

**PLEASE NOTE: Item 2a. has been postponed until September 2013.**

**AGENDA**

**City of Whitewater, Board of Zoning Appeals  
On August 22, 2013  
6:00 p.m., Community Room  
Whitewater Municipal Building  
Whitewater WI**

1. Call to order and roll call.
2. Secretary presents the cases to be heard:
  - a. ~~Land & Water Investments LLC., (Matt Kuehl and Robert Freiermuth), 224-226 S. Wisconsin Street, variance to Section 19.51.080(C), to increase the maximum number of vehicles to be parked in the front and side yard area in an R-3 Zoning District from 5 vehicles to 7 vehicles and to allow the dumpster to be located in the street yard area. (Tax Parcel # /TRA 00040)~~
  - b. Dennis Stanton, 430 W. Center Street, variance to Section 19.21.050 to reduce the lot width requirement from 80 feet to approximately 78 feet to allow for the conversion of a single family home to a two family residence in an R-3 (Multifamily) Zoning District. (Tax Parcel # /OT 00112)
4. Testimony of appellant (after being sworn in).
5. Testimony of building inspector.
6. Objections in writing or in person.
7. Questions, rebuttals as necessary.
8. Adjourn to closed session, under WIS Stats. 19.85(1)(a) "deliberating concerning a case which was the subject of the quasi-judicial hearing before the board, NOT TO RECONVENE.
9. Notification of decision in writing to appellant, news media, etc. will follow.

Anyone requiring special arrangements is asked to call the Zoning and Planning Office 72 hours prior to the meeting.



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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
Telephone: (262) 473-0540

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To: City of Whitewater Board of Zoning Appeals  
From: Latisha Birkeland, Neighborhood Services Director / City Planner  
Meeting Date: August 22, 2013  
Re: Request to reduce the lot width requirement from 80 feet to approximately 78 feet (77.73 feet) to allow for the conversion of a single family home to a two family residence in an R-3 (multifamily) Zoning district.

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### Summary of Request

**Location:** 430 W. Center Street

**Current Land Use:** Single Family

**Current Zoning:** R-3 Multi-Family Residential

#### Description

Mr. and Mrs. Stanton would like to convert their property into a duplex. To convert this property into a duplex, a variance is needed to reduce the minimum width requirement from 80 feet to 77.73 feet. The west property line of 430 W. Center Street is at least 10 feet from the sidewalk along Church Street. The property owners maintain this 10-foot distance, but it is not a part of their property because it is right-of-way.

The existing structure has exceeded the requirements for the front, rear and side (east) setbacks. The west side (corner) setback does not meet the 25-foot setback requirement, but would be considered legal non-conforming. All setbacks will remain the same for this existing structure.

#### **The proposed variance is requested:**

1. Request to reduce the lot width requirement from 80 feet to approximately 78 feet (77.73 feet) to allow for the conversion of a single family home to a two family residence in an R-3 (multifamily) Zoning district. The variance requested would be for 2.27 feet.

### Analysis of Proposed Project

A Conditional Use Permit application to allow conversion of this property into a duplex is to be reviewed at September 9<sup>th</sup>, 2013 Plan and Architectural meeting, if an approved variance is granted by the Board of Zoning appeals.

No variance to the provisions of this title shall be granted by the board unless it finds beyond a reasonable doubt that all of the following facts and conditions exist:

Standard	Evaluation	Comments
<b>Findings prerequisite to grant a variance (see section 19.72.080 of zoning ordinance)</b>		
The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;	No	The lot meets the minimum zoning requirements of the City Code, except for the corner lot setback. Physical surroundings, shape and topography of the lot are average
The conditions upon which the application for a variance is based would not be applicable generally to other property within the same zoning classification	No	The structure does not currently meet the required lot width of the R-3 district. These conditions may be applicable for others in this zoning district if the lot width does not meet the 80 feet requirement.
The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner	No	By creating this duplex, the owner would be able to downsize and rent the new duplex out.
The hardship is not one that is self-created	Yes	The structure is already existing and the lot width is already established.
The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhoods	Yes	The proposed variance should not impair the supply of light or air to the adjacent properties.
The proposed variance will not have the effect of permitting a use which is not otherwise permitted in the district	Yes	The use is appropriate for the district
No variance shall be granted in a floodland district where not in compliance with Section <a href="#">19.46.070(C)(4)</a> of this title.	NA	This property is not in a flood plain

PUBLISH IN WHITEWATER REGISTER ON AUGUST 8, 2013

NOTICE OF ZONING HEARING

TO ALL CONCERNED:

A public hearing will be held by the Board of Zoning Appeals of the city of Whitewater on August 22, 2012 at 6:00 p.m. in the Whitewater Municipal Building Community Room, 312 W. Whitewater Street, Whitewater, Wisconsin.

The purpose of this hearing is to consider a request for a variance to Section 19.21.050, which requires a minimum 80 foot lot width for two-family residences in an R-3 (Multifamily) Zoning District. Applicant Dennis Stanton is requesting a variance to reduce the minimum lot width to 78 feet, to allow for the conversion of a single family home to a two-family residence at 430 W. Center Street, Whitewater, WI. (Tax Parcel # /OT 00112).

This notice is being mailed to owners of record within 300 feet of the property in question, to the City Planner and the Plan Commission in accordance with Section 19 of the Code of Ordinances. THE PROPOSAL FILED BY THE OWNER IS NOW OPEN TO PUBLIC INSPECTION AT THE OFFICE OF THE CITY PLANNER DURING NORMAL BUSINESS HOURS (Monday – Friday 8:00 a.m. to 4:30 p.m.)

BOARD OF ZONING APPEALS

By: Michele Smith  
Michele Smith, Secretary

Dated: August 5, 2013

MEISNER ENTERPRISES LLC  
N7549 W LAKESHORE DR  
WHITEWATER WI, 53190

FIRST ENGLISH LUTHERAN CHURCH  
WHITEWATER  
401 W. MAIN ST  
WHITEWATER WI, 53190

STEPHEN L NASS  
N8330 JACKSON RD  
WHITEWATER WI, 53190

RLA PROPERTIES LLC  
122 BAY RIDGE RD  
MADISON WI, 53716

FIRST EVANGELICAL  
LUTHERAN CHURCH  
401 W. MAIN ST  
WHITEWATER WI, 53190

FIRST ENGLISH LUTHERAN CHURCH  
401 W MAIN ST  
WHITEWATER WI, 53190

FIRST ENGLISH LUTHERAN CHURCH  
401 W. MAIN ST  
WHITEWATER WI, 53190

FIRST EVANGELICAL  
LUTHERAN CHURCH  
401 W. MAIN ST  
WHITEWATER WI, 53190

KACHEL 429 WEST MAIN, LLC  
P. O. BOX 239  
WHITEWATER WI, 53190

FIRST ENGLISH LUTHERAN CHURCH  
401 W. MAIN ST  
WHITEWATER WI, 53190

FIRST ENGLISH LUTHERAN CHURCH  
401 W MAIN ST  
WHITEWATER WI, 53190

STARIN PRINCE RENTALS LLC  
W9597 BREIDSAN HILLS DR  
WHITEWATER WI, 53190

LADWIG & VOS INC  
140 LONGMEADOW DR  
BURLINGTON WI, 53105

JOSHUA D BILHORN  
OPALA C BILHORN  
282 NORTHSIDE DR  
MILTON WI, 53563

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OPALA C BILHORN  
282 NORTHSIDE DR  
MILTON WI, 53563

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282 NORTHSIDE DR  
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JOSHUA D BILHORN  
OPALA C BILHORN  
282 NORTHSIDE DR  
MILTON WI, 53563

