

**SWEET & MAIER, S.C.**  
ATTORNEYS AND COUNSELORS AT LAW



**Lowell E. Sweet**

*Retired*

**John L. Maier, Jr.**

*Retired*

**Christina M. Green\***  
**Patrick S. DeMoon, III\***

*\*Licensed in WI & IL*

March 13, 2023

Mr. Chris Bennett, Neighborhood Services Director/Planner  
City of Whitewater, Neighborhood Services  
312 W. Whitewater Street  
P.O. Box 178  
Whitewater, WI 53190



**RE: Bryan D. and Lisa K. Sokolik – Application for Conditional Use  
Tax No. /A274400001, City of Whitewater, Walworth County, WI  
Physical Address: 647 W. Harper St., Whitewater, WI 53190**

Dear Mr. Bennett,

Enclosed, please find twenty (20) copies of a conditional use permit application for the above referenced property, together with check in the amount of \$100 per the required application fee.

We respectfully request to be placed on the next available plan commission agenda so this request may be heard.

Thank you in advance for your assistance in this matter. In the meantime, if you have any questions or need anything further, feel free to contact me.

Very truly yours,

SWEET & MAIER, S.C.

A handwritten signature in black ink that reads 'Christina M. Green'.

Christina M. Green  
State Bar No. 1025088  
cgreen@wisclaw.com

cc: Bryan and Lisa Sokolik, via email



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

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

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## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 647 W. HARPER STREET

Owner's Name: BRYAN D SOKOLIK | LISA K SOKOLIK

Applicant's Name: BRYAN D SOKOLIK | LISA K SOKOLIK

Mailing Address: 647 W. HARPER ST., WHITEWATER, WI

Phone #: 920-650-3161 Email: LSOKOLIK@YAHOO.COM

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

/A274400001; LOT 1 CSM2744

### Existing and Proposed Uses:

Current Use of Property: SINGLE-FAMILY RESIDENTIAL

Zoning District: R-3 MULTI-FAMILY RESIDENTIAL

Proposed Use: DETACHED RESIDENTIAL ACCESSORY STRUCTURE

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

### Conditions

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

**STANDARDS FOR REVIEW AND APPROVAL**

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

STANDARD	APPLICANT'S EXPLANATION
A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property.	Applicant proposes the construction of a 30'x54' detached accessory structure on 5-acres to store personal items, boats and vehicles under roof, rather than visible from neighboring property lines. Proposed structure will constructed at a minimum of 200' from the street property line/right of way, and will be a minimum of 50' from the closest adjacent neighbor.
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	No additional access drives are being requested. Access will be off existing driveway. Stormwater runoff and drainage will be minimally affected due to the size of parcel and placement of structure. Dramatic grading is not proposed due to the level ground area. Stormwater runoff and drainage will continue to be handled on site. No additional runoff to neighboring properties is expected.
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.	Section 19.06.120(6) describes requirements of detached accessory structures located in residential districts. Proposed structure conforms to all location and height requirements. City of Whitewater requires that "any proposed detached accessory structure which is larger than the requirements of this section may be allowed but shall require a conditional use permit." Proposed structure is greater than 800-square feet maximum described in the ordinance, but does not exceed 10% of the side and rear yard lot area (open space).
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	The City of Whitewater Future Land Use Map provided in the Comprehensive Plan 2010 (Updated 2017) depicts the future land use as single-family residential, allowing a detached residential accessory structure.

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

Applicant's Signature: Lisa K. Sekelik Bryan D. Sekelik Date: 3/1/2023

Printed: Lisa K. Sekelik Bryan D. Sekelik

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

**ACTION TAKEN:**

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

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

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\_\_\_\_\_  
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: BRYAN D SOKOLIK | LISA K SOKOLIK

Applicant's Mailing Address: 647 W. HARPER STREET

WHITEWATER, WI 53190

Applicant's Phone Number: 920-650-3161

Applicant's Email Address: LSOKOLIK@YAHOO.COM

Project Information:

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

Address of Development Site: 647 W. HARPER STREET

Tax Key Number(s) of Site: /A274400001

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) .....\$ **IF COST IS TO EXCEED \$200.00, PLEASE CONTACT APPLICANT**
- 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.

