



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW  
COMMISSION

Agenda

May 14, 2012

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

**\*Amended Agenda as of 12:45p.m. 5-8-12, added #9. Review and make recommendation to the City Council for the discontinuance of Executive Court.**

1.	Call to order and Roll Call.
2.	Hold Election of Chairperson, Vice-Chairperson, Plan Commission Representative to the Community Development Authority, and Plan Commission Representative to the Urban Forestry Committee.
3.	<b>Hearing of Citizen Comments.</b> No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item.
4.	Approval of the Plan Commission minutes of: March 12, 2012.
5.	Review proposed extra-territorial one lot survey map for the division of the land with the house and buildings from the agricultural land located on E. Bradley Road for Leota I. Larson.
6.	Review proposed certified survey map for the division of a single family lot, located at 511 N. Tratt Street, into two lots for Arthur Stritzel.
7.	Review proposed certified survey map for the division of a single family lot, located at 434 N. Tratt Street, into two parcels and a lot line adjustment for Lot 2 (410 N. Tratt Street) for John Tincher.
7B.	Hold a public hearing for consideration of a Conditional Use Permit for the proposed three parking stalls to be used for used car sales at 707 E. Milwaukee Street for Charles and Jean Mills at Mills Automotive.
8.	Hold a public hearing for consideration of a conditional use permit for the conversion of a duplex into a 3-unit apartment at 510 W. Walworth Ave. for Matt Kuehl and Bob Freiermuth (Land & Water Investments).
*9.	Review and make recommendation to the City Council for the discontinuance of Executive Court.
10.	Information Items: a. Update on the status of the Zoning Rewrite. b. Possible future agenda items. c. Next regular Plan Commission Meeting – June 11, 2012
11.	Adjournment.

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

The City of Whitewater website is: [whitewater-wi.gov](http://whitewater-wi.gov)

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
March 12, 2012

**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 6:00 p.m.

Present: Meyer, Binnie, Dalee, Miller, Henley, Henry (alternate).

Absent: Coburn, Parker.

Others: Wallace McDonell (City Attorney), Latisha Birkeland (Neighborhood Services Manager/City Planner).

**Hearing of Citizen Comments.** No formal Plan Commission action will be taken during this meeting ON CITIZEN COMMENTS although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.

There were no citizen comments.

**Approval of the minutes of February 13, 2012.**

Moved by Henry and seconded by Henley to approve the Plan Commission minutes of February 13, 2012. Motion approved by unanimous voice vote.

**Public hearing for a Conditional Use Permit for a “Class B” Beer and Liquor License for Wanda’s Waterfront LLC. owned by Wanda Milnamow, to serve beer and liquor by the bottle or glass at 292 S. Wisconsin Street, Whitewater, Wisconsin (at the William Graham Post American Legion #173).** City Planner Latisha Birkeland explained that this property is in a B-3 Zoning District and has been in operation with a banquet hall and bar for many years. Restaurants are permitted by right. The use of alcohol requires a conditional use approved by the Plan Commission. The interior of the building will not be changing structurally, (only paint etc.) keeping the capacity as determined by the Fire Chief. The upstairs is a banquet hall and the downstairs was run as a bar. It will be different from Capn’s as far as the hours. The proposed hours would include: The downstairs bar/dining, Thursday and Friday from 3:00 p.m. to 2:00 a.m.; and the upstairs banquet hall Monday through Sunday from 12:00 p.m. to 1:00 a.m. As Wanda’s Waterfront expands, Wanda would like open the downstairs bar/dining area on Saturday and Sunday from 11:00 a.m. to 7:00 p.m. The proposed food items include pizza, burgers, quesadillas, items deep fried, etc. When the restaurant opens up, the menu will expand. There is ample existing parking on the property for the business. Wanda will be replacing the monument sign. One of the Planner suggested conditions of approval is to allow Wanda to work with city staff for approval of the sign. City Planner Birkeland noted that there had been recent complaints about a couple isolated incidents involving this property. The Plan Commission

deals with land use. Any complaints on a liquor license would go to the Alcohol Licensing Committee.

Plan Commission Member Miller stated that the State sets the hours for Class B Liquor License. Anyone with a Class B Liquor License must abide by State Law.