FIRST ENGLISH LUTHERAN CHURCH  
401 W MAIN ST  
WHITEWATER WI, 53190

BRIAN JON BUHROW  
424 W CENTER ST  
WHITEWATER WI, 53190

DALE N STETTLER TRUST  
GAYLE M STETTLER TRUST  
PO BOX 657  
WHITEWATER WI, 53190

D&R PARTNERSHIP LLC  
P. O. BOX 266  
WHITEWATER WI, 53190

DENNIS D STANTON REVOC TRUST  
EVA M STANTON REVOC TRUST  
430 W CENTER ST  
WHITEWATER WI, 53190

CAROL D CHRIST  
445 W CENTER ST  
WHITEWATER WI, 53190-7800

KENNETH R GRAY  
451 W CENTER ST  
WHITEWATER WI, 53190

ERIK K EGGERT  
KELLIE N EGGERT  
W324 S7727 PAUL LN  
MUKWONAGO WI, 53149

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

CITY OF WHITEWATER  
C/O CITY HALL  
312 W. WHITEWATER ST  
WHITEWATER WI, 53190

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

CITY OF WHITEWATER  
312 W WHITEWATER ST  
WHITEWATER WI, 53190

LADWIG & VOS INC  
140 LONGMEADOW DR  
BURLINGTON WI, 53105

CONGREGATIONAL CHURCH  
130 S. CHURCH ST  
WHITEWATER WI, 53190

CONGREGATIONAL CHURCH  
130 S. CHURCH ST  
WHITEWATER WI, 53190

DLK 152 SOUTH FRANKLIN LLC  
PO BOX 239  
WHITEWATER WI, 53190

KACHEL 200 SOUTH FRANKLIN, LLC  
P. O. BOX 239  
WHITEWATER WI, 53190

DLK FARM SERVICE INC  
P. O. BOX 239  
WHITEWATER WI, 53190

CHURCH  
C/O ST JOHN'S EVANGELICAL  
LUTHERAN CHURCH  
116 S. CHURCH ST  
WHITEWATER WI, 53190

ST LUKES EPISCOPAL  
RECTORY  
146 S. CHURCH ST.  
WHITEWATER WI, 53190

Dear Members of the Board of Zoning Appeals:

My name is Dennis Stanton. My wife Eva and I have owned the property at 430 W. Center Street for 18 years and have had it listed for sale since the beginning of February of this year. We have had several qualified and interested buyers who we anticipated receiving offers from after multiple showings. However, at the last moment, they decided that they did not want to live in proximity to the student rentals in our neighborhood. Over the past 18 years, there has been a significant change in the number of single family occupied homes on Center Street. In fact today there are only 6 single family, owner occupied homes from downtown, all the way to the west end of Center Street. The balance are duplexes or single unit student rentals.

Our property is zoned R3, which would currently allow us to rent to 5 students without any changes being made. I've been in the student rental business for approximately 30 years and have become quite knowledgeable in their habits. I can guarantee you that if we rented this size house to 5 students, it would become party central. We have spent a lot of money in this house over the past years and would not like to see it used that way. That's the main reason we would like to convert this property to a duplex and create 2 units of 4 bedrooms and 2 baths each. Most of the large common rooms would be converted to bedrooms, therefore removing the party areas. Students do not party in their bedrooms. There would be no additions or external changes to the house (other than a rear staircase for a second ingress/egress to the upstairs apartment). Our plan would be to have a very upscale rental unit and to keep the property looking the way it does today. The existing garage would be removed to allow for 8 parking stalls.

In order to convert our home to a duplex, we need one variance to be granted. The ordinance calls for a minimum lot frontage width to be 80 feet. Our lot measures 77.73 feet, or a little over 2 feet short of the requirement. I might point out that if you look at the attached survey, we have an additional 10+ feet of lot width between our western lot line and the sidewalk along Church Street. I find it a little ironic that for 18 years, I've had to take care of that 10 feet like it was my own; including lawn care, landscaping, tree pruning, etc. Now I have to ask permission to use a couple of feet toward this requirement. Furthermore, we are not asking for something that is out of the ordinary for the neighborhood. Again, if you look at the attached plat map, there are 6 duplexes on our immediate block that only have mostly 66 feet of frontage. You can also note that we are the only owner occupied property. Granting this variance will not effect the neighboring properties because they are already student rentals.

Please consider granting us this variance. Converting this house to a duplex makes sense. It fits the neighborhood use and will not affect property values in the area.

Sincerely;



Dennis & Eva Stanton

**NOTICE:** The Board of Zoning Appeal meetings are scheduled on the 4<sup>th</sup> Thursday of the month. All complete plans must be in by 9:00 a.m. Monday prior to the 1<sup>st</sup> Thursday of the month. If not, the item will be placed on the next available Board of Zoning Appeals meeting.

CITY OF WHITEWATER  
BOARD OF ZONING APPEALS APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$200.00 fee. Filed on 7-31-13.
2. Class 2 Notice published in Official Newspaper on 8-1-13 and 8-8-13. The last publication to be at least 10 days prior to the meeting.
3. Notices of the Public Hearing mailed to property owners within 300 feet of the property involved in the application on 8-6-13.
4. Board of Zoning Appeals holds the PUBLIC HEARING on 8-22-13. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
5. At the conclusion of the Public Hearing, the Board of Zoning Appeals will deliberate and render its decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

Refer to Chapter 19.72 of the City of Whitewater Municipal Code of Ordinances, entitled BOARD OF ZONING APPEALS, for more information on the application.

## CITY OF WHITEWATER SITE PLAN SUBMITTAL REQUIREMENTS

1. **Site Plan**, including the location and dimensions of all buildings, parking, loading, vehicle and pedestrian circulation, signs, walls, fences, other structures, outdoor storage areas, mechanicals, and dumpsters. Adjacent streets and uses and methods for screening parking, loading, storage, mechanical, and dumpster areas should be shown. Statistics on lot area, green space percentage, and housing density should be provided. The Plan Commission encourages compliance with its adopted parking lot curbing policy.
2. **Natural Features Inventory Map**, showing the existing limits of all water bodies, wetlands, floodplains, existing trees with trunks more than 4 inches in diameter, and any other exceptional natural resource features on all or part of the site.
3. **Landscape Plan**, prepared by a professional, and showing an overhead view of all proposed landscaping and existing landscaping to remain. The species, size at time of planting, and mature size should be indicated for all plantings. Areas to be left in green space should be clearly delineated. The Plan Commission encourages compliance with its adopted landscaping guidelines, available from the Zoning Department.
4. **Grading and drainage plan**, meeting the City's stormwater management ordinance if required. The plan should show existing and proposed surface elevations on the site at two foot intervals or less, and proposed stormwater management improvements, such as detention/retention facilities where required. Stormwater calculations may be required.
5. **Utilities plan**, showing locations and sizes of existing and proposed connections to sanitary sewer, water, and storm sewer lines, along with required easements. Sampling manholes may be required for sanitary sewer. The City's noise ordinance must be met.
6. **Building elevations**, showing the dimensions, colors, and materials used on all sides of the building. The Plan Commission encourages variety and creativity in building colors and architectural styles, while respecting the character of the surrounding neighborhood.
7. **Sign plan**, meeting the City's sign ordinance, and showing the location, height, dimensions, color, materials, lighting and copy area of all signage.
8. **Lighting plan**, meeting the City's lighting ordinance, and showing the location, height, type, orientation, and power of all proposed outdoor lighting—both on poles and on buildings. Cut sheets and photometric plans may be required for larger projects.