*Bryan D Sokolik Lisa K Sokolik*

Signature of Applicant/Petitioner

Signature of Property Owner (if different)

BRYAN D SOKOLIK | LISA K SOKOLIK

Printed Name of Applicant/Petitioner

Printed Name of Property Owner (if different)

Date of Signature

Date of Signature

## NARRATIVE: CONDITIONAL USE PERMIT

**APPLICANT: BRYAN D SOKOLIK | LISA K SOKOLIK**  
**PARCEL # /A274400001, CITY OF WHITEWATER, WALWORTH COUNTY, WI**  
**PHYSICAL ADDRESS: 647 W HARPER ST, WHITEWATER, WI 53190**

Bryan D. Sokolik and Lisa K. Sokolik (“**Owner**”) are the owners of 647 W. Harper Street, Whitewater, legally described in **Exhibit A** attached hereto and designated as Tax Parcel No. /A274400001 (the “**Property**”). The Owner owns and requests conditional use permit (“**CUP**”) approval to construct a 30’ x 54’ (1,620 square foot) residential detached accessory structure (“**Proposed Structure**”) on the Property.

The Property consists of approximately 5.26 acres of R-3 multi-family zoned lands. Spring Brook winds through a small section of the southeast corner of the Property resulting in an area being located within the established Floodplain Fringe Overlay. The Proposed Structure will be well outside this overlay district. The City of Whitewater Future Land Use Map provided in the Comprehensive Plan 2010 (Updated 2017) depicts the future land use as single-family residential, allowing a detached residential accessory structure.

The Property includes an existing single-family dwelling an existing detached storage structure which will be removed within 30-days upon completion of the 30’x54’ Proposed Structure.

The City of Whitewater Ordinances states:

“Detached accessory structures in residential districts are permitted in side and rear yards unless otherwise noted in the zoning district. The detached accessory structures shall not be closer than ten feet to the principal structure, shall not exceed fifteen feet in height, shall not be larger than ten percent of the side and rear yard lot area (open space) and shall not exceed eight hundred square feet in size. Detached accessory structures shall not be closer than five feet to any lot line nor ten feet to any alley line. **Any proposed detached accessory structure which is larger than the requirements of this section may be allowed but shall require a conditional use permit.** To determine the size on corner lots, the side street yard shall be counted as part of the side and rear area. In nonresidential districts the size and location of detached accessory structures shall be treated as conditional uses when the square footage exceeds eight hundred square feet.” [Sec. 19.06.120(6), Emphasis added.]

The location of the Proposed Structure will be constructed at a minimum 10’ from the existing single-family dwelling, approximately 200’ from the front/street property line/right of way, and a minimum of 50’ from the closest adjacent neighboring property line. The storage of personal items, boats and vehicles will be under roof rather than visible from neighboring property lines. However, since the Proposed Structure is greater than 800 square feet in size, CUP approval is required.

No additional access drives are being requested. Access will be off the existing driveway. A concrete pad to access the structure will be poured, however does not require CUP approval.

Stormwater runoff and drainage will be minimally affected due to the size of parcel and placement of structure. Dramatic grading is not proposed due to the level ground area. Stormwater runoff and drainage will continue to be handled on site and no additional runoff to neighboring properties is expected.