City Attorney Wally McDonell stated that the rule is that Plan Commission cannot restrict solely issues of alcohol service. The law in general allows Plan Commission to issue hours of operation other than alcohol (not specifically linked to the serving of alcohol). This would include opening and closing hours.

The applicant, Wanda Milnamow, explained that she only received one warning for noise. It happened to be a Thursday night fraternity event. She has since cancelled all future fraternity parties. She will be open Thursday night to the general public, in the downstairs bar/dining area and will serve bar food. They are updating the bar area to attract more people. As more people come, they will be able to open the restaurant. The banquet hall is mostly used for Saturday night weddings. The weddings usually go until midnight, but once the music stops, some people hang out to talk.

Plan Commission Member Henry commented that the American Legion had never been a student bar. It catered to the local people, and families with their fish fries.

Chairperson Meyer opened the hearing for public comments.

Marilyn Kienbaum noted that Wanda would have to do some advertising for her business especially since they have not been open all along.

Rodney Law, Board Member of the American Legion, stated that he was there to support Wanda for her conditional use permit. He had checked with Chief Otterbacher about the incident. Wanda had called the Police Department prior to the party and had security on site. The complaint was made after the function had finished. It did not occur at the function. Rodney Law explained that the American Legion Building was built in 1969. They are a not for profit organization. Their Beer Tent is their major source of income for the year to cover expenses. The American Legion's number one goal is to give back to the community. They offer scholarships for graduating seniors, sponsor Badger Girl and Badger Boy, and provide military rites for veterans. Wanda's continued success is very important to them. As a Board and an Organization, they support Wanda and her business.

Moved by Miller and seconded by Dalee to approve the conditional use permit (CUP) for a "Class B" Beer and Liquor license for Wanda's Waterfront LLC, owned by Wanda Milnamow, to serve beer and liquor by the bottle or glass at 292 S. Wisconsin Street, Whitewater, Wisconsin (at the William Graham Post American Legion #173) subject to the two conditions of the City Planner that 1) the conditional use permit shall run with the applicant and not the land. If the business is sold, the new owner/operator must return to the Plan Commission. And 2) Plan Commission will allow staff to work with the applicant for future sign approval. Motion approved by unanimous roll call vote.

**Review two Certified Survey Maps for the division of land in the Whitewater Technology Park. The intent of the CSMs is to create large lots now that can be divided by subsequent CSMs based on the individual needs of future tenants of the park.** City Planner Latisha Birkeland explained that the Technology Park is located north of the railroad tracks, west of Howard Road, south of Innovation Drive and east of Moraine View Park. There are two certified survey maps, one for the north portion of the Technology Park and one for the south portion of the Technology Park. The intent of these Certified Survey Maps is to create large lots now that can be divided by subsequent CSMs based on the individual needs of future tenants of the park. A CSM can be used only to create four lots or less (not including unbuildable outlots). These large lots will allow the City flexibility for future lots. If more than four (4) buildable lots per CSM were proposed, some additional steps such as a full plat procedure would be required. Mark Fisher, City Engineer with Strand and Associates, has reviewed and approved both Certified Survey Maps in accordance with the City Code Section 18.04.046. Once the Plan Commission and Common Council approve both CSMs, the City Clerk will record both Certified Survey Maps and the already approved Whitewater University Technology Park Covenants. City Planner Birkeland recommended that the Plan Commission approve both of the Certified Survey Maps associated with the Whitewater University Technology Park. The Certified Survey Maps comply with the Certified Survey Map requirements and comply with all design standards and general provisions.

Moved by Binnie and seconded by Miller to approve the Certified Survey Maps for the Whitewater University Technology Park and make recommendation to the City Council for approval. Motion approved by unanimous roll call vote.

#### **Update on status of the Zoning Rewrite.**

City Planner Latisha Birkeland explained that the next step for the Zoning Rewrite Committee is to have a joint meeting with the Plan Commission and the City Council to go over from where they started and to where they are now. The meeting is planned to take place at the Plan Commission meeting of May 14, 2012 (2<sup>nd</sup> Monday of May). The Committee wanted to wait until the new members of City Council and Plan Commission could get involved. City Planner Birkeland encouraged input from Plan Commission, City Council and the public.