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

10/6/04

**TO:                   THOSE REQUESTING A VARIANCE OF ZONING  
REQUIREMENTS**

**FROM:               THE BOARD OF ZONING APPEALS**

**THINGS YOU WILL HAVE TO PROVE TO BE GRANTED A VARIANCE**

The Board of Zoning Appeals has the power *“to hear and grant applications for variances as will not be contrary to the public interest where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit and purposes of the ordinance shall be observed and the public safety, welfare and justice secured.”* USE VARIANCES WILL NOT BE GRANTED.

**Findings prerequisite to granting of a variance**

**No variance to the provisions of this title shall be granted by the Board unless it finds beyond a reasonable doubt that ALL of the following facts and conditions exist, and so indicates in the minutes of its proceedings:**

- A. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a practical hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;**
- B. The conditions upon which the application for a variance is based would not be applicable generally to other property within the same zoning classification;**
- C. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner;**
- D. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

Please consider the above items in presenting your oral testimony, for a lack of such testimony may result in denial of the variance.

***All questions in the application must be answered.***

CITY OF WHITEWATER  
APPLICATION FOR VARIANCE

IDENTIFICATION AND INFORMATION ON APPLICANT(S)

Applicant's Name: DENNIS + EVA STANTON  
Applicant's Mailing Address 430 W. CENTER ST, WHITEWATER, WI 53190  
Owner of Property Site as of date of application, according to current property tax records: \_\_\_\_\_  
DENNIS + EVA STANTON  
Street Address of Property (if vacant land, describe in detail the property location): 430 W. CENTER ST, WHITEWATER, WI 53190  
Legal Description of Property (Name of Subdivision, Block and Lot, or other legal description):  
LOT 5, BLOCK 11, EXC N 142' ORIGINAL TOWN  
CITY OF WHITEWATER  
LOT 00112  
Agent or Representative Assisting in the Application (Engineer, Architect, Attorney, Etc.)  
Name STEPHANIE STIBB Firm Home Lumber Co  
Office Address 499 W. WHITEWATER ST, WHITEWATER, WI  
Contractor DENNIS STANTON

EXISTING AND PROPOSED USES

Current Principal Use: SINGLE FAMILY RESIDENTIAL  
Accessory or Secondary Uses: NONE  
Proposed Use (Describe need for Variance): RESIDENTIAL DUPLEX  
REQUIRED LOT WIDTH IN R3 IS 80'  
my LOT IS 77.73' WIDE

Have you been granted any variances in the past, on any properties, whether fully or partially owned by you.  
 Yes  No

If YES, list addresses of those properties and whether the requirements of the variance granted have been completed.

430 W. CENTER, VARIANCE GRANTED FOR GARAGE

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 inspector may require.

PLOT PLAN

When required by the building inspector, 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 its relationship 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.

Zoning District in which the property is located: R3

No. of Occupants Proposed to be Accomodated: 8 No. of Employees, if applicable: —

Section of the City of Whitewater Zoning Ordinance that prohibits the proposed usage of the property. It is this section of the Ordinance for which a variance is requested: CHAPTER 19.21.050

**STANDARDS**

The following are Standards that the City of Whitewater Zoning Ordinance sets for decisions on variances. Explain how your proposal meets these standards.

STANDARD	APPLICANT'S EXPLANATION
<p>A. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from mere inconvenience, if the strict letter of the regulations were to be carried out</p>	<p>THE BLOCK WE LIVE ON, SURROUNDED BY CENTER ST, 4TH STREET, MAIN ST, &amp; CHURCH STREET, IS NEARLY ALL STUDENT HOUSING. IT HAS BECOME APPARENT THAT <del>THE</del> BUYERS DO NOT WANT TO LIVE IN THAT ENVIRONMENT.</p>
<p>B. The conditions upon which the application for a variance are based would not be applicable generally to other property within the same zoning classification</p>	<p>I COULD RENT THIS HOUSE OUT TO 5 STUDENTS RIGHT NOW AND BE PERFECTLY LEGAL. I DON'T WANT TO DO THIS BECAUSE IT WOULD BE A PARTY HOUSE. TOO MANY OPEN SPACES &amp; PARTY ROOMS. STUDENTS DON'T HAVE PARTIES IN THEIR BED ROOMS. I WANT TO RETAIN A GREAT LOOKING PROPERTY</p>
<p>C. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner.</p>	<p>WE WISH TO DOWNSIZE OUR HOME. THAT'S WHY IT HAS BEEN FOR SALE. THE SERIOUS BUYERS WE HAVE HAD, HAVE BACKED AWAY BECAUSE OF STUDENT HOUSING IN AREA</p>
<p>D. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire or endanger the public safety, or substantially diminish or impair property values within the neighborhood.</p>	<p>BASICALLY NO CHANGE TO THE EXTERIOR OF THE HOME, SO NO EFFECT ON NEIGHBORS. NEIGHBORHOOD IS 99% STUDENT HOUSING NOW, SO THERE WILL BE NO CHANGE IN PROPERTY VALUES.</p>

**CONDITIONS**

The City of Whitewater Zoning Ordinance authorizes the Board of Zoning Appeals to place conditions on approved variances. Please keep this in mind & supply ALL pertinent information.

Signature of Applicant

*Dennis J. Hantson*

Date

*7-31-13*

**APPLICATION FEES**

(to be completed by City)

*Fee for Variance application - \$200.00*

Date fee received by City *7-31-13*

Receipt # *6.010655*

Received by: *J. Wegner*

Date Notice sent to owners of record: *8-6-13* By *J. Wegner*

Date(s) published in Whitewater Register: *8-1-13 + 8-8-13*

Date set for Hearing before Board of Zoning Appeals: *8-22-13*



## **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



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

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.



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

### Hold a neighborhood meeting for larger and potentially more controversial projects

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

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



## Typical City Planning Consultant Development Review Costs

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

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

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



# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

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

### Applicant's Information:

Name of Applicant:

DENNIS STANTON

Applicant's Mailing Address:

430 W. CENTER ST

Applicant's Phone Number:

262-903-0294

Applicant's Email Address:

ddsrentals@yahoo.com

### Project Information:

Name/Description of Development:

\_\_\_\_\_

Address of Development Site:

430 W. CENTER

Tax Key Number(s) of Site:

\_\_\_\_\_

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

Name of Property Owner:

\_\_\_\_\_

Property Owner's Mailing Address:

\_\_\_\_\_

\_\_\_\_\_



# Cost Recovery Certificate and Agreement

## Section B: Applicant/Property Owner Cost Obligations

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

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

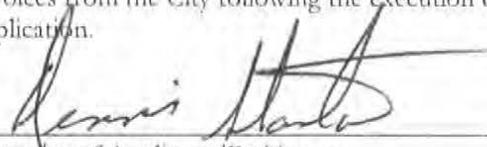
- A. Application Fee.....\$ \_\_\_\_\_
- B. Expected Planning Consultant Review Cost .....\$ \_\_\_\_\_
- C. Total Cost Expected of Applicant (A+B).....\$ \_\_\_\_\_
- D. 25% of Total Cost, Due at Time of Application.....\$ \_\_\_\_\_
- E. Project Likely to Incur Additional Engineering or Other Consultant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

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

## Section C: Agreement Execution

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

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

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

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

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

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

~~7-31-13~~ 7-31-13  
\_\_\_\_\_  
Date of Signature

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

WEST VIEW  
(CHURCH ST)



SOUTH VIEW  
(CENTER ST)