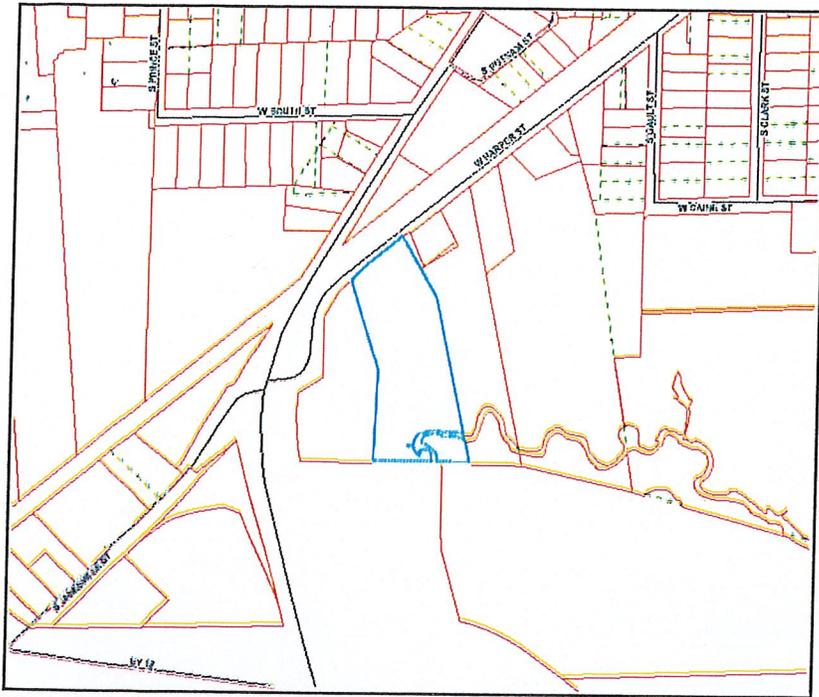
A statement from Mr. Brian Bark from Morton Buildings has included a statement via email dated March 10, 2023, stating that Proposed Structure is not designed for commercial uses. Applicant intends to utilize Proposed Structure for their own personal use and does not intend any commercial uses to take place from the Proposed Structure.

Included in this submittal is a letter of support dated March 11, 2023, signed by the nearest adjacent property owner, Ms. Karen Boyer, 683 W. Harper Street.

The proposed CUP for a detached accessory structure will have no adverse impact on the surrounding properties.



# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /A274400001  
 School District: 6461-WHITWATER UNIFIED SCHO  
 Zoning District:

### Owner Information

Owner Name: BRYAN D SOKOLIK  
 Owner Name 2: LISA K SOKOLIK  
 Mailing Address: 647 W HARPER ST

WHITEWATER WI, 53190

### 2022 Valuation Information

Land: \$99,000.00  
 Improvements: \$191,000.00  
 Total: \$290,000.00  
 Acres: 5.2600  
 Fair Market Value: \$302,800.00  
 Assessment Ratio: 0.9577422900  
 Mill Rate: 0.0182041150

### Tax Information

First Dollar Credit: \$74.47	School Credit: \$483.32
Special Assessment: \$0.00	Lottery Credit: \$0.00
Delinquent Utility Charge: \$0.00	Special Charges: \$0.00
Managed Forest Land Taxes: \$0.00	Private Forest Crop Taxes: \$0.00
Total Billed: \$5,204.72	Woodland Tax Law Taxes: \$0.00
Net Tax: \$5,204.72	

### Tax Jurisdictions

WALWORTH COUNTY \$879.07  
 GATEWAY TECHNICAL \$193.03  
 WHITEWATER UNIFIED SCHOOL DIST \$2169.37  
 CITY OF WHITEWATER \$2037.72

### Elected Officials / Voting Districts

Supervisory District: Jerry A. Grant (D4)  
 State Representative: Don Vruwink (D) (Wisconsin's 43rd Assembly District)  
 State Senator: Janis Ringhand (D) (Wisconsin's 15th Senate District)  
 US Representative: Scott Fitzgerald (R) (Wisconsin's 5th District)  
 US Senator: Johnson, Ron

### Special Assessments / Charges

### Soil Classification

<u>Soil Type</u>	<u>Soil Name</u>	<u>Acres</u>
Psb	PLANO SILT LOAM, 2 TO 6 PERCENT SLOPES	2.0717
EbA	ELBURN SILT LOAM, 1 TO 3 PERCENT SLOPES	1.3130
Ww	WET ALLUVIAL LAND	1.0295
Ph	PELLA SILT LOAM	0.5375