#### **Future agenda items**

Neighborhood Services Manager/City Planner Birkeland stated that there were no agenda items for the April meeting. Birkeland will notify the Plan Commission if the meeting will be cancelled.

#### **Next regular Plan Commission meeting- April 9, 2012.**

Moved by Miller and seconded by Henry to adjourn at approximately 6:35 p.m. Motion was approved by unanimous voice vote.



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

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

To: City of Whitewater Plan and Architectural Review Commission  
 From: Latisha Birkeland, Neighborhood Services Manager / City Planner  
 Date: 5/14/12  
 Re: Extraterritorial Jurisdiction Certified Survey Map for 12209 E. Bradley Road, Rock County

**Summary of Request**

**Requested Approvals:** Ms. Leota I. Larson is requesting to create a single lot of 3.76 acres from a larger agriculture parcel, thus creating a remnant parcel of 20.68 acres located in Lima Township, Rock County, WI.

**Location:** 12209 E. Bradley Road, Lima Township, Rock County

**Current Zoning:** The new 3.76 acre parcel would be subject to the conditions of A-3 Zoning as determined by Rock County. The larger lot would be subject to A-2 Zoning as determined by Rock County

**Description of Use**

The reason for this subdivision is for the sale of the agriculture land from the land with the house and buildings on it. The City reviews this subdivision because of the location is within the 1.5-mile extraterritorial jurisdiction (ETJ) boundary. This location is outside of the Whitewater Sewer Service Area Boundary. The City does not designate this area for future land use on the Comprehensive Plan.

Please see attached map.

The density requirement from dividing this parcel is within the guidelines and protects future rural character. An easement placed on Bradley Road will allow ingress and egress of farm equipment after the parcel has been divided.

Rock County has unanimously approved this preliminary land division at their April 12, 2012 meeting.

Mark Fisher, City Engineer, with Strand and Associates has reviewed the proposed CSM and stated he had no comments.

**Recommendation on CSM**

This CSM complies with all design standards and general provisions of the City Code Section 18.04.048 Extraterritorial subdivisions. I recommend that the Plan and Architectural Review Commission approve the Certified Survey Map with the following requirements:

1. The applicant shall meet all conditions set by Rock County for final approval.

survey. However, soils on the lot may be restrictive to the replacement of the existing system."

3. Show septic and well location on Final Map.
4. Existing structures shall meet setback regulations.
5. Final CSM (1 year time frame) submitted to and approved by the Planning & Development Agency on or before April 12, 2013.
6. CSM's that are subject to local approval must be recorded within 6 months of their last approval and 24 months of first approval in an Exclusive Agricultural District.
7. As per Section 38-12(8) of the Rock County Land Division Regulations, "Any application not receiving Administrator approval as a final land division within the aforementioned timeline shall be null and void and the applicant shall be required to submit a new application if wishing to proceed with the land division. Extension of the aforementioned timeline may be applied for by the applicant prior to expiration of effectiveness and granted by the Committee at their discretion upon findings that delays are beyond the control of the applicant and that no material exchange in the land division, as stated in the application, has occurred or is reasonably expected to occur.



**B. Action Item: Preliminary approval of LD 2012 009 (Lima Township) – Leota Larsen.**

Mr. Byrnes described this Land Division. This is a routine land division with no issues.

Supervisor Owens moved the approval of LD 2012 009 with conditions; second by Supervisor Mawhinney. All in favor – **Approved (Yes – 5, No – 0, Absent – 0)**

Conditions to be met for final approval:

1. Note on Final Map: "Since Lot 1 contains existing buildings which utilize an existing private sewage system, no soil evaluation on the lot was required at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing system."
2. Show septic and well location on Final Map.
3. Existing structures shall meet setback regulations.
4. 3.76 acres zoned off by Certified Survey Map.
5. 20.68 acres adjoined to adjacent landowner & deed restrictions.
6. 3.76-acre lot is subject to A-3 restrictions.