*EAST VIEW*



*NORTH VIEW*

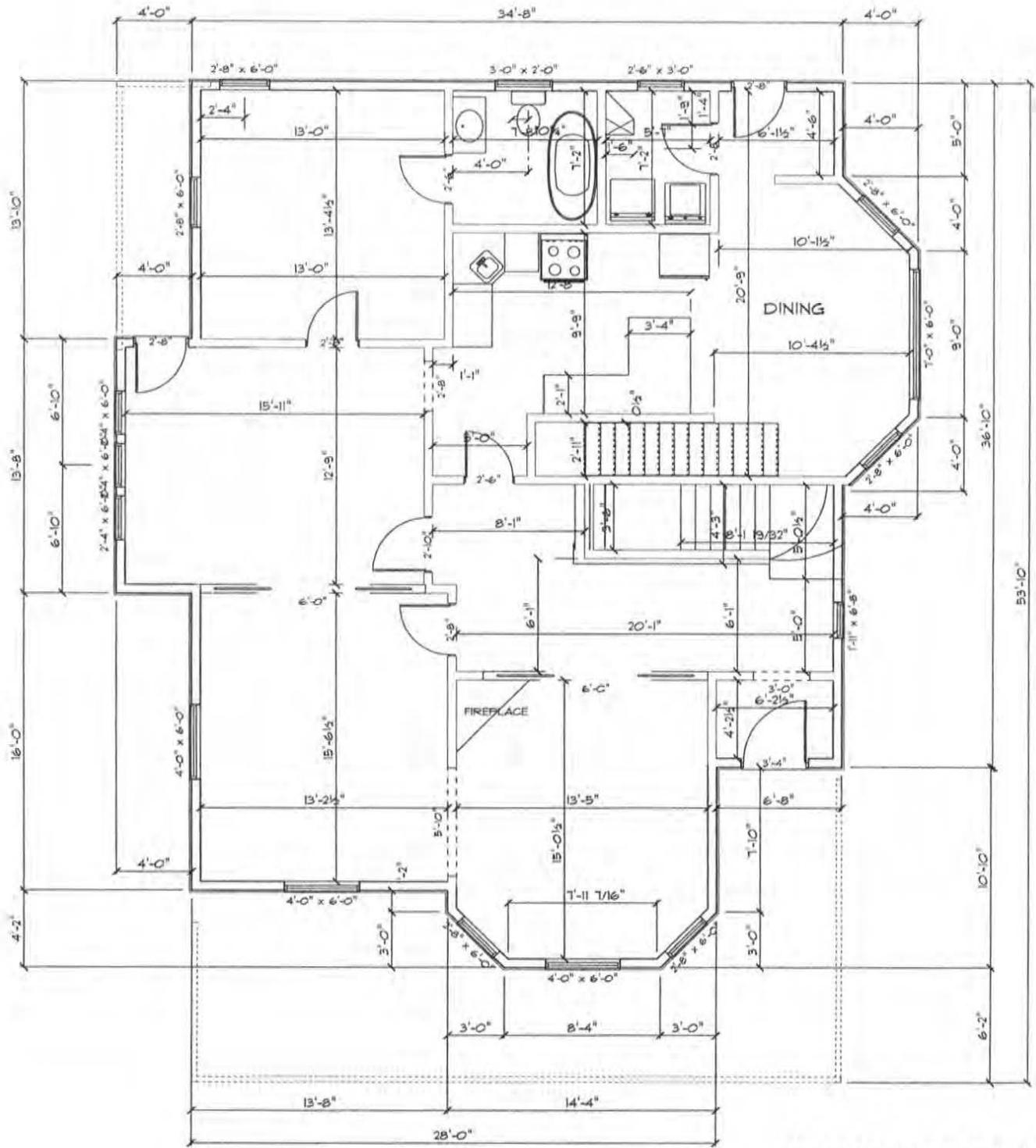


EAST LOT LINE

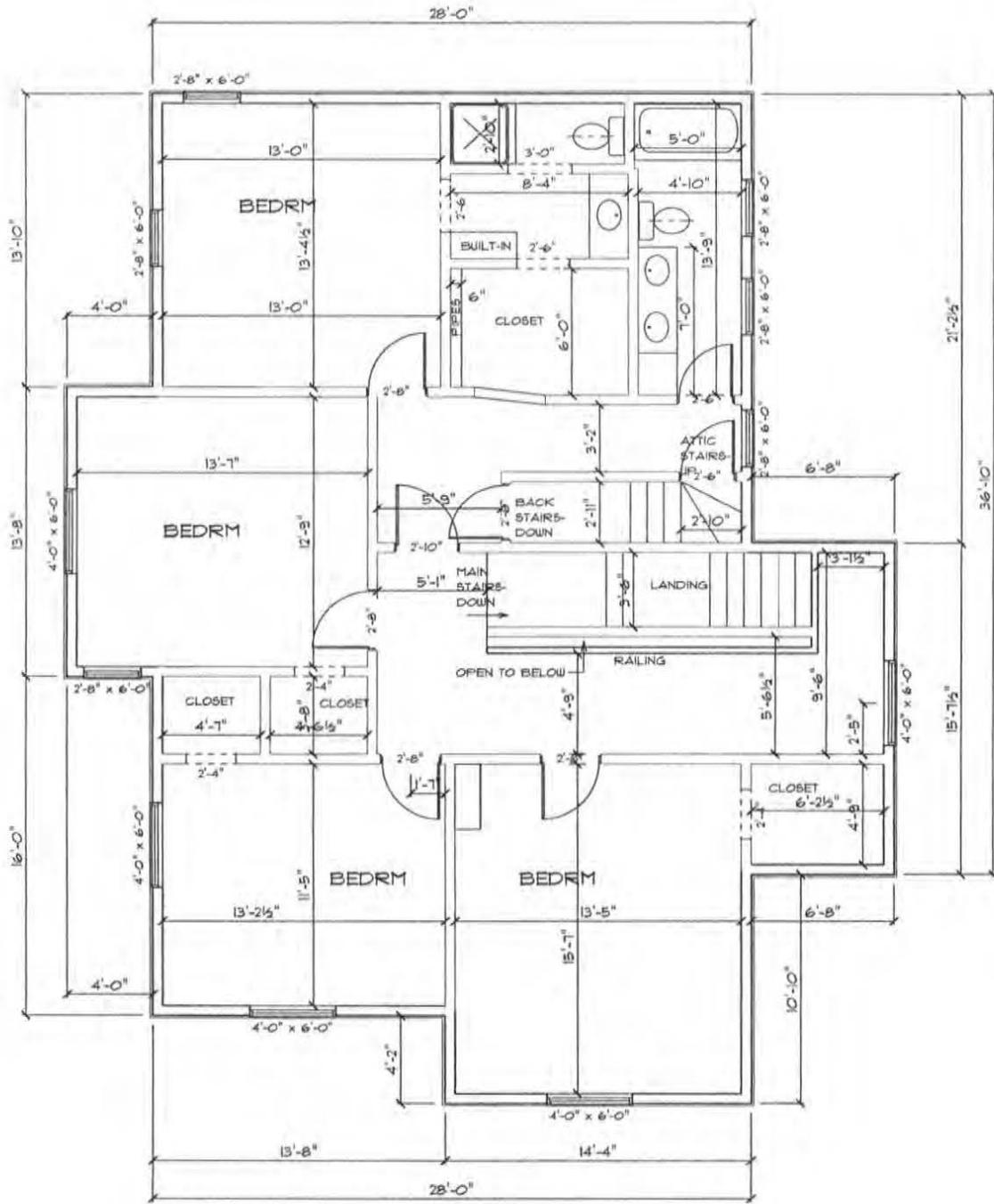


GARAGE  
TO BE  
REMOVED

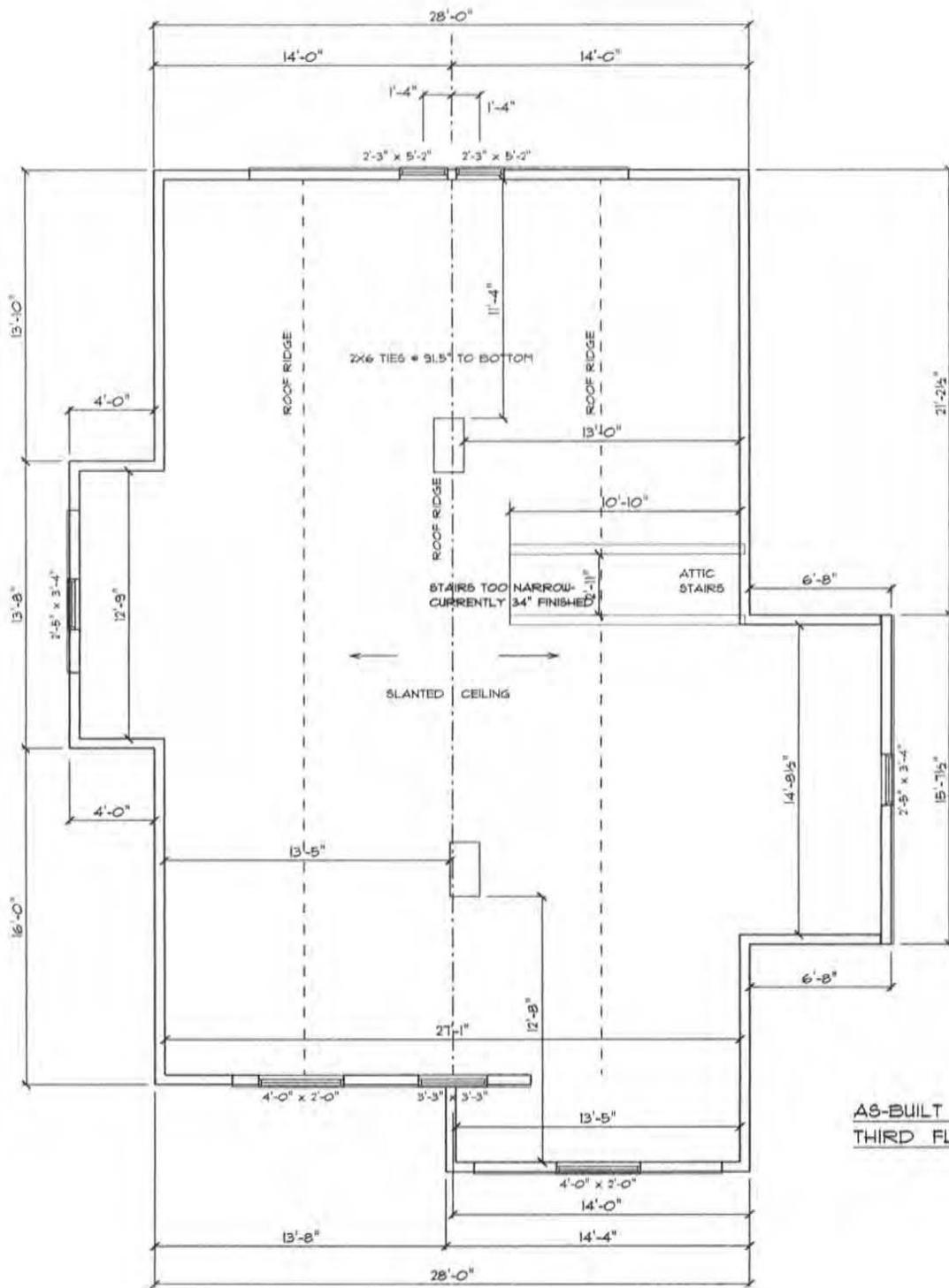




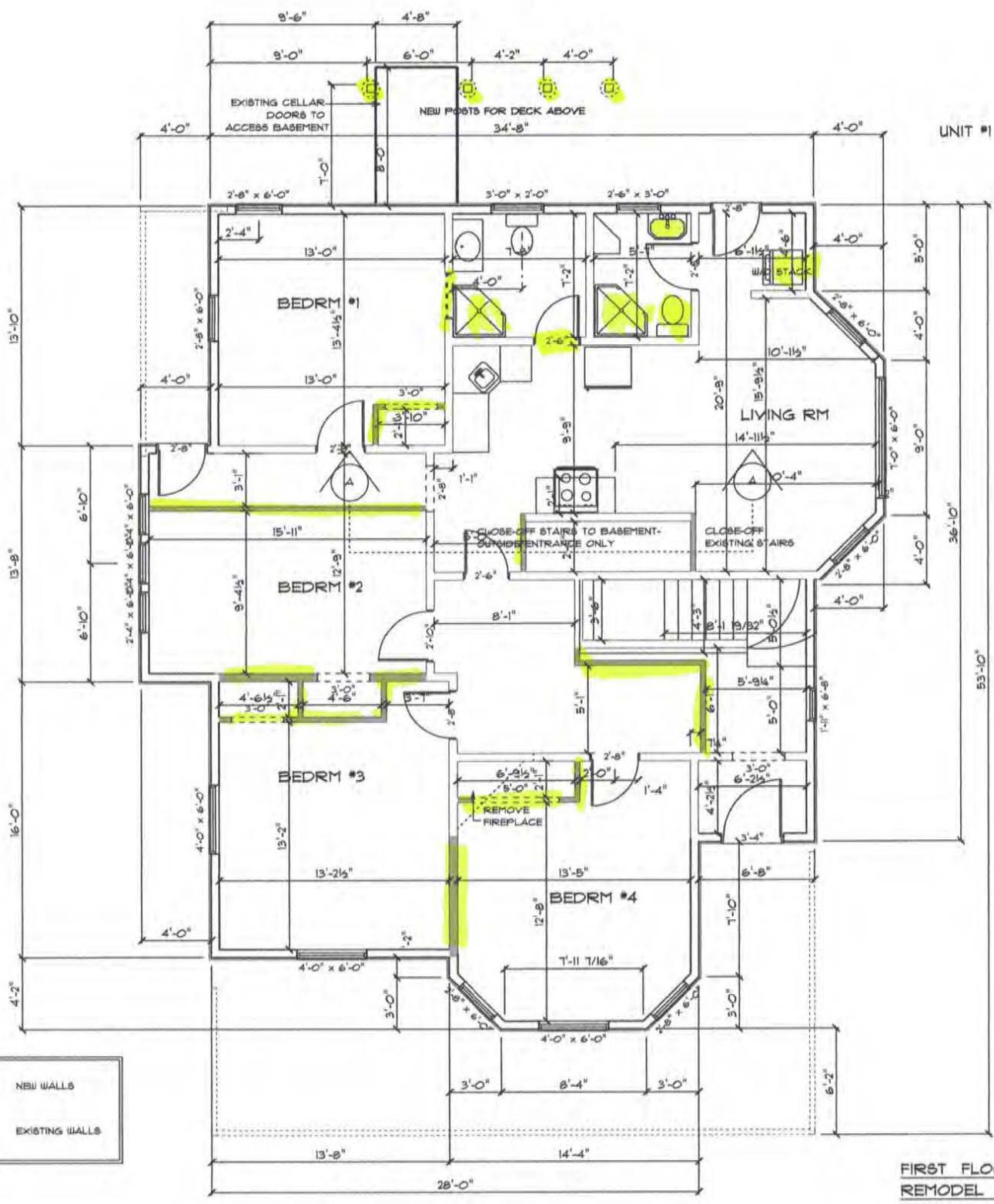
AS-BUILT FIRST FLOOR PLAN



AS-BUILT SECOND FLOOR PLAN



AS-BUILT  
THIRD FLOOR ATTIC PLAN



UNIT #1

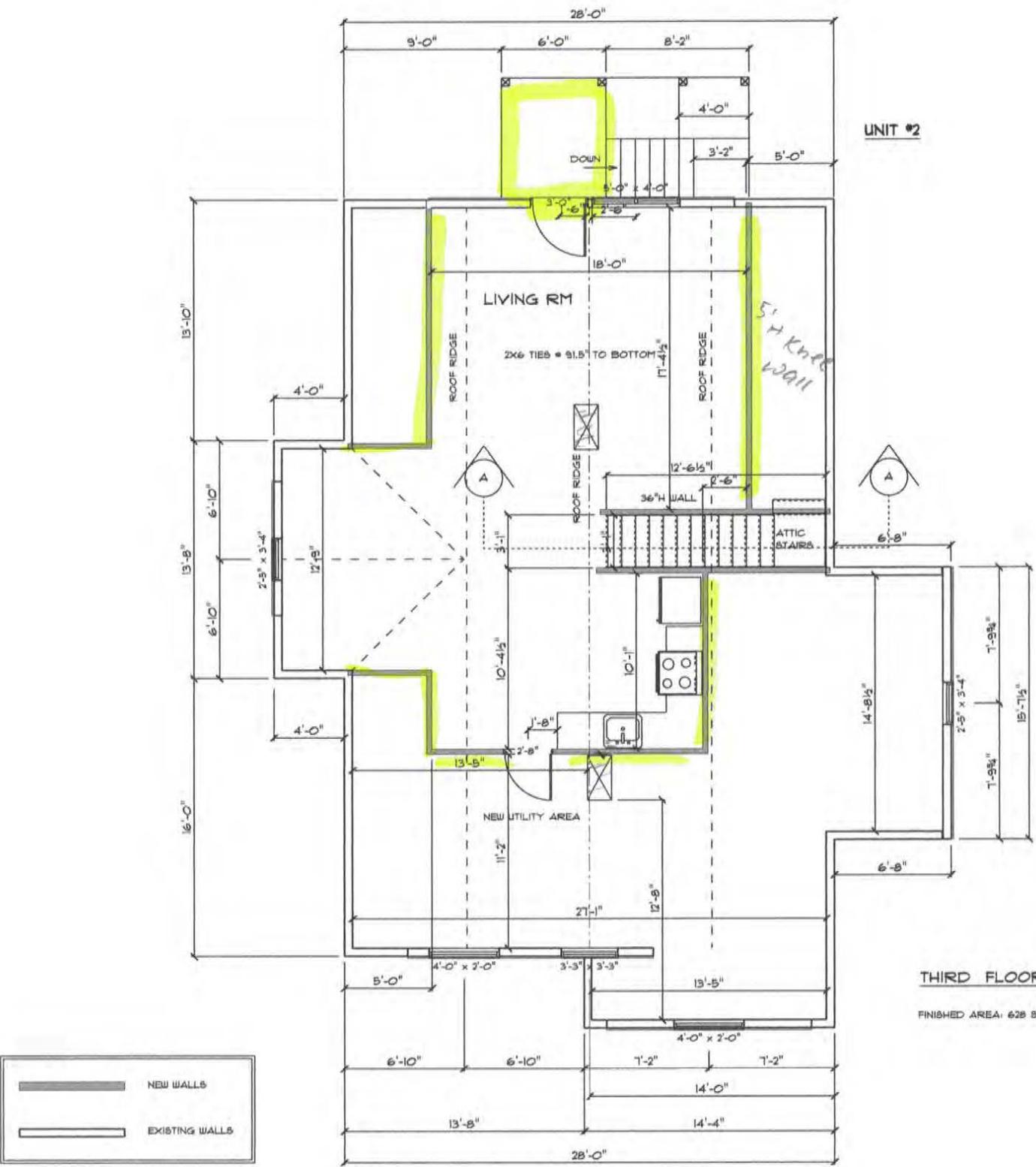


	NEW WALLS
	EXISTING WALLS

**FIRST FLOOR  
REMODEL PLAN**

AREA: 1630 SF





UNIT #2

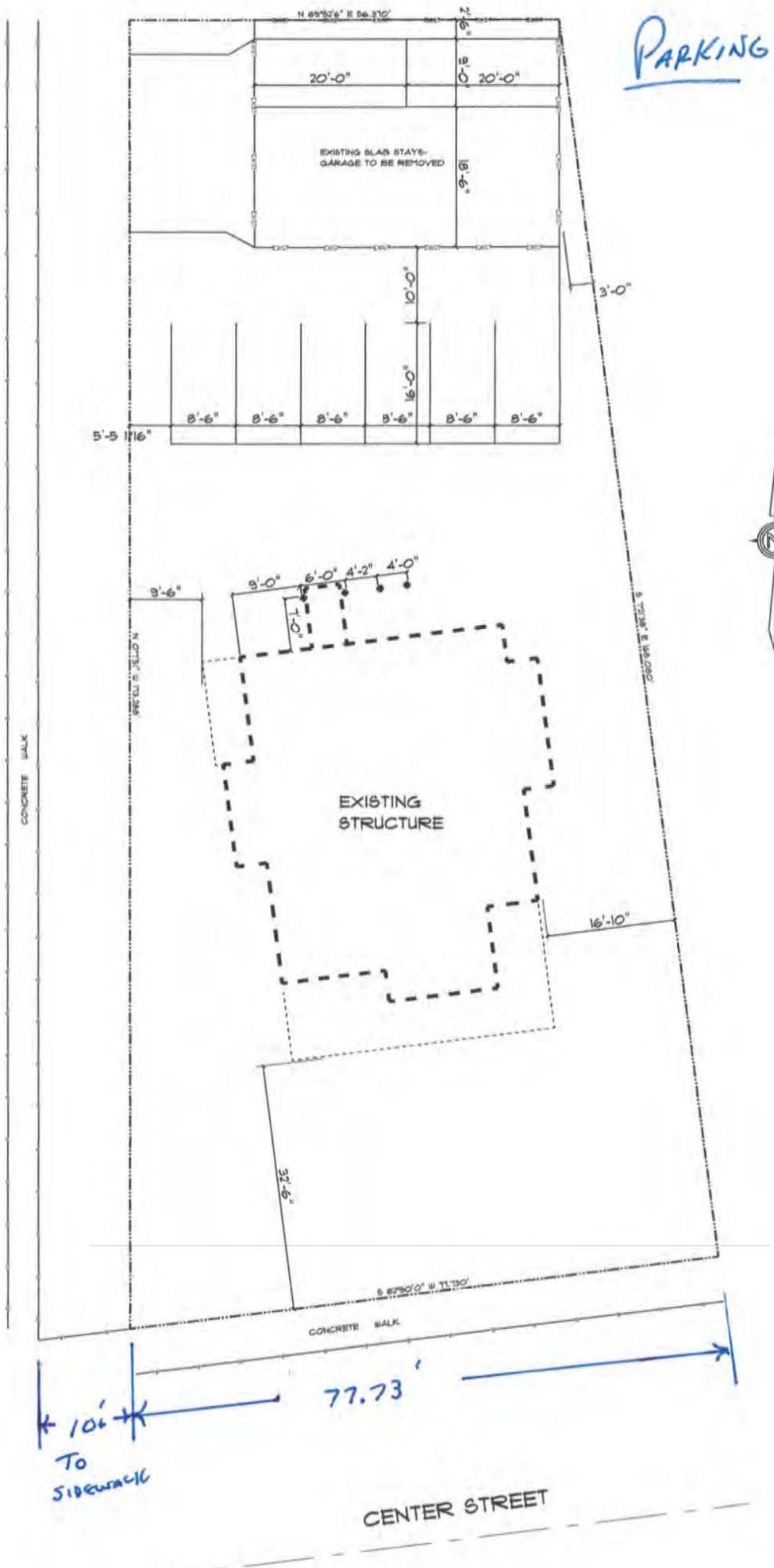


**THIRD FLOOR ATTIC PLAN**

FINISHED AREA: 628 SF

	NEW WALLS
	EXISTING WALLS

CHURCH STREET



PARKING



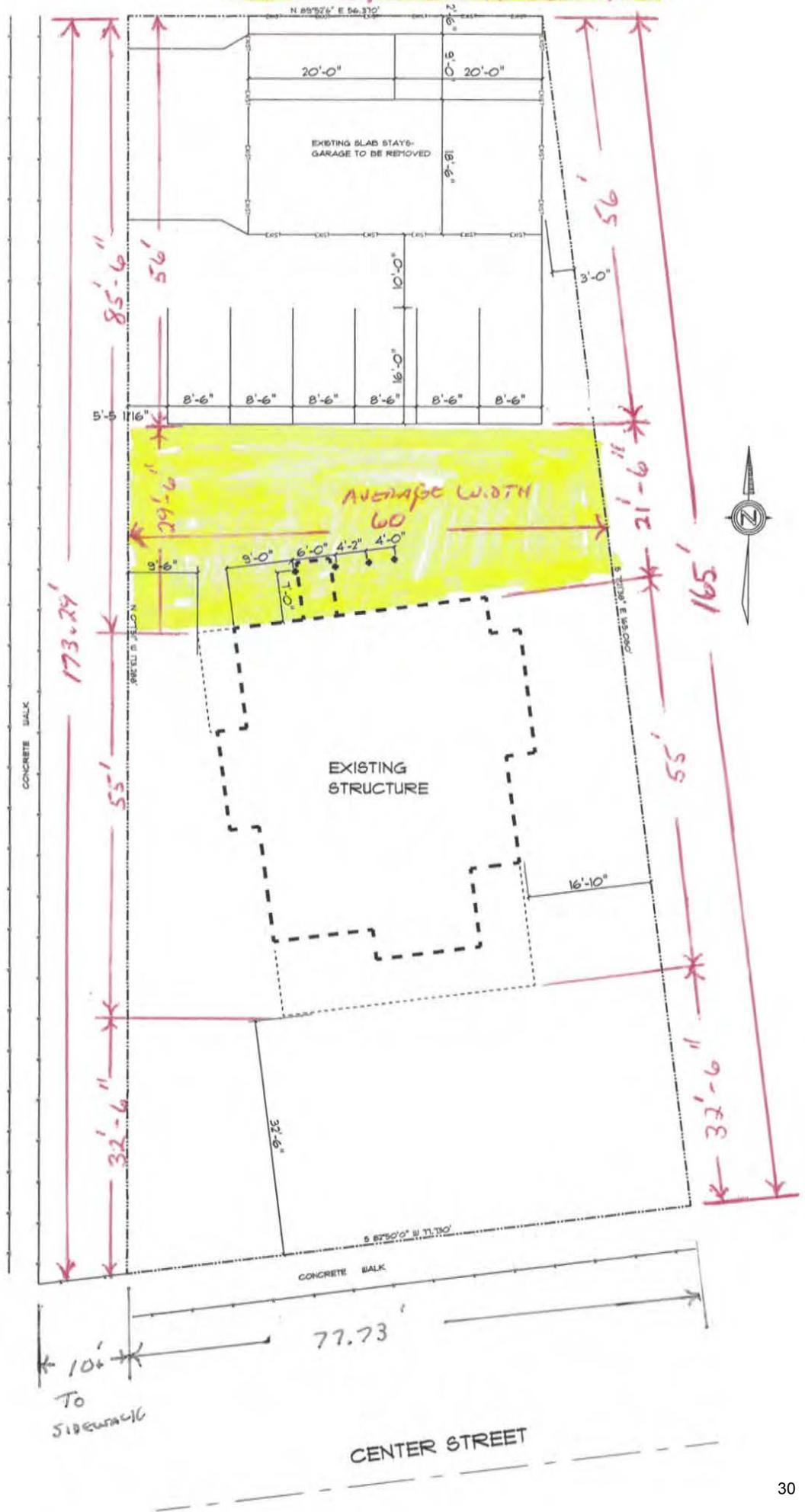
10'  
To  
Siderack

CENTER STREET

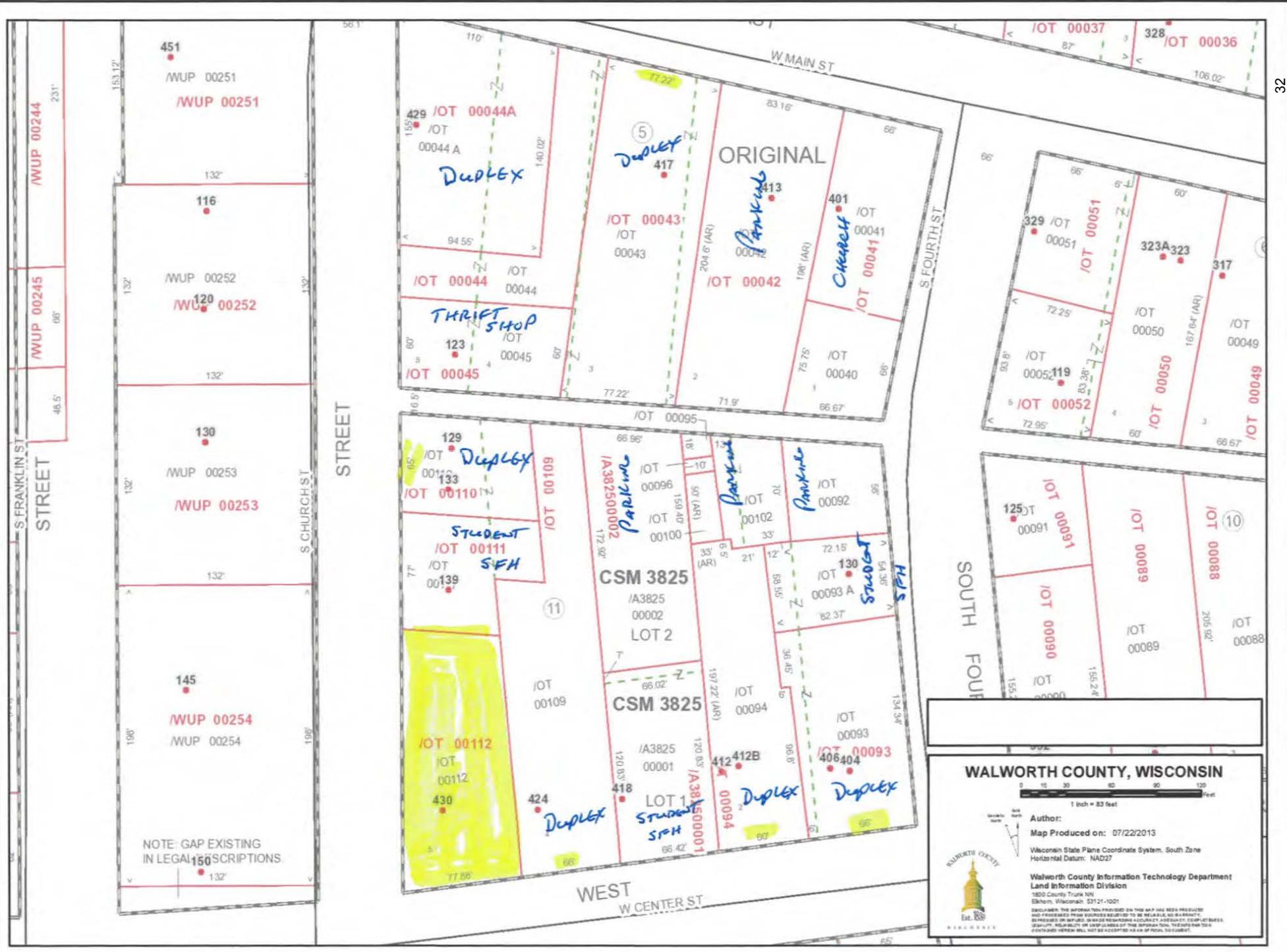
# OPEN SPACE CALCULATION

HIGH-LITED  
 AREA APPROX  
 25.5' X 60'  
 OR  
 1530 sqft  
 WITHOUT EITHER  
 SIDE YARD

CHURCH STREET







NOTE: GAP EXISTING IN LEGAL DESCRIPTIONS

**WALWORTH COUNTY, WISCONSIN**

1 inch = 25 feet

Author:  
Map Produced on: 07/22/2013

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

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

DISCLAIMER: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PREPARED AND FORWARDED FROM SOURCES BELIEVED TO BE RELIABLE, BUT WALWORTH COUNTY DOES NOT WARRANT, EXPRESS OR IMPLIED, AS TO THE ACCURACY, COMPLETENESS, OR QUALITY OF THE INFORMATION. THE USER OF THIS INFORMATION HEREBY ACCEPTS ALL RISK OF LOSS OR DAMAGE.



# Accurate Appraisal, LLC.

## Whitewater City of - Detailed Search Results

### Property Information:

This information was updated on 05/17/2013.

IDENTIFYING INFORMATION	
Parcel Number	/OT 00112
Property Address	430 CENTER
Parcel Type	RES

SITE DATA			
Lot Size (Square Feet)	12196.8	Zoning	5
Lot Size (Acres)	0.28	Description	R3

ASSESSED VALUE			
Class	Land	Improvement	Total
A	44600	175600	220200

DWELLING DATA			
Year Built	1901	Basement (Sq Ft)	1518
Stories	2.25	Finished Basement (Sq Ft)	0
Style	08-Residence O/S	First Story (Sq Ft)	1738
Bedrooms	4	Second Story (Sq Ft)	1536
Full Baths	3	Additional Story (Sq Ft)	0
Half Baths	0	Half Story Finished (Sq Ft)	0
Heating	A/C	Finished Attic (Sq Ft)	0
		Total Living Area (Sq Ft)	3274

COMMERCIAL PROPERTY INFORMATION		
Description	Year Built	Area (Sq Ft)

Disclaimer: Information considered accurate, but not guaranteed.

Phone:  
(920) 749-8098  
(800) 770-3927

1428 Midway Road  
P.O. Box 415  
Menasha, WI 54952-0415

Fax & Email:  
(920) 749-8099  
info@accurateassessor.com

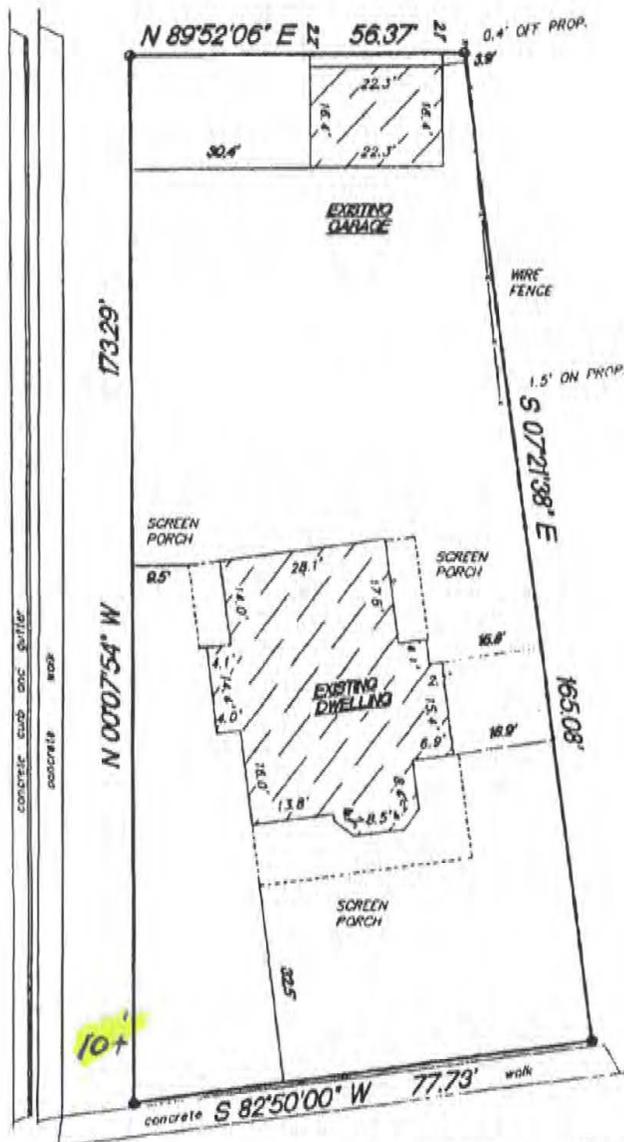
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PLAT OF SURVEY

ALL OF LOT 5 IN BLOCK 11 IN THE PLAT OF THE VILLAGE (NOW CITY) OF WHITEWATER, excepting 1/4 thereof heretofore sold off the North end by deed to Sarah R. Patchen, recorded on March 10, 1900 in Volume 101 of Deeds at page 251, as Document No. 144913, and by deed to Pheobe H. Pattee, recorded on November 17, 1899, in Volume 101 of Deeds at page 155, as Document No. 143601, all being a part of the Southwest 1/4 of Section 4, Township 4 North, Range 15 East, in the City of Whitewater.

Surveyed for: Dennis Stanton  
 Survey address: 430 West Center

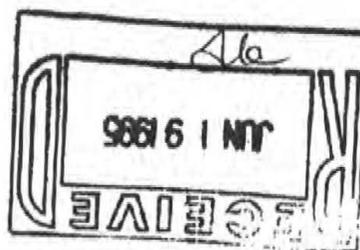
CHURCH STREET



SCALE 1"=30'

- FOUND 1/2" IRON PIN
- SET 1" IRON PIPE

CENTER STREET



"I hereby certify that I have surveyed the above described property and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimension of all principal buildings thereon, boundary fences, apparent easements, roadways and encroachments if any."

"This survey is made for the use of the present owners of the property, and also those who purchase, mortgage or guarantee the title thereto within one year from date hereof."

KETTLE MORAINE SURVEYING  
 W362 S10227 Lewin Lane  
 Eagle Wisconsin 53119  
 (414) 594-3484  
 fax (414) 594-5904  
 Terrance E. Plearek R.L.S.

THIS IS NOT AN ORIGINAL SURVEY UNLESS THE SEAL IS RED.

5/4/95	TEP/DAF	TEP	88008
DATE	FIELD WORK BY	DRAWN BY	JOB NUMBER

10T-112

010-542