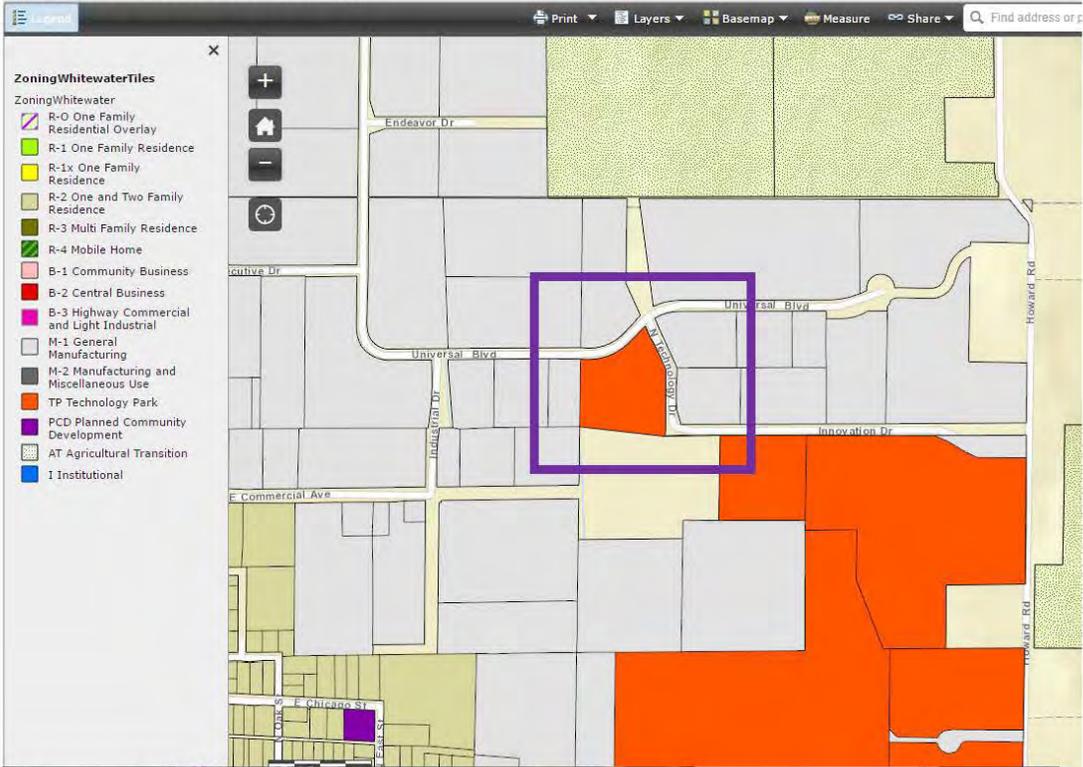
1. Any other conditions identified by the Plan Commission.

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: Universal Blvd. and Technology Drive		
<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 is for the CSM.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	The proposal will need a curb cut and need to be reviewed at time of construction.
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	This is for the CSM. At a time of a building proposal this will need to be revisited.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	At the time of a building proposal this will need to be revisited.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	This is for the CSM.

City of Whitewater Zoning





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

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

NOTICE OF PUBLIC HEARING

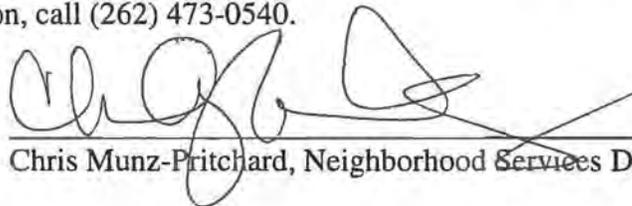
TO ALL INTERESTED PARTIES:

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 9th day of May 2016 at 6:30 p.m. to hold a public hearing for consideration of a Conditional Use Permit for a Certified Survey Map for a division of land located in the Whitewater Business Park at the intersection of Universal Blvd. and Technology Drive for future sale ability.

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

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

For information, call (262) 473-0540.



Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Address1	Address2	City	State	Zip
/A250900001A	HUSCO INTERNATIONAL INC	W239 N219 PEWAUKEE RD	PO BOX 257	WAUKESHA	WI	53187-0000
/A250900002	COBURN HQ LLC	PO BOX 147		WHITEWATER	WI	53190-0000
/A295900001	SDBL PROPERTIES LLC	W184 S8395 CHALLENGER DR		MUSKEGO	WI	53150-0000
/A296400001	COBURN PROPERTIES LLC	PO BOX 147		WHITEWATER	WI	53190-0000
/A332300001	JEFF STETTNER PROPERTIES, LLC	7188 N STURTEVENT ROAD		WHITEWATER	WI	53190-0000
/A332300002	JEFF STETTNER PROPERTIES, LLC	1121 N UNIVERSAL BLVD		WHITEWATER	WI	53190-0000
/A444300001	CITY OF WHITEWATER 'PUMP HOUSE'	312 W WHITEWATER ST		WHITEWATER	WI	53190-0000
/A444300002	CITY OF WHITEWATER 'PUMP HOUSE'	312 W WHITEWATER ST		WHITEWATER	WI	53190-0000
/A444300003	CITY OF WHITEWATER 'PUMP HOUSE'	312 W WHITEWATER ST		WHITEWATER	WI	53190-0000
/WBP1 00003	HUSCO INTERNATIONAL INC	W239 N219 PEWAUKEE RD		WAUKESHA	WI	53187-0000
/WUP 00322	CITY OF WHITEWATER	312 W WHITEWATER ST		WHITEWATER	WI	53190-0000
/WUP 00323	CITY OF WHITEWATER	312 W WHITEWATER ST		WHITEWATER	WI	53190-0000
/A455500001	CITY OF WHITEWATER 'PUMP HOUSE'	312 W WHITEWATER ST		WHITEWATER	WI	53190-0000
/A455700001	LAVELLE INDUSTRIES INC	665 MCHENRY ST		BURLINGTON	WI	53105-0000



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

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

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 5 acres SW corner of Universal Blvd and Technology Dr.

Owner's Name: City of Whitewater

Applicant's Name: Patrick Cannon

Mailing Address: 312 W. Whitewater St. Whitewater, WI 53190

Phone #: 262 473 0148 Email: pcannon@whitewater-wi.gov

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

Existing and Proposed Uses:

Current Use of Property: vacant land in Business Park

Zoning District: M-1

Proposed Use: Certified Survey Request

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.**

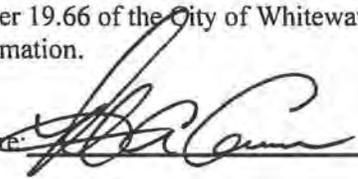
STANDARDS FOR REVIEW AND APPROVAL

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.	Need CSM to sell property
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	correct, fully improved lot
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	correct
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	correct

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

Applicant's Signature: _____



Date: 3-28-2016

Printed: Patrick Cannon

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 3-28-16. Received by: J. Wegner Receipt #: NA
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 4-29-16.
- 3) Notices of the Public Hearing mailed to property owners on 4-26-16.
- 4) Plan Commission holds the PUBLIC HEARING on 5-9-16. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

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

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Tips for Minimizing Your Development Review Costs: A Guide for

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.

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

****Note:** 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: _____

Applicant's Mailing Address: _____

Applicant's Phone Number: _____

Applicant's Email Address: _____

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: _____

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.

Signature of Applicant/Petitioner

City of Whitewater

Printed Name of Applicant/Petitioner

Date of Signature

Signature of Property Owner (if different)

Printed Name of Property Owner (if different)

Date of Signature

CERTIFIED SURVEY MAP NO.

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

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

ZONED: M-1

MARK L. MIRITZ
WI PROFESSIONAL LAND
SURVEYOR S-2508

PRELIMINARY



SCALE 1 INCH = 150 FEET

THE WEST LINE OF THE NW 1/4 OF SEC. 3-4-15 WAS ASSUMED TO BE 500'±39.06' E AS PER CSM NO. 2509

reserved for Walworth County Register of Deeds

GRAPHIC SCALE IN FEET



Legend

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

NORTH 1/4 CORNER SECTION 3-4-15

WEST LINE NW 1/4 SECTION 3-4-15



NOTE:
PUBLIC UTILITIES AS SHOWN,
RESERVED FOR THE EXCLUSIVE
USE OF THE CITY OF WHITEWATER
AND PRIVATE UTILITIES IT
GRANTS USAGE TO.

SHEET 1 OF 2 SHEETS
PROJECT NO. 16.104

N9330 KNUTESON DRIVE
WHITEWATER, WI 53190

LAND-MARK SURVEYING
www.Land-MarkSurveying.com

PHONE: (262) 495-3284
CELL: (262) 949-1239
FAX: (262) 495-8421

**ADDENDUM A
TO WB-13 VACANT LAND OFFER TO PURCHASE
by and between**

**Community Development Authority of the City of Whitewater, Wisconsin (the "Seller")
and
SDBL Properties, LLC (the "Buyer")**

This Addendum A is attached to, and made a part of, the WB-13 Vacant Land Offer to Purchase ("Offer") dated March 8, 2016, submitted by SDBL Properties, LLC (the "Buyer") to the Community Development Authority of the City of Whitewater, Wisconsin ("Seller") for approximately 5 gross acres of land as identified in the attached Exhibit A in the Whitewater Business Park, located in the City of Whitewater, in Walworth County, WI appended hereto. The terms of this Addendum A shall supersede any conflicting provisions in the Offer.

1. Description of Property

A new lot of approximately 5 acres to be determined by a new CSM.

The approximate boundaries described as: The northern portion of the parcel with a tax key of /WUP 00322, as shown on the attached Exhibit A, being the portion bounded on the north by Universal Boulevard, bounded to the east by Technology Drive, with the west line of Technology Drive in the area of its intersection with Universal Boulevard to be expanded southwesterly to accommodate existing roadway location (see Exhibit B attached for approximate area to be added to Technology Drive), bounded to the west by the east line of parcel with tax key of /A332300002, and bounded on the south by a straight line running from the west line of Technology Drive to the east line of Tax Parcel /A332300002, which line is located 15 feet northerly of (measured at right angles to) the existing sanitary sewer interceptor main running west-northwesterly from point on the west line of Technology Drive that is approximately 10 feet northerly of the south line of Innovation Drive to a point on the east line of Tax Parcel /A332300002 that is approximately 30 feet northerly of the southeast corner of Tax Parcel /A332300002. The legal description of the Property will be provided in a proposed Certified Survey Map ("CSM") prepared by Seller (or by the City of Whitewater, as the current owner of Tax Parcel /WUP 00322), at Seller's sole expense, but acceptable to Buyer in Buyer's reasonable sole discretion. The Certified Survey Map shall designate as public utility easements reserved by the City of Whitewater for the benefit of the City of Whitewater and those utility providers to whom the City of Whitewater extends usage rights over, upon, across and through those portions of the Property lying within 10 feet of the exterior boundaries of the Property. Seller shall contact Diggers Hotline to locate the fiber optic cable installation and other utility installations along the northerly and easterly boundaries of the Property, and in the event such installations are not located within public road right of ways (as expanded) or at least 5 feet streetward of the 10-foot public utility easement strips referred to above, the City shall be entitled to establish and reserve an additional utility easement for the benefit of the City of Whitewater and those utility providers to whom the City of Whitewater extends usage rights thereto over such portions of the Property as lie within 5 feet on either side of the fiber optic cable or other utility installations as currently installed, and said additional utility easement(s) shall be shown and reflected on the Certified Survey Map to be prepared and approved. Seller shall cause the CSM to be prepared, submit the proposed CSM to Buyer for approval, and, once approved but prior to closing, use its best efforts to cause the CSM to be approved and recorded

by all government bodies with jurisdiction thereover to create the Property as a separate and distinct legally-divided parcel. The obligation of Buyer and Seller to conclude this transaction is contingent upon said CSM being approved and recorded by all government bodies with jurisdiction thereover and the creation of the Property as a separate and distinct legally-divided parcel.

2. Purchase Price/Seller Financing

The Initial Base Purchase Price for the Property will be Ten Thousand and no/100 Dollars (\$10,000.00) per acre rounded to the nearest 1/10 of an acre. As an inducement to Seller to sell this Property to Buyer for the Initial Base Purchase Price of \$10,000.00 per acre rounded to the nearest 1/10 of an acre and which Initial Base Purchase Price is \$24,000.00 per acre, rounded to the nearest 1/10 of an acre, less than the otherwise applicable price per acre, Buyer agrees to use its best efforts to construct, or cause to be constructed, on the Property a not-less-than 40,000-square foot multi-tenant industrial building, with construction thereof to be commenced by not later than September 15, 2016 and with construction thereof to be substantially completed by December 31, 2017.

If construction of a not-less-than 40,000-square foot industrial building has not been commenced on the Property by September 15, 2016, or if construction of such not-less-than 40,000-square foot industrial building on the Property is commenced by September 15, 2016, but construction thereof is not substantially completed by December 31, 2017, Buyer shall, on demand, pay to Seller, as an "Additional Purchase Price" for the Property, the additional sum of \$24,000 per acre rounded to the nearest 1/10 of an acre. At the time of closing, the Five Thousand and no/100 Dollars (\$5,000.00) of earnest money deposited by Buyer shall be applied in partial payment of the Initial Base Purchase Price for the Property, the \$7,500.00 credit to Buyer referred to in paragraph 9 below shall be applied to the Initial Base Purchase Price, and the remaining balance of the Initial Base Purchase Price (the deferred portion of the Initial Base Purchase Price being hereinafter referred to as the "Deferred Purchase Price") shall be due and payable two (2) years subsequent to the date of the closing of this transaction, provided, however, that if the Additional Purchase Price becomes due and payable as provided for above, Seller shall have the option to declare the full balance of the Deferred Purchase Price due and payable at the time the Additional Purchase Price is due and payable. Since the actual amounts of the Initial Base Purchase Price, the Deferred Purchase Price and the Additional Purchase Price are based on the acreage (rounded to the nearest 1/10 of an acre) of the Property, which acreage will be established by the Certified Survey Map to be prepared, approved and recorded, the following examples reflect the calculation of said amounts: If the acreage of the lot being sold/purchased under this Agreement, as established by Certified Survey Map, is 4.961 acres, the Initial Base Purchase Price will be \$50,000.00, the Deferred Purchase Price will be \$37,500.00 and the Additional Purchase Price will be \$120,000.00; if such acreage is 4.877 acres, the Initial Base Purchase Price will be \$49,000.00, the Deferred Purchase Price will be \$36,500.00 and the Additional Purchase Price will be \$117,600.00; if such acreage is 5.248 acres, the Initial Base Purchase Price will be \$52,000.00, the Deferred Purchase Price will be \$39,500.00 and the Additional Purchase Price will be \$124,800.00. Provided Buyer has commenced construction of a not-less-than 40,000-square foot industrial building on the Property by September 15, 2016, and thereafter, substantially completes construction of said not-less-than 40,000-square foot industrial building on the Property by December 31, 2017, no portion of the Additional Purchase Price shall become due or payable, and the Deferred Purchase Price shall bear no interest prior to

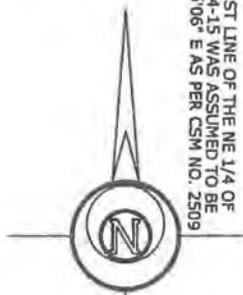
CERTIFIED SURVEY MAP NO. _____

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

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

ZONED: M-1

Mark L. Miritz
MARK L. MIRITZ
WI PROFESSIONAL LAND
SURVEYOR S-2508
APRIL 19, 2016



BASIS FOR BEARINGS
THE WEST LINE OF THE NE 1/4 OF
SEC. 3-4-15 WAS ASSUMED TO BE
S 00°25'06" E AS PER CSM NO. 2509

SCALE 1 INCH = 150 FEET

reserved for Walworth County Register of Deeds

GRAPHIC SCALE IN FEET



Legend

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

NORTH 1/4 CORNER SECTION 3-4-15

WEST LINE NE 1/4 SECTION 3-4-15

N 88°25'35" E 237.52'
186.17'

LOT 2, C.S.M. NO. 3323

S 00°25'06" E 2674.61'

353.66'

CENTER OF SEC. 3-4-15

OUTLOT 1

2,336 SQ. FT. (.054 ACRES)
DEDICATED TO PUBLIC FOR ROAD PURPOSES

LOT 1, C.S.M. NO 2509

UNIVERSAL BLVD.

N 43°27'25" E 84.39'

R=333.00' L=261.51'
CH=N 65°54'07" E 254.84'

10' WIDE PUBLIC UTILITY EASEMENT

LOT 1
221,164 SQ. FT.
5.077 ACRES

10' WIDE PUBLIC UTILITY EASEMENT

N 82°58'36" W 503.35'
SANITARY SEWER LINE

UNPLATTED LAND OWNED BY PLATTER

LOT 1
C.S.M. NO. 2958

TECHNOLOGY DR.

LOT 1, C.S.M. NO. 4555

INNOVATION DR.

NOTE:
PUBLIC UTILITIES AS SHOWN,
RESERVED FOR THE EXCLUSIVE
USE OF THE CITY OF WHITEWATER
AND PRIVATE UTILITIES IT
GRANTS USAGE TO.

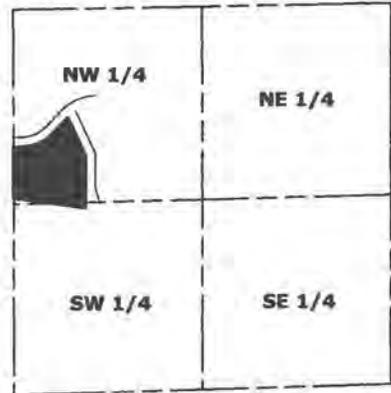
SHEET 1 OF 2 SHEETS
PROJECT NO. 16.104

CERTIFIED SURVEY MAP NO. _____

VOL. _____, PAGES _____

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

LOCATION SKETCH
NORTHEAST 1/4 OF SECTION 3-4-15



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 CERTIFIED SURVEY MAP OF PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWN 4

NORTH, RANGE 15 EAST, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 3; THENCE S 00°25'06" E ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 3, 952.68 FEET TO THE POINT OF BEGINNING; THENCE N 88°25'35" E ALONG THE SOUTHERLY RIGHT-OF-WAY OF UNIVERSAL BOULEVARD 51.35 FEET; THENCE ALONG SAID RIGHT-OF-WAY ON A CURVE TO THE LEFT HAVING A RADIUS OF 333.00 FEET, A DELTA OF 44°59'43", AN ARC LENGTH OF 261.51 FEET, AND A CHORD WHICH BEARS N 65°54'07" E HAVING A CHORD DISTANCE OF 254.84 FEET; THENCE N 43°27'25" E ALONG SAID RIGHT-OF-WAY 134.39 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF TECHNOLOGY DRIVE; THENCE S 25°39'37" E ALONG THE WESTERLY RIGHT-OF-WAY OF TECHNOLOGY DRIVE 284.45 FEET; THENCE S 00°24'32" E ALONG TECHNOLOGY DRIVE 361.82 FEET; THENCE N 82°58'36" W 503.35 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE N 00°25'06" W ALONG THE WEST LINE OF THE NORTHEAST 1/4, 353.66 FEET TO THE POINT OF BEGINNING, AND CONTAINING 223,500 SQUARE FEET OR 5.131 ACRE(S) OF LAND, MORE OR LESS.

Mark L. Miritz
MARK L. MIRITZ
WI PROFESSIONAL LAND SURVEYOR S-2582
APRIL 19, 2016



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.

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 _____, 2016.

MICHELE R. SMITH, CITY CLERK

THIS INSTRUMENT DRAFTED BY MARK L. MIRITZ

SHEET 2 OF 2 SHEETS
PROJECT NO. 16.104

N9330 KNUTESON DRIVE
WHITEWATER, WI 53190

LAND-MARK SURVEYING
www.Land-MarkSurveying.com

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

M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission

From: Chris Munz-Pritchard City Planner

Date: May 9th 2016

Re: **Item # 6** Proposed Zoning Map change to rezone B-1 Community Business District to R-3 Multi-Family Residence District per Section 19.69 at 707 W Walworth Ave. Tax ID# /HA 00001 for A.J. Tanis (Tanis Construction).

Summary of Request		
Requested Approvals:	Proposed Zoning Map change to rezone B-1 Community Business District to R-3 Multi-Family Residence District	
Location:	707 W Walworth Ave. Tax ID# /HA 00001	
Current Land Use:	Currently unoccupied, previously a daycare facility.	
Proposed Land Use:	Multi-Family Residence	
Current Zoning:	B-1 Community Business	
Proposed Zoning:	R-3 Multi-Family Residence District	
Comprehensive Plan's Future Land Use:	Community Business	
Surrounding <i>Zoning</i> and Current Land Uses:		
	<i>NORTH</i> R-3 Multi-family Residence	
<i>WEST</i> B-1 Community Business	Subject Property	<i>EAST</i> R-3 Multi-family Residence
	<i>SOUTH</i> R-3 Multi-family Residence	

Description of the Proposal:

This proposal involves a request to change the current B-1 Community Business District to R-3 Multi-Family Residence District.

Current Zoning: B-1 Community Business District

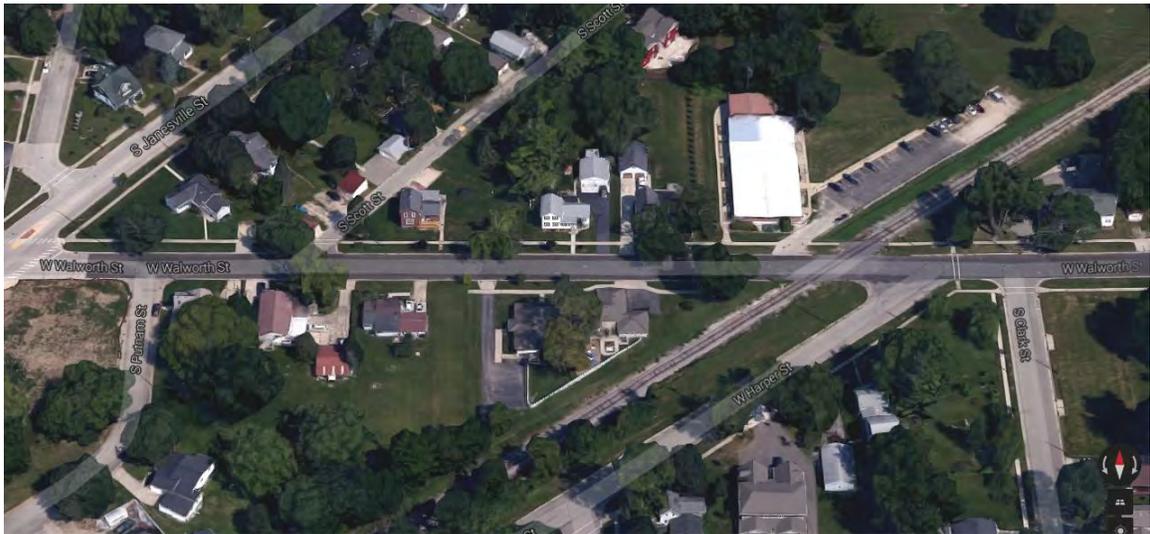
Proposed Zoning: R-3 Multi-Family Residence District

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

PLANNER’S RECOMMENDATIONS:

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed Zoning Map change to rezone the property located at 707 W. Walworth Ave. from B-1 Community Business District to R-3 Multi-Family Residence District, subject to the findings presented below.

1. Zoning Map Amendments and other changes to the Zoning Ordinance are addressed by Chapter 19.69.
2. 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.
3. Any other conditions identified by City Staff or the Plan Commission.





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 change from B-1 (Community Business) Zoning District to R-3 (Multi-family Residence) Zoning District classification under Chapter 19.21 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>
707 W. Walworth Ave.	/HA 00001	Ronald B. Walenton Rebecca R. Walenton

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, May 9, 2016, 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 5:00 p.m. Monday through Friday.

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

Dated: April 15, 2016

Publish: in "Whitewater Register"
on April 21, 2016, and April 28, 2016

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/A 68200001	DLK ENTERPRISES INC		PO BOX 239	WHITEWATER	WI	53190-0000
/A420500001	LAND & WATER INVESTMENTS LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/A420500002	STREIB PROPERTIES LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/CA 00010A	TIMOTHY J GORMAN		522 S CLARK ST	WHITEWATER	WI	53190-0000
/CA 00017	CHAPMAN RENTALS LLC		505 MEADOWVIEW LA	JOHNSON CREEK	WI	53038-0000
/CA 00018	RAYMOND STRITZEL TRUST		530 SOUTH JANESVILLE AVE	WHITEWATER	WI	53190-0000
/CA 00018A	DLLR PROPERTIES LLC		W2180 OAK RIDGE AVE	EAST TROY	WI	53120-0000
/CA 00022	ALEJANDRO WENCE	GUADALUPE WENCE	557 W HARPER ST	WHITEWATER	WI	53190-0000
/CL 00125A	LENDOST MANAGEMENT LLC		408 PANTHER CT	WHITEWATER	WI	53190-0000
/CL 00126	ROBERT C NORTON	CAROLE A NORTON	PO BOX 372	ONALASKA	WI	54650-0000
/CL 00127	MICHAEL A SCHILDT	MARY F SCHILDT	589 W34853 EAGLE TERRACE DR	EAGLE	WI	53119-0000
/CL 00128	DORIS WUTKE TRUST		411 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00129	JEFFREY S PETERSEN TRUST	LAUREL A PETERSEN TRUST	N9211 WOODDED CT	WHITEWATER	WI	53190-0000
/CL 00130	HENRI KINSON	LINDA L KINSON	N7720 WOODCHUCK ALLEY	WHITEWATER	WI	53190-0000
/HA 00001	RONALD B WALENTON	REBECCA R WALENTON	704 W WALWORTH AVE	WHITEWATER	WI	53190-0000
/HA 00002	RAYMOND P STRITZEL TRUST		530 S JANESVILLE AVE	WHITEWATER	WI	53190-0000
/HA 00003	STRITZEL RENTAL PROPERTIES LLC		530 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/HA 00004	GERALD M BROZYSKI JR	PAULA M BROZYSKI	N9 W27335 JACQUELYN DR	WAUKESHA	WI	53188-0000
/HA 00005	ARTHUR MEISNER	SHIRLEY MEISNER	517 S PUTNAM ST	WHITEWATER	WI	53190-1731
/HA 00006	HARRIET J STRITZEL TRUST		530 S JANESVILLE AVE	WHITEWATER	WI	53190-0000
/K 00013	RONALD B WALENTON	REBECCA R SMALE	704 W WALWORTH AVE	WHITEWATER	WI	53190-0000
/K 00014	MICHAEL RILEY	KATHLEEN RILEY	710 W WALWORTH AVE	WHITEWATER	WI	53190-1836
/K 00015	CRAIG O VOEGELI	KIM J VOEGELI	720 W WALWORTH AVE	WHITEWATER	WI	53190-0000
/WUP 00294	MEYER WHITEWATER FAMILY PROPERTY LLC		6775 BADGER RD	LAKE TOMAHAWK	WI	54539-0000
/WUP 00295	MEYER WHITEWATER FAMILY PROPERTY LLC		6775 BADGER RD	LAKE TOMAHAWK	WI	54539-0000
/WUP 00321A	STATE OF WISCONSIN DEPT OF TRANSPORTATION			MADISON	WI	53702-0000
/K 00010	WALWORTH AVENUE APARTMENTS INC		530 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/CA 00020	171 N PRAIRIE LLC		N1190 CTY TK N	WHITEWATER	WI	53190-0000
/A454900001	LAND & WATER INVESTMENTS LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/A458000001	WHITEWATER HOUSING SERVICES LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/A458000002	WHITEWATER HOUSING SERVICES LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/CA 00020A	MELVIN JUETTE	SHEILA JUETTE	549 W HARPER ST	WHITEWATER	WI	53190-0000
	AJ TANIS		1232 W WALWORTH AVE	WHITEWATER	WI	53190-0000

**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 2-12-16.
2. Class 2 Notices published in Official Newspaper on 4-21-16 & 4-28-16
~~2-18-16~~ & ~~2-25-16~~.
3. Notices of Public Hearing mailed to property owners on 4-25-16
~~2-29-16~~.
4. Plan Commission holds PUBLIC HEARING on 5-9-16
~~3-14-16~~.
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: AJ Tanis Phone # 262 472 0598
Applicant's Address: 1232 W. Walworth Ave Whitewater WI 53190

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

Street address of Property: 707 Walworth Ave Whitewater WI
Legal Description (Name of Subdivision, Block and Lot or other Legal Description):

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

Name of Individual: _____ Name of Firm: _____
Office Address: _____ Phone: _____
Name of Contractor: Tanis Construction

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:

B1 Zoning

Proposed Zoning District or Ordinance

R3 Zoning

Zoning District in which Property is located: _____
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;	<p align="center"><i>Not at this time</i> <i>Yes</i></p>
B. The Proposed development will be consistent with the adopted city master plan;	<p align="center"><i>Yes</i></p>
C. The proposed development will be compatible with and preserve the important natural features of the site;	<p align="center"><i>No ^{ies} change</i></p>
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	<p align="center"><i>No ^{ies} improve</i></p>

STANDARD	APPLICANT'S EXPLANATION
E. The proposed development will not create traffic circulation or parking problems;	housing units will be installed according to the existing parking available
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;	will remain the same foot print with only small alteration to the exterior exits (Type of doors), (I won't need as many exterior doors)
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.	will remain the same

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).

[Signature]
Applicant's Signature

Feb. 12th 2016
Date

APPLICATION FEES:

Fee for Amendment to Zoning or Ordinance: \$200

Date Application Fee Received by City 2-12-16 Receipt No. 6.012367

Received by J. Wegner

TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:

Date notice sent to owners of record of opposite & abutting properties: 2-29-16
Date set for public review before Plan & Architectural Review Board: 3-3-16

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

Cost Recovery Certificate and Agreement

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

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

Section A: Background Information

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

Applicant's Information:

Name of Applicant:

A J Tanis

Applicant's Mailing Address:

1232 W. Walworth Ave
Whitewater WI 53190

Applicant's Phone Number:

262 472 0598

Applicant's Email Address:

Allen.Tanis@yahoo.com

Project Information:

Name/Description of Development:

Learning Dept

Address of Development Site:

707 Walworth Ave Whitewater WI

Tax Key Number(s) of Site:

Property Owner Information (if different from applicant):

Name of Property Owner:

Ross Wellington

Property Owner's Mailing Address:

704 Walworth Ave

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.....\$ _____
- 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.

AS Tanis
Signature of Applicant/Petitioner

AS Tanis
Printed Name of Applicant/Petitioner

2/11/2016
Date of Signature

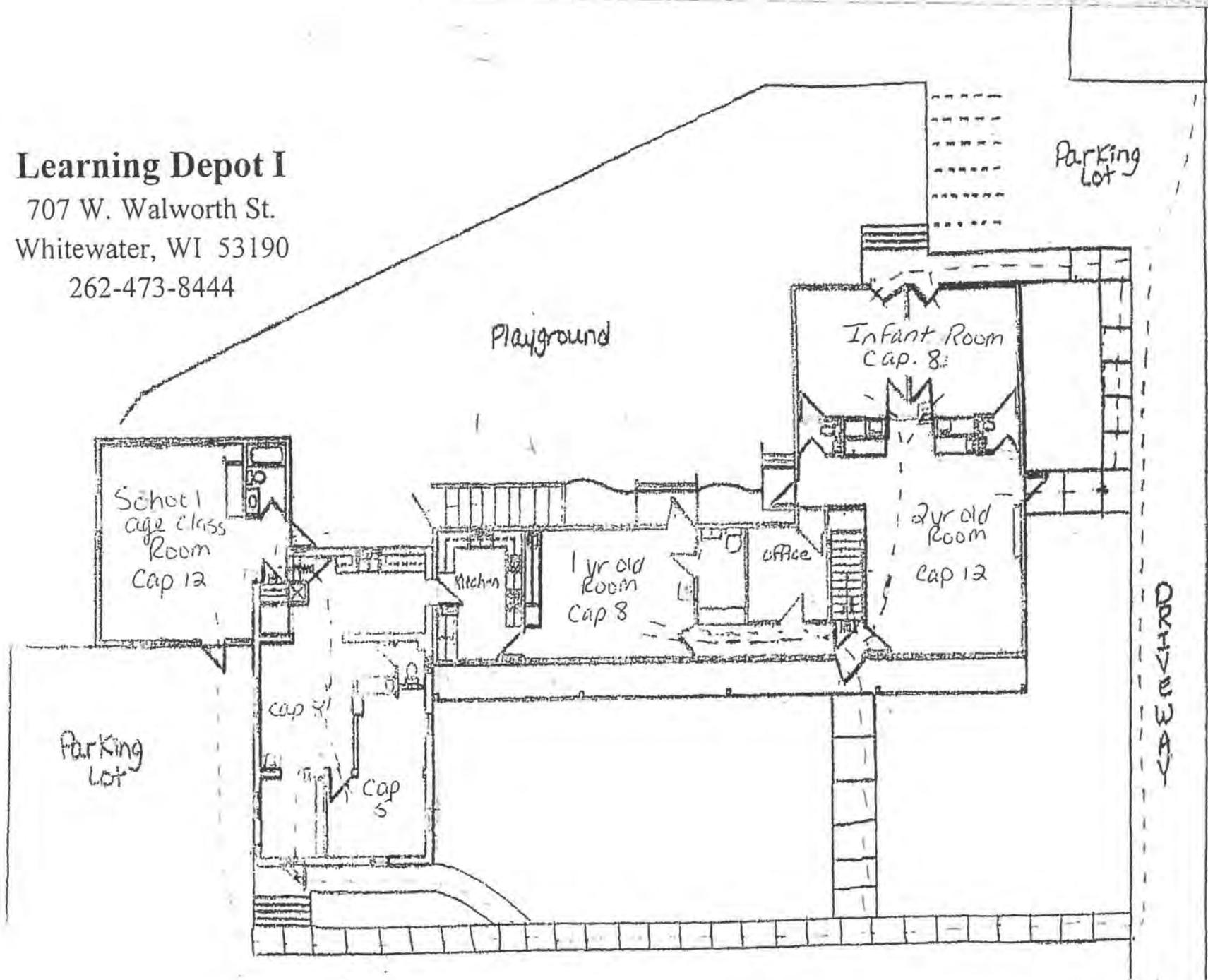
Ronald B Walerton
Signature of Property Owner (if different)

Ronald B Walerton
Printed Name of Property Owner (if different)

2/11/16
Date of Signature

Learning Depot I

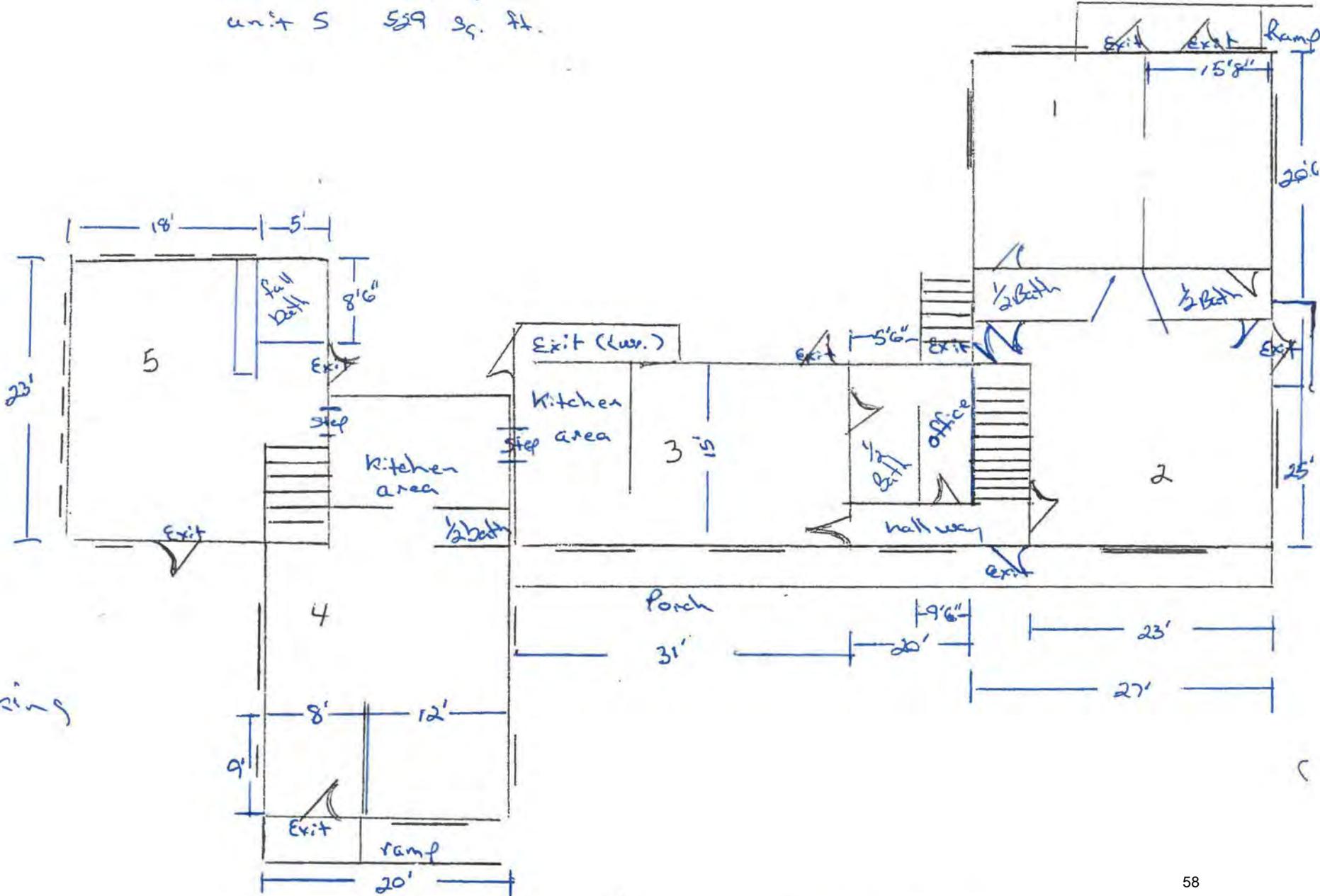
707 W. Walworth St.
Whitewater, WI 53190
262-473-8444



main floor

existing unit 1	584 sq ft
unit 2	603 sq ft
unit 3	515.4 sq ft.
unit 4	652 sq ft
unit 5	559 sq ft.

Parking

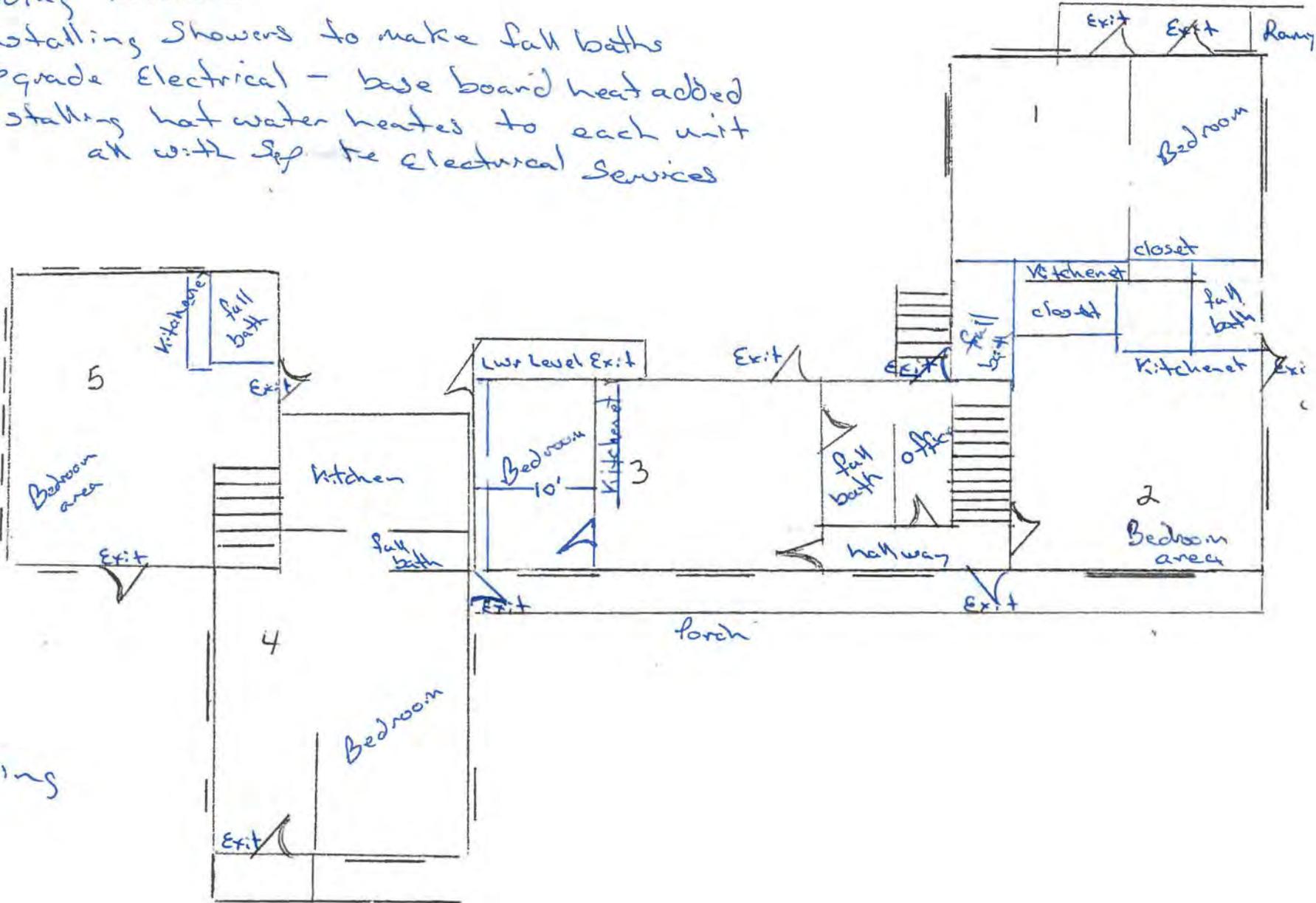


Parking

main floor
changed

closing door ways between units
adding kitchens
installing showers to make full baths
upgrade Electrical - base board heat added
installing hot water heaters to each unit
all with sep. electrical services

Parking



5

Lower Level
existing

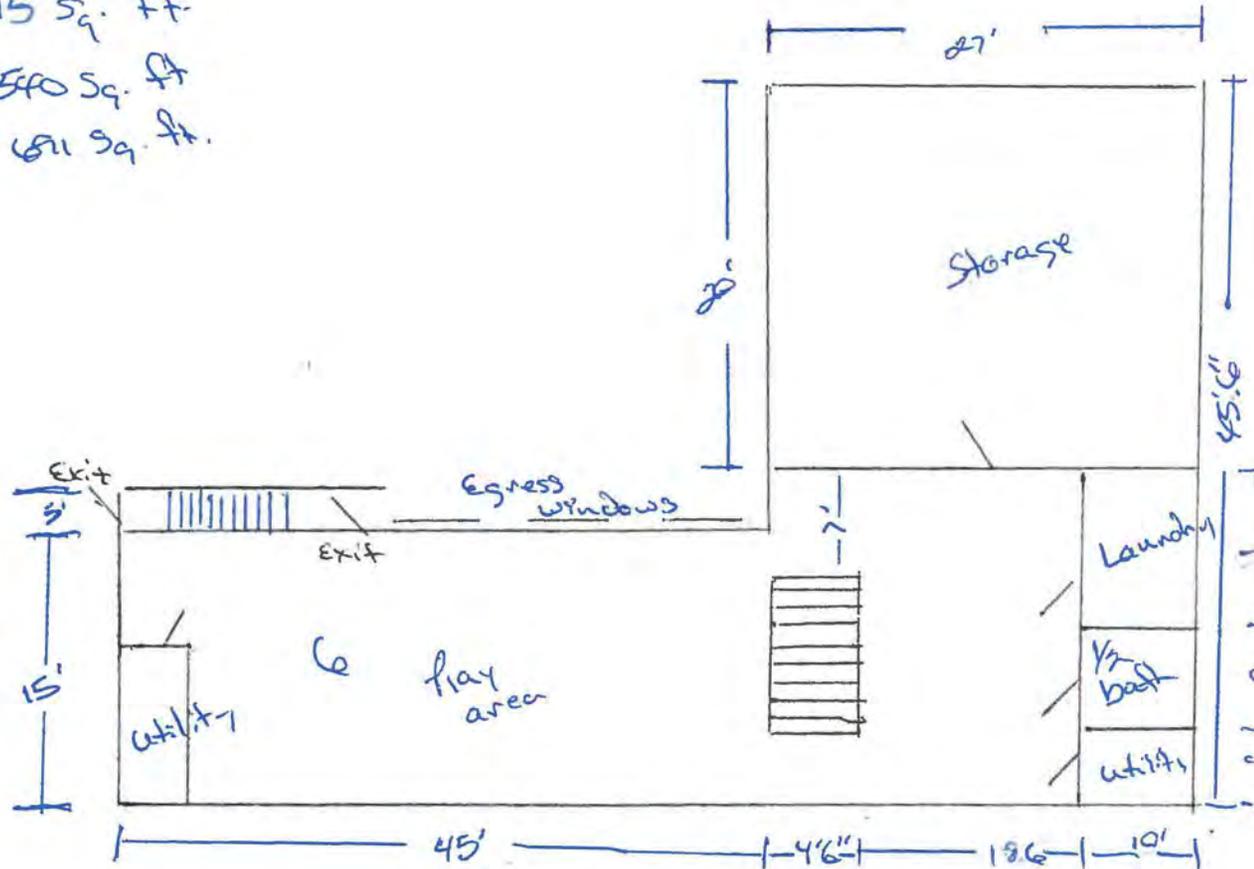
unit 6 675 Sq. ft.
Storage area 540 Sq. ft.
utility area 135 Sq. ft.

Parking

under
older
portion
of house
(basement)



Parking



N

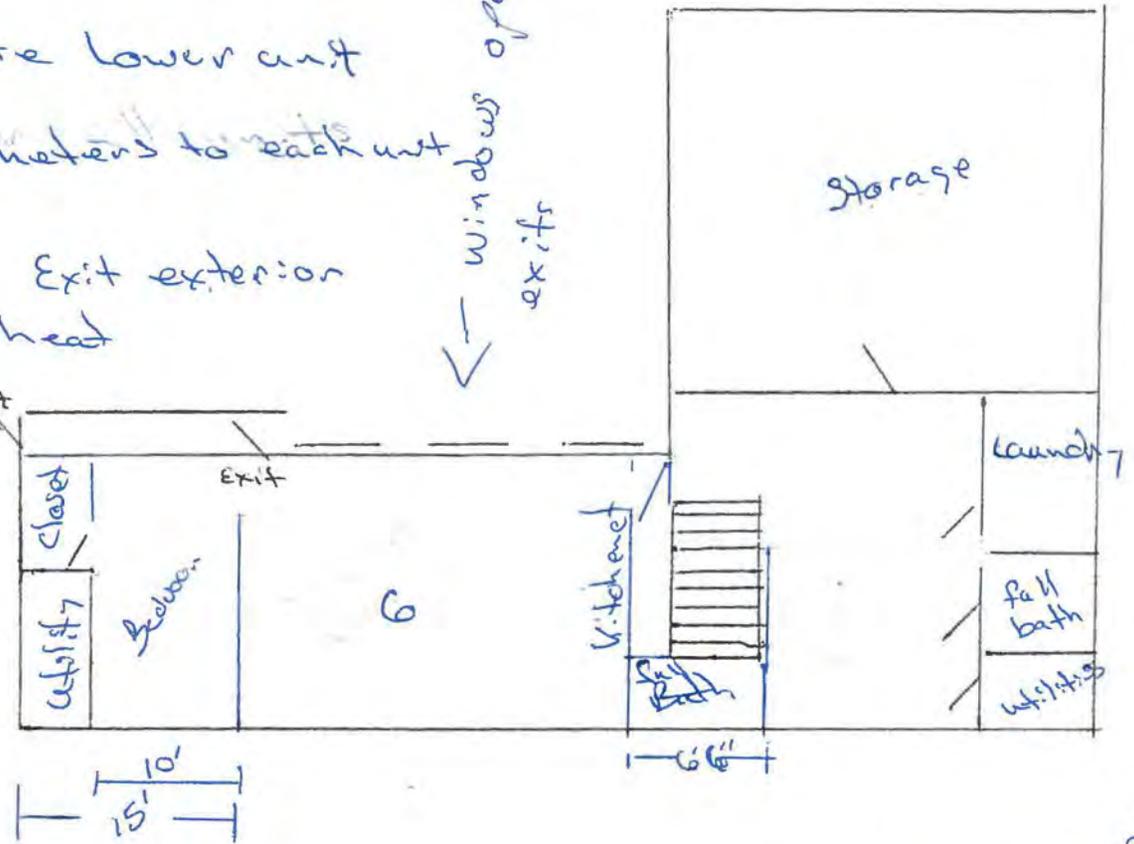
Lower Level
changes

- Full bath added unit 6
- walk in place to separate lower unit bedroom + bath area
- adding separate Electrical meters to each unit
- Kitchen added. unit 6
- 10' x 14' 8" bedroom
- adding base board electric heat
- A/C Zoned to each unit

Exit exterior

windows open for
exits

Parking



Parking

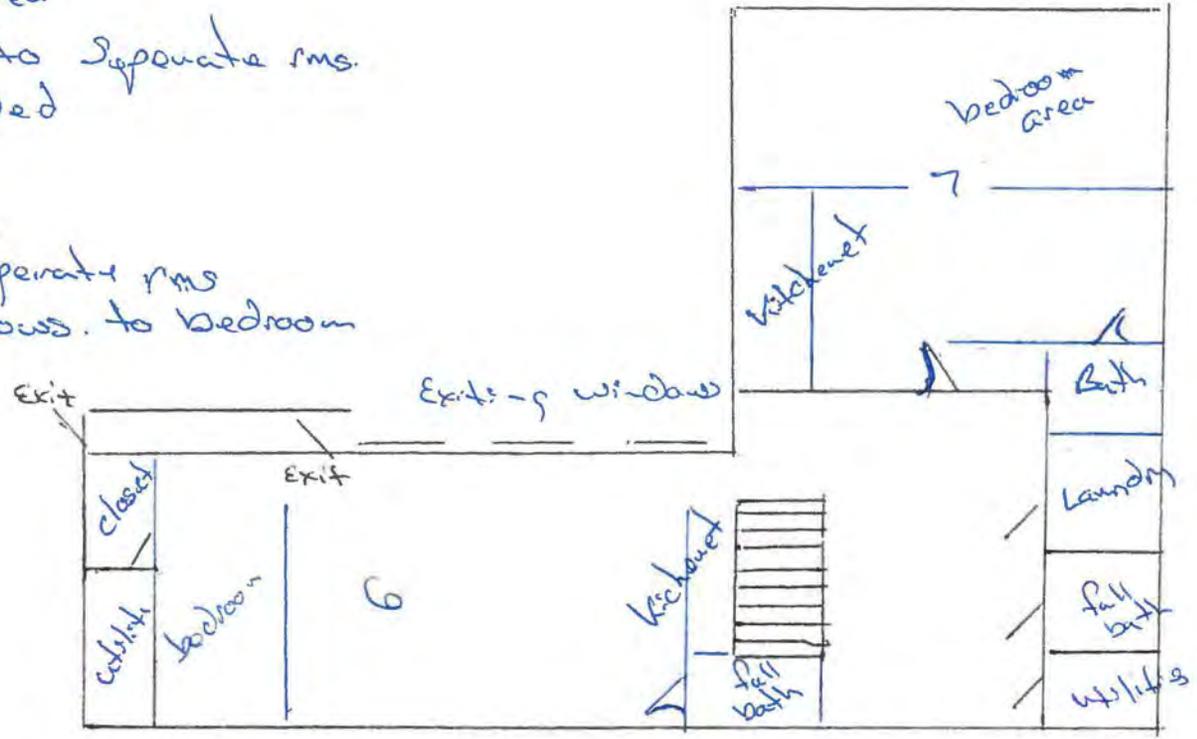
Laundry opened up for all units
Storage area open with areas for all units
utility area

Lower Level
proposed two units

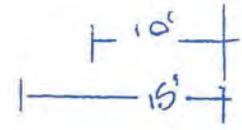
Parking

unit 6
full bath added
walls in place to separate rms.
kitchen et added

unit 7
adding full bath
adding walls to separate rms
adding exiting windows to bedroom
area and kitchen et



basement under
older house
structure



Parking

Lower Level proposed changes (8)

2-29-16 8:18
 A.T. Turner
 added
 Plan for duplex
 adding the lower
 level

Parking

unit 6
 full bath added
 walls in place to separate rooms
 kitchen added along with bathroom

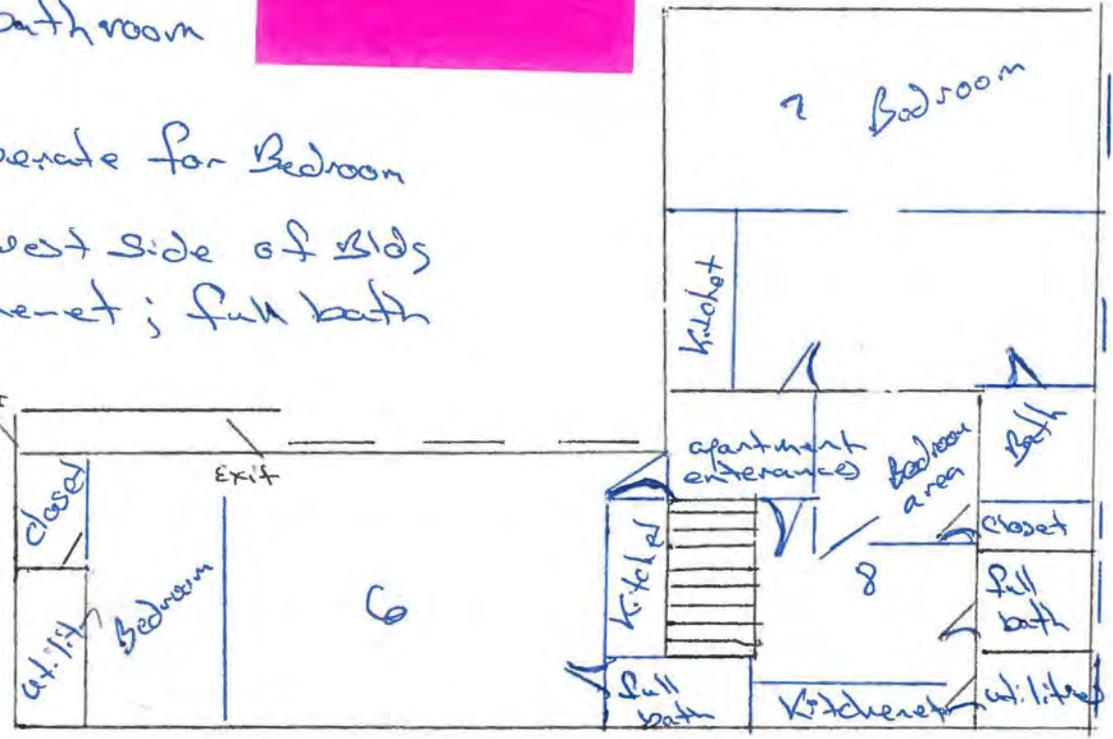
unit 7
 added walls to separate for Bedroom
 added bath & kitchenet
 adding Exit windows along west side of Bldg

unit 8 adding kitchenet; full bath
 walls to separate rooms
 Exit windows on west side of Bldg.

Basement under older house portion!



Parking



unit 6 sq. ft. 675

unit 7 taking the storage area sq. ft. 540

unit 8 taking the utility area

All units will have separate utilities (meter) sq. ft. 628

M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission
 From: Chris Munz-Pritchard, City Planner
 Date: May 9th 2016
 Re: **Item # 9** Proposed Conditional Use Permit to Permit an Oversized Garage at 647 W. Harper Street for Chris Thein

Summary of Request		
Requested Approvals:	Conditional Use Permit for an oversized detached accessory structure (reviewed August 2014)	
Location:	647 W. Harper Street	
Current Land Use:	Single family home with detached garage	
Proposed Land Use:	Same, but with an additional detached garage	
Current Zoning:	R-3 Multifamily Residence	
Proposed Zoning:	No change.	
Comprehensive Plan's Future Land Use:	Central Area Neighborhood	
Surrounding <i>Zoning</i> and Current Land Uses:		
	North:	
	<i>B-1</i> Multi-Tenant Commercial	
West:	Subject Property	East:
<i>R-3</i> Single Family		<i>R-3</i> Two Family
	South:	
	<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 50 feet in length, 35 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 1,750 square feet, more than 950 square feet more than the maximum area permitted by right.

The garage is proposed to be, 68 feet from the side lot line (on the west side), and 48 feet from the existing house, which exceeds the minimum setback and building separation requirements of the zoning code.

19.18.030 (I) One (1) accessory structure may be located in the front or side yard if the following requirements are met:

1. Minimum front yard setback of the accessory structure must be fifty (50) feet
2. Minimum side yard setback of the accessory structure must be ten (10) feet, or corner lot, twenty-five (25) feet

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 meet the minimum front yard setback of fifty (50) feet.
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 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: 647 W. Harper Street		
<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 may be located in the front yard. It shall meet a 50 foot front yard setback.
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 950 square feet more than the maximum area permitted by right, but the lot's size and location may minimize the impact it may have on neighboring properties.



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 9th day of May, 2016 at 6:30 p.m. to hold a public hearing for the consideration of conditional use permit for the construction of a 1,750 sq. ft. (35' x 50') detached garage to be located at 647 W. Harper Street for Chris Thein. (This is 950 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	60175-0000
/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	STE 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	MEYER WHITEWATER FAMILY PROPERTY LLC		6775 BADGER RD		LAKE TOMAHAWK	WI	54539-0000
/WUP 00306	RICHARD P PLATNER	SHARON J FAUST	645 W HARPER ST		WHITEWATER	WI	53190-0000
/WUP 00305	MEYER WHITEWATER FAMILY PROPERTY LLC		6775 BADGER RD		LAKE TOMAHAWK	WI	54539-0000
/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



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

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

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 647 W. HARPER ST
Owner's Name: JIM MILLS
Applicant's Name: CHRIS THEIN
Mailing Address: SAME
Phone #: 608-354-5492 Email: Cthein⁷⁷@YANOO.COM
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: RESIDENTIAL
Zoning District: MULTI FAMILY
Proposed Use: SAME

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.	BUILDING LOCATION IS SET BACK FROM HARPER ST AND THE VIEW IS DIFFICULT BECAUSE OF THE TREES IN THE FRONT YARD. BUILDING SHOULD INCREASE VALUE OF PROPERTY
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	ALL AREAS OUTSIDE OF BUILDING LOCATION WILL BE RESTORED TO ORIGINAL
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.	LOCATION CONFORMS TO ALL THAT APPLIES. SIZE IS A BIT LARGER THAN 800 SQUARE FT MAX.
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	ALL BUILDING MATERIALS WILL HELP TO CREATE A NATURAL LOOK ON THE PROPERTY.

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

Applicant's Signature: 

Date: 4-10-16

Printed: Chris Thein

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 4-10-16. Received by: _____ Receipt #: _____
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 4-29-16.
- 3) Notices of the Public Hearing mailed to property owners on 4-25-16.
- 4) Plan Commission holds the PUBLIC HEARING on 5-9-16. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

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

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

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

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

****Note:** 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:

608-354-5492

Applicant's Email Address:

Cthein77@yahoo.com

Project Information:

Name/Description of Development:

STORAGE BUILDING

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, 60175

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
 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

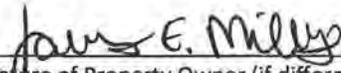
----- To be filled out by the Applicant and Property Owner -----

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

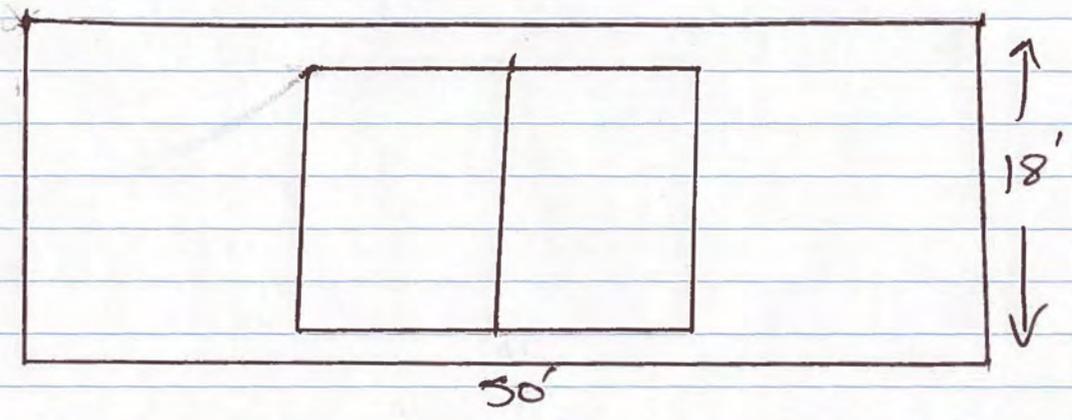
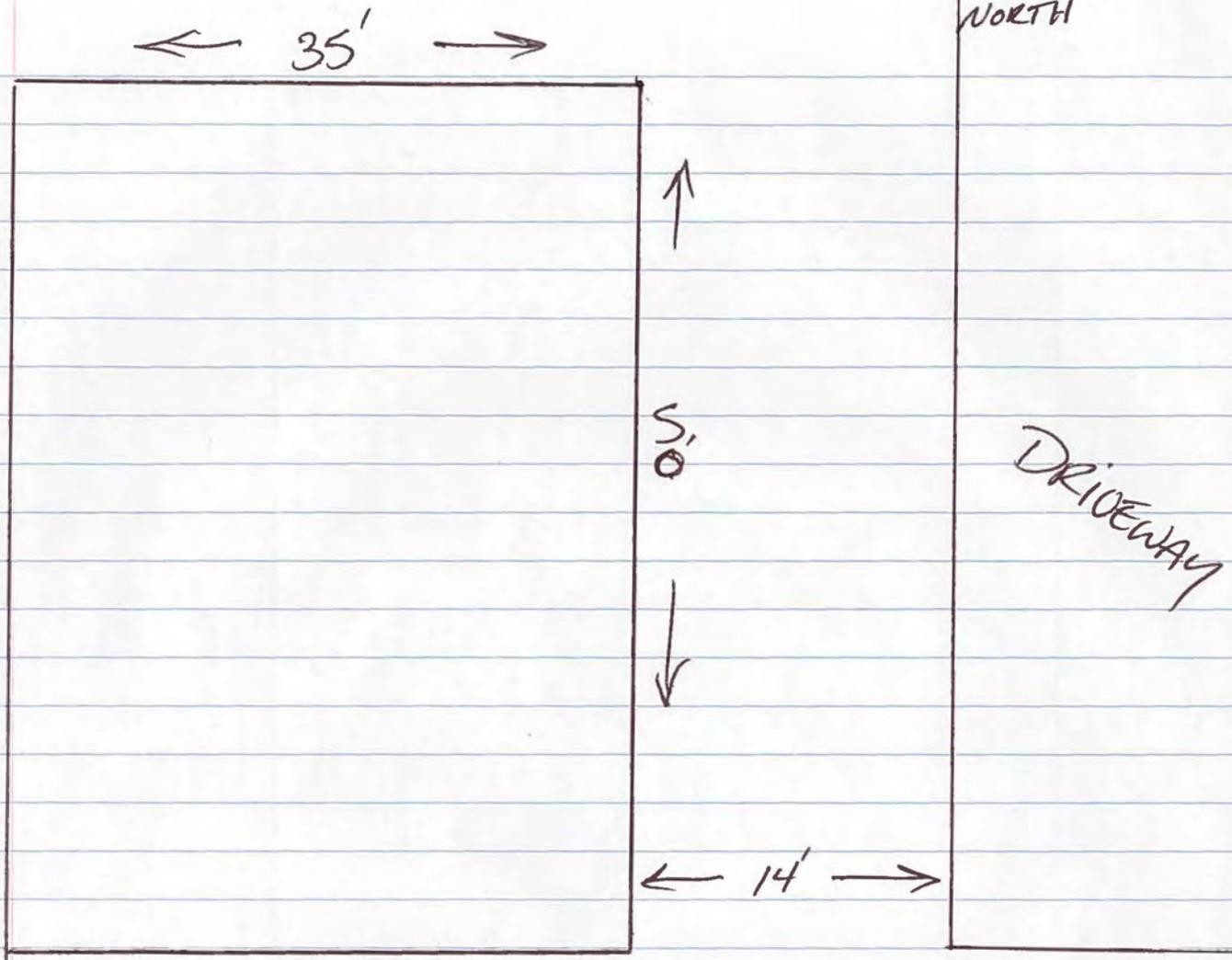
CHRIS THEW
Printed Name of Applicant/Petitioner

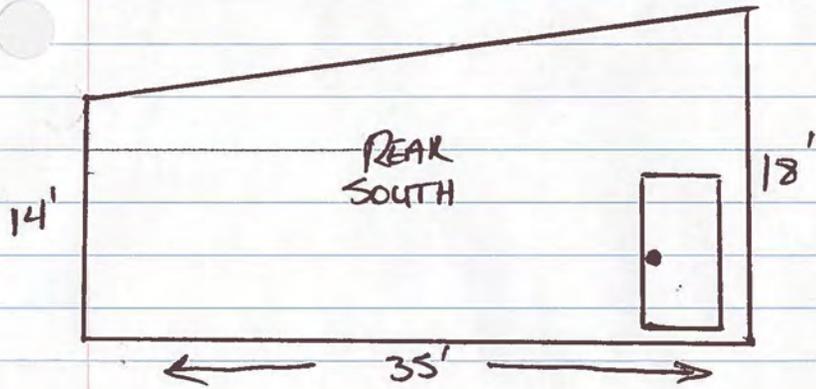
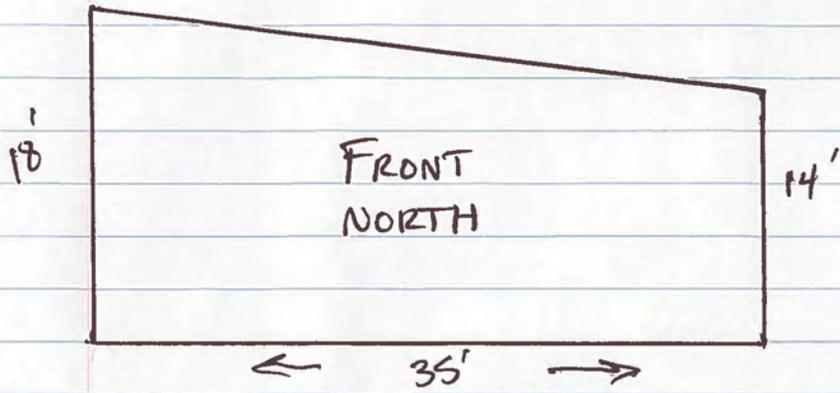
4-10-16
Date of Signature


Signature of Property Owner (if different)

JAMES E MILLS
Printed Name of Property Owner (if different)

4-10-16
Date of Signature







← RAILROAD →

647 HARPER ST