### Property Address

647 W HARPER ST WHITEWATER

### Legal Description

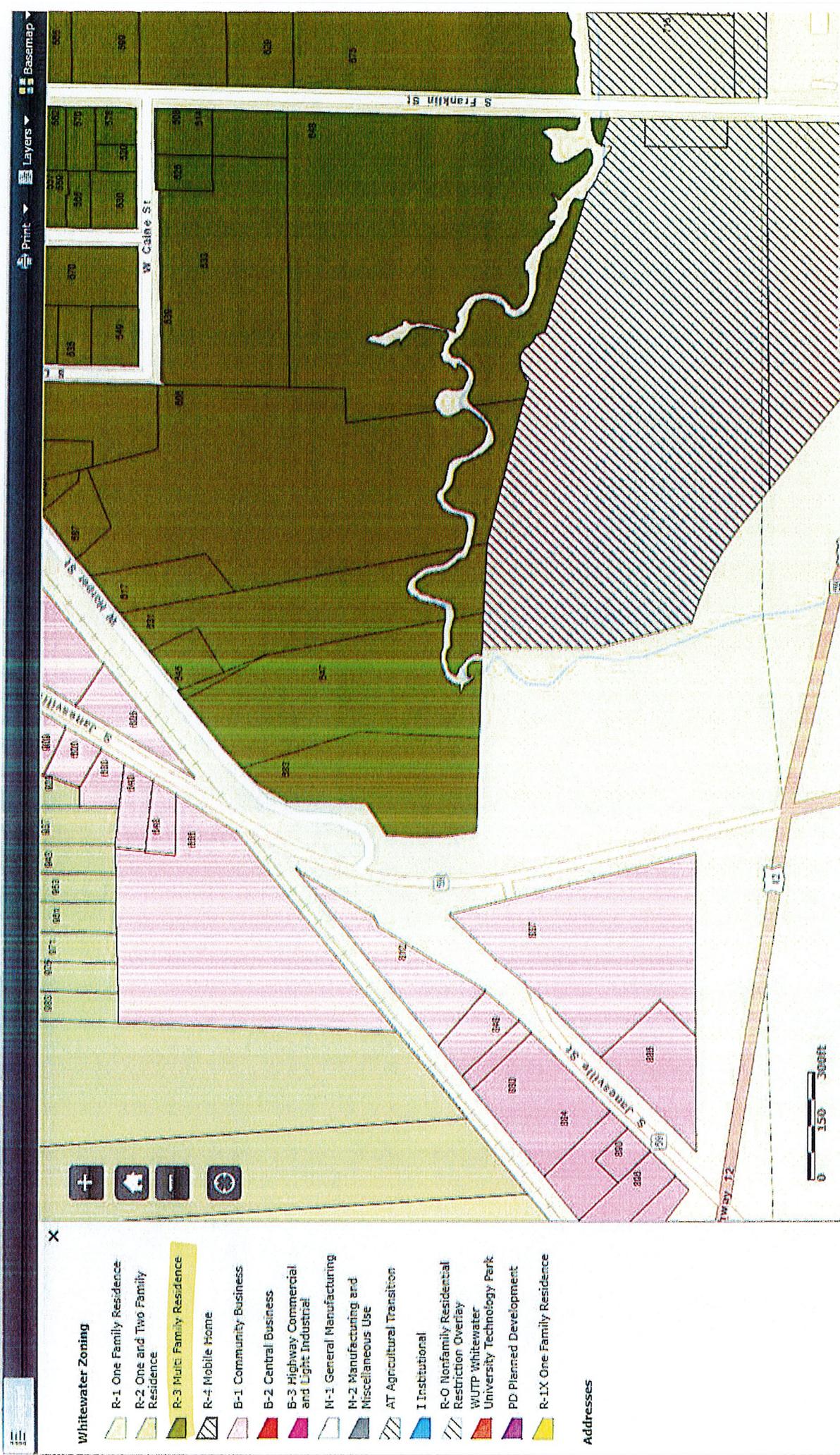
LOT 1 CERTIFIED SURVEY NO. 2744 AS RECORDED IN VOL 14 OF C.S. ON PAGE 107 WCR. LOCATED IN NW 1/4 NE 1/4 & SW 1/4 NE 1/4 SEC 8 T4N R15E. EXC /A2744-1A DESC UNDER #354022, VOL 647 PG 573 CITY OF WHITEWATER OMITS /WUP-301

### Disclaimer

The information provided in this property information page is not official information. All official tax information is recorded in the Walworth County Treasurer's Office. To verify tax payment/payoff status, contact the Walworth County Treasurer's Office at 262-741-4251.

647 W. HARPER ST.  
ZONING MAP

# City of Whitewater Zoning



- Whitewater Zoning**
- R-1 One Family Residence
- R-2 One and Two Family Residence
- R-3 Multi-Family Residence
- R-4 Mobile Home
- B-1 Community Business
- B-2 Central Business
- B-3 Highway Commercial and Light Industrial
- M-1 General Manufacturing
- M-2 Manufacturing and Miscellaneous Use
- AT Agricultural Transition
- I Institutional
- R-O Nonfamily Residential Restriction Overlay
- WUTP Whitewater University Technology Park
- PD Planned Development
- R-1X One Family Residence

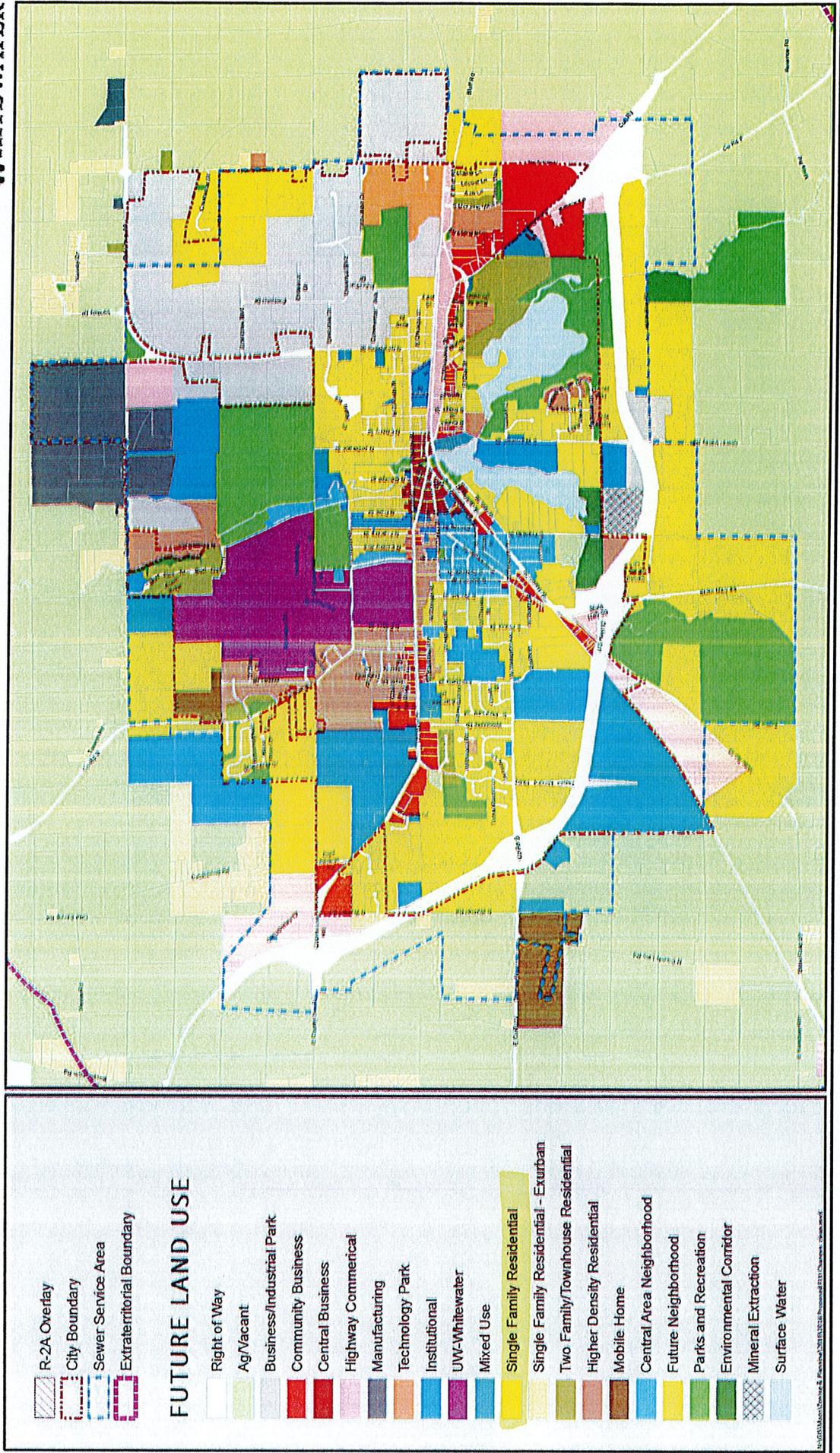
Addresses

647 W HARPER ST  
FLOODPLAIN MAP



# FUTURE LAND USE CHANGES

## CITY OF WHITEWATER



647 W. HARPER  
PROPOSED LOCATION





LOCATION CLASSIFIED  
REDACTED W/ LHO



JA274400002

MIN. 50'

MIN. 200'

MIN. 10'

WEST

JA27440001A

AWUP-00306

GAP

AWUP-00305

AWUP

683

150

Letter RE: Sokolik Bldg

647 W. HARPER  
BUILDER'S STATEMENT

From: Brian Bark (brian.bark@mortonbuildings.com)

To: Isokolik@yahoo.com

Date: Friday, March 10, 2023 at 05:34 PM CST

To whom it may concern,

This suburban garage is designed to be a suburban building NOT for commercial use. This building from top of concrete to peak will measure at 14'11.5".

Brian Bark  
Morton Buildings  
Ixonia, WI

647 HARPER ST.  
LETTER OF SUPPORT

683 West Harper Street

Whitewater, WI 53190

March 11, 2023

TO WHOM IT MAY CONCERN:

I own the property to the northeast of Bryan and Lisa Sokolik and have no issue with the building of the proposed garage 30' x 54' garage. It would allow them to store their boat, and other vehicles inside and out of view, thus making for a tidier view.

I've reviewed the plans and see no issue with them.

Thank you.

A handwritten signature in black ink that reads "Karen M. Boyer". The signature is written in a cursive style with a large initial 'K' and a distinct 'M'.

Karen M. Boyer

647 W. HARPER  
WEST & SOUTH ELEVATIONS

MBMI  
GC License:

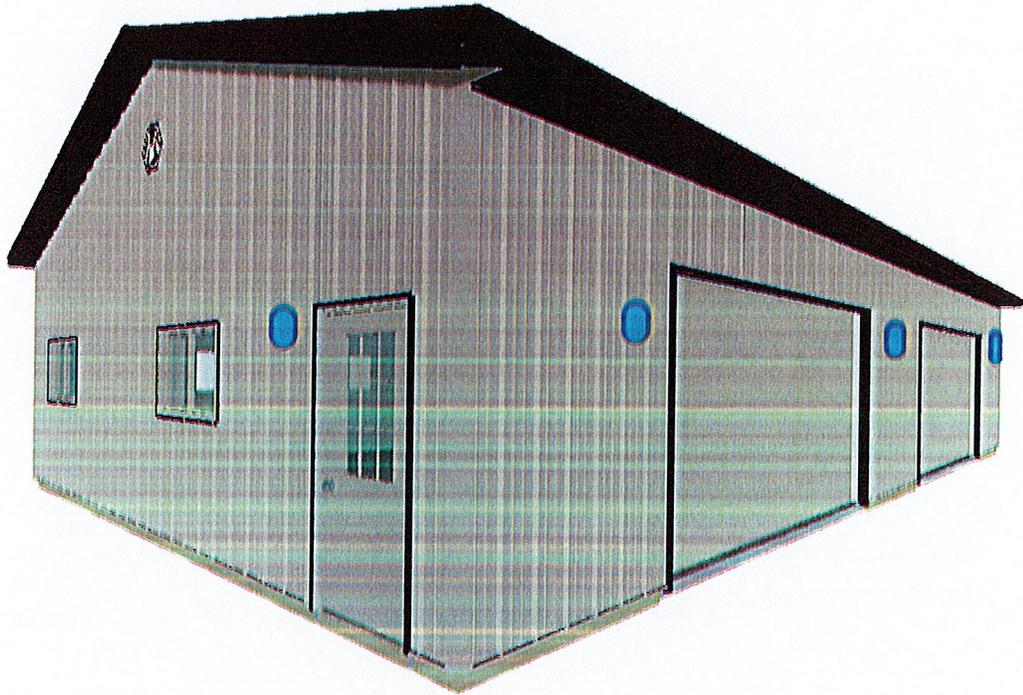
DC-059500742



Date: 12/7/2022  
Page: 4 of 6

252 W. Adams, P.O. Box 399 • Morton, Illinois 61550-0399

### 306 30' x10' x54' West and South Walls



647 W. HARPER ST.  
EAST + NORTH ELEVATION

MBMI  
GC License:

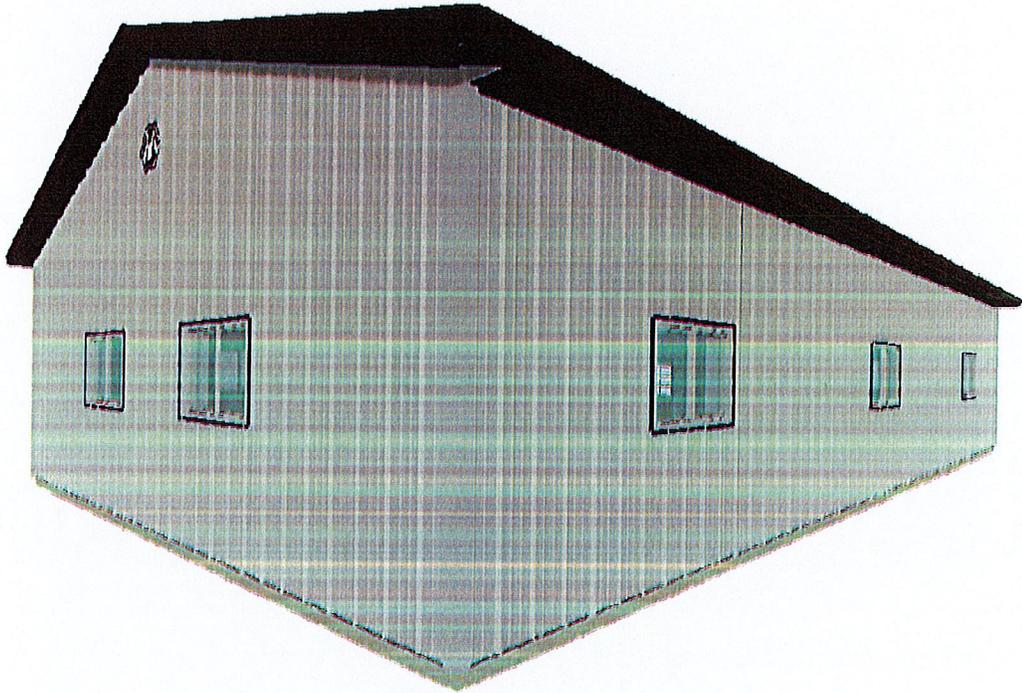
DC-059500742



252 W. Adams, P.O. Box 399 • Morton, Illinois 61550-0399

Date: 12/7/2022  
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### 306 30' x 10' x 54' East and North Walls



647 W. HARPER  
FLOOR PLAN

647 W. HARPER  
FLOOR PLAN