- 7. Final CSM (1 year time frame) submitted to and approved by the Planning & Development Agency on or before April 12, 2013.
- 8. CSM's that are subject to local approval must be recorded within 6 months of their last approval and 24 months of first approval in an Exclusive Agricultural District.
- 9. As per Section 38-12(8) of the Rock County Land Division Regulations, "Any application not receiving Administrator approval as a final land division within the aforementioned timeline shall be null and void and the applicant shall be required to submit a new application if wishing to proceed with the land division. Extension of the aforementioned timeline may be applied for by the applicant prior to expiration of effectiveness and granted by the Committee at their discretion upon findings that delays are beyond the control of the applicant and that no material exchange in the land division, as stated in the application, has occurred or is reasonably expected to occur.

**C. Informational Item: Update on Proposed Gravel Pit Milton Township.**

Mr. Byrnes announced that he attended the Town Milton hearing to remove the C-1 Overlay Zoning District on a parcel that is seeking to open a mine to remove gravel for the Highway 26 Bypass construction. The C-1 District removal was approved. Mr. Byrnes also mentioned that the owner of the above mentioned parcel has clear-cut a portion of his property that is within the Shoreland District and is in violation. Corporation Council Eugene Dumas has been kept up-to-date as to this issue and staff has issued a violation letter in this matter.

**D. Informational Item: Administrative Quarterly Report.**

Mr. Schraufnagel pointed out that land development activity remains slow.

**6. FINANCE**

**Action Item: Department Bills/Encumbrances/Amendments/Transfers**

Supervisor Mawhinney moved the approval of the Bills; second by Supervisor Owens. All in favor – **Approved (Yes – 5, No – 0, Absent – 0)**

**7. CORPORATE PLANNING**

**A. Action Item: Resolution Authorizing Acceptance of Grant for Beloit Area Sewer Service Area Planning.**

Director Benjamin gave the background to the purpose of this resolution, which is to accept a DNR Grant allocation of \$10,000 for this planning project.

Supervisor Jensen moved the approval of Resolution Authorizing Acceptance of Grant for Beloit Area Sewer Service Area; second by Supervisor Owens. All in favor – **Approved (Yes – 5, No – 0, Absent – 0)**



**MINUTES**  
**ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE**  
**THURSDAY, APRIL 12, 2012 - 8:00 A.M.**  
**COURTHOUSE CONFERENCE CENTER**  
**SECOND FLOOR – EAST WING**  
**ROCK COUNTY COURTHOUSE**  
**JANESVILLE, WI**

**1. CALL TO ORDER**

The meeting of the Rock County Planning & Development Committee was called to order at 8:01 a.m. on Thursday, April 12, 2012 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Mary Mawhinney, Phil Owens, and Supervisor Wayne Gustina. Supervisor Jensen arrived at 8:05 a.m.

Planning & Development Staff present: Paul Benjamin (Director), Colin Byrnes (Zoning Administrator), David Somppi (Community Development Manager) and Steve Schraufnagel (Acting Secretary).

Citizens present: Jim Frymark (Cedar Corp), Emily Pope and Sarah Williams (Edgerton Community Outreach), and Ramona Flanigan (City of Edgerton Administrator).

**2. ADOPTION OF AGENDA**

Supervisor Owens moved to adopt the agenda, Supervisor Gustina seconded. **ADOPTED 4-0.**

**3. MEETING MINUTES – MARCH 22, 2012**

Supervisor Mawhinney moved the approval of the March 22, 2012 Committee minutes; seconded by Supervisor Owens. **APPROVED.**

**4. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS**

None at this time.

**5. CODE ENFORCEMENT**

**A. Action Item: Preliminary approval of LD 2012 003 (Turtle Township) – Kutz Family Trust.**

Mr. Byrnes described this Land Division. Supervisor Mawhinney requested that future Land Divisions put in the agenda include the name of the applicant.

Supervisor Gustina moved the approval of LD 2012 003 with conditions; second by Supervisor Owens. All in favor – <b>Approved (Yes – 4, No – 0, Absent – 1)</b>
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Conditions to be met for final approval:

1. 33-foot ½ ROW to be dedicated along E. L-T Town line Road.
2. Note on Final Map: "Since Lot 1 contains existing buildings which utilize an existing private sewage system, no soil evaluation on the lot was required at the time of this



Neighborhood Services Department  
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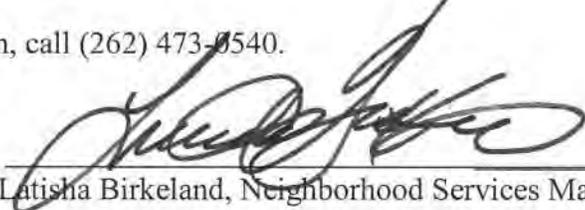
TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Whitewater Municipal Building Community Room located at 312 W. Whitewater Street on the 14th day of May, 2012, at 6:00 p.m. to review the proposed extra- territorial one lot certified survey map for the division of the land with the house and buildings from the agricultural land located on E. Bradley Road for Leota I. Larson.

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.

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

For information, call (262) 473-0540.

  
\_\_\_\_\_  
Latisha Birkeland, Neighborhood Services Manager/City Planner

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

**CITY OF WHITEWATER  
PLAN REVIEW APPLICATION PROCEDURE**

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$100.00 fee. Filed on 3-28-12.
2. Agenda Published in Official Newspaper on 5-10-12.
3. Notices of the public review mailed to property owners on                     .
4. Plan Commission holds the public review on 5-14-12. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
5. At the conclusion of the public review, the Plan Commission makes a decision.

**PLEASE COMPLETE THE FOLLOWING APPLICATION.**

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

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 10 plans is not submitted, the applicant should provide a written explanation of why it is not submitted.

City of Whitewater  
Application for Plan Review

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

Applicant's Name: Leota I. Larson

Applicant's Address: 1721 Turtle Mound Lane, Whitewater, WI 53190

Phone # 262-473-3999

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

Leota I. Larson

Street address of property: 12209 East Bradley Road, Whitewater, WI 53190

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

The Westerly 800' of the SW 1/4 of the NE 1/4 of Section 2. Town 4 North, Range 14 East, Lima Township, Rock County, Wisconsin

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

Name of Individual: Mark L. Miritz

Name of Firm: Land-Mark Surveying

Office Address: N9330 Knuteson Drive, Whitewater, WI 53190

Phone: 262-495-3284

Name of Contractor:

Has either the applicant or the owner had any variances issued to them, on any property?  YES  NO  
If YES, please indicate the type of variance issued and indicate whether conditions have been complied with.

**EXISTING AND PROPOSED USES:**

**Current Land Use:**

Principal Use: Agriculture

Accessory or Secondary Uses: Residence

**Proposed Use**

To split 3.76 acres around the existing residence via a lot line adjustment with the adjacent neighbor to the North

No. of occupants proposed to be accommodated: \_\_\_\_\_

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

Zoning District in which property is located: A-2

Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located: Extraterritorial Jurisdiction

**PLANS TO ACCOMPANY APPLICATION**

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building official may require.

**PLOT PLAN**

When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

**STANDARDS**

STANDARD	APPLICANT'S EXPLANATION
A. The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;	yes
B. The proposed development will be consistent with the adopted city master plan;	yes
C. The proposed development will be compatible with and preserve the important natural features of the site;	yes
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	no

STANDARD	APPLICANT'S EXPLANATION
E. The proposed development will not create traffic circulation or parking problems;	no
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;	NA
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;	No
H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	No

**CONDITIONS**

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved uses. Conditions can deal with the points listed below (Section 19.63.080). Be aware that there may be discussion at the Plan Commission in regard to placement of such conditions upon your property. You may wish to supply pertinent information.

“Conditions” such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be required by the Plan and Architectural Review Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance.

“Plan Review” may be subject to time limits or requirements for periodic reviews where such requirements relate to review standards.

Kate Larson 3/27/12  
Applicant's Signature Date

**APPLICATION FEES:**

*Fee for Plan Review Application: \$100*

Date Application Fee Received by City 3-28-12 Receipt No. 6.00 9698  
Received by Ms

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

Date notice sent to owners of record of opposite & abutting properties: \_\_\_\_\_  
Date set for public review before Plan & Architectural Review Board: 5-14-12

**ACTION TAKEN:**

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Plan Commission Chairman

\_\_\_\_\_  
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** —————

Applicant's Information:

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 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.....\$ \_\_\_\_\_

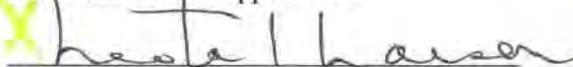
E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? Yes No

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)

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

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

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

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



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

### **A Guide for Applicants**

4. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
5. Indicate what the property and improvements look like today versus what is being proposed for the future.
6. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
7. 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.

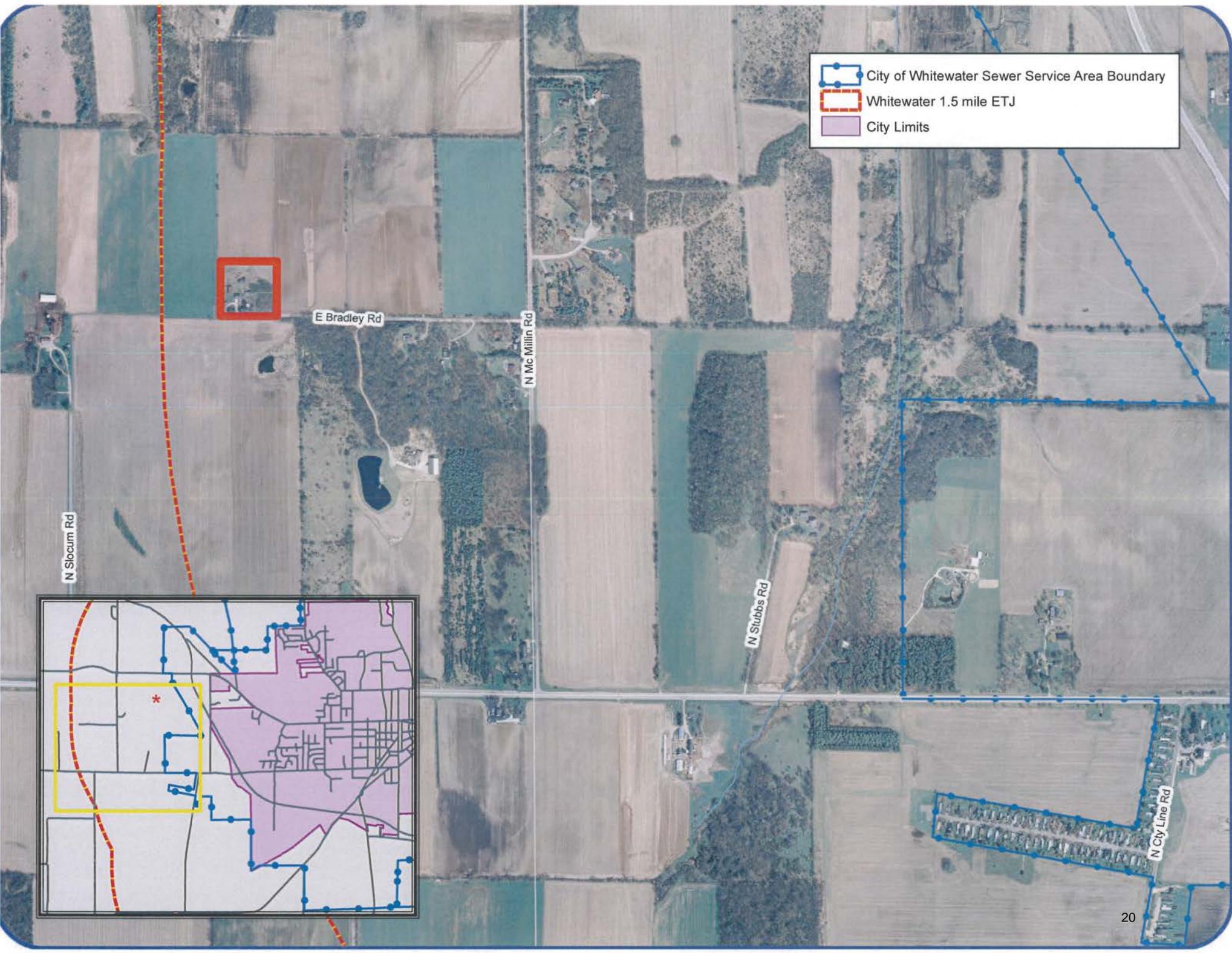


**Tips for Minimizing Your  
Development Review Costs:**

**A Guide for Applicants**

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
<p>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.</p>	

-  City of Whitewater Sewer Service Area Boundary
-  Whitewater 1.5 mile ETJ
-  City Limits



**LAND-MARK SURVEYING**  
Mark L. Miritz

Wisconsin Registered Land Surveyor S-2582

N9330 Knuteson Drive  
Whitewater, WI 53190  
Phone: (262) 495-3284  
FAX: (262) 495-8421  
LAND-MARKSURVEYING.COM

**LOTLINE ADJUSTMENT PARCEL**

LEOTA I. LARSON TO CHARLES R. & CATHY D. NABER

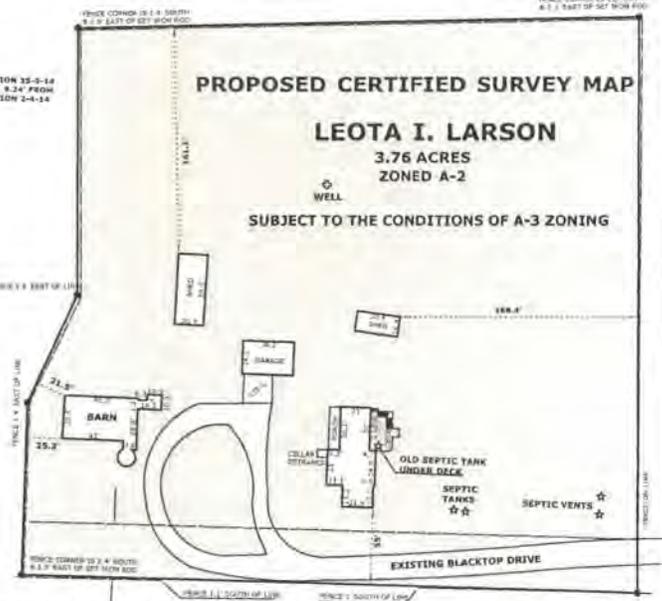
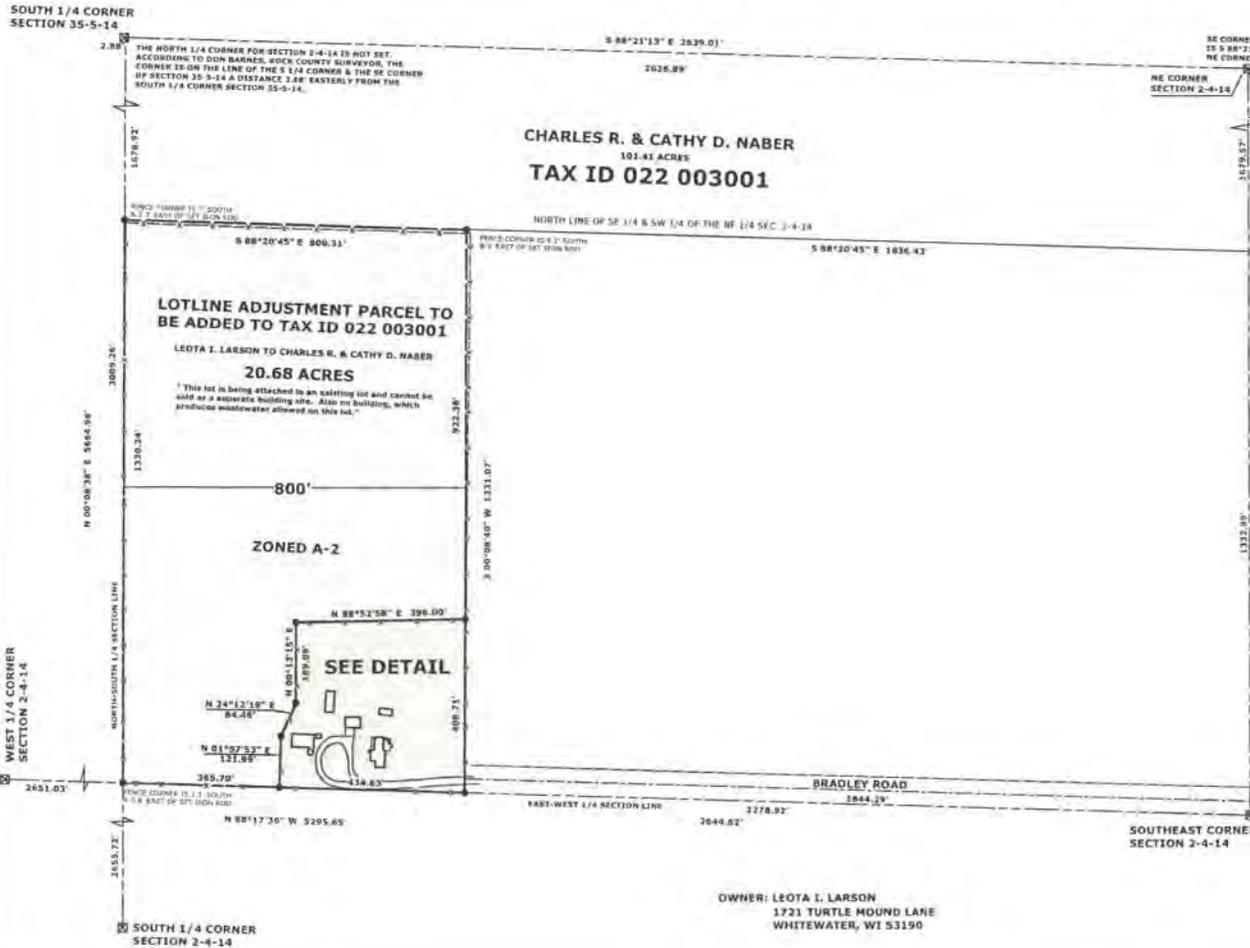
**PLAT OF SURVEY**

THE WESTERLY EIGHT HUNDRED FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWN 4 NORTH, RANGE 14 EAST, LIMA TOWNSHIP, ROCK COUNTY, WISCONSIN.

A PARCEL OF LAND LOCATED IN PART OF THE WESTERLY EIGHT HUNDRED FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWN 4 NORTH, RANGE 14 EAST, LIMA TOWNSHIP, ROCK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCE AT THE EAST 1/4 SECTION CORNER OF SAID SECTION 2; THENCE N 88°17'36" W 2278.92 FEET ALONG THE EAST-WEST 1/4 SECTION LINE OF SAID SECTION 2 TO THE POINT OF BEGINNING; THENCE CONTINUE N 88°17'36" W 365.70 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE N 00°08'38" E ALONG THE NORTH-SOUTH 1/4 SECTION LINE 1,330.34 FEET TO THE NORTH LINE OF SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 2; THENCE S 88°20'45" E ALONG SAID NORTH LINE 800.31 FEET; THENCE S 00°08'40" W 922.36 FEET TO A SET IRON ROD; THENCE S 88°52'58" W 396.00 FEET TO A SET IRON ROD; THENCE S 00°13'15" W 189.09 FEET TO A SET IRON ROD; THENCE S 24°12'19" W 84.46 FEET TO A SET IRON ROD; THENCE S 01°57'53" W 121.99 FEET TO THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 2 AND THE POINT OF BEGINNING AND CONTAINING 900,802 SQUARE FEET OR 20.68 ACRE(S) OF LAND, MORE OR LESS.

**LEOTA I. LARSON PARCEL**

A PARCEL OF LAND LOCATED IN PART OF THE WESTERLY EIGHT HUNDRED FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWN 4 NORTH, RANGE 14 EAST, LIMA TOWNSHIP, ROCK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCE AT THE EAST 1/4 SECTION CORNER OF SAID SECTION 2; THENCE N 88°17'36" W 1544.29 FEET ALONG THE EAST-WEST 1/4 SECTION LINE OF SAID SECTION 2 TO THE POINT OF BEGINNING; THENCE CONTINUE N 88°17'36" W 434.63 FEET TO A SET IRON ROD; THENCE N 01°57'53" E 121.99 FEET TO A SET IRON ROD; THENCE N 24°12'19" E 84.46 FEET TO A SET IRON ROD; THENCE N 00°13'15" E 189.09 FEET TO A SET IRON ROD; THENCE N 88°52'58" E 396.00 FEET TO A SET IRON ROD; THENCE S 00°08'40" W 408.71 FEET TO THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 2 AND THE POINT OF BEGINNING, AND CONTAINING 163,601 SQUARE FEET OR 3.76 ACRE(S) OF LAND, MORE OR LESS, SUBJECT TO AN EASEMENT OVER THE SOUTHERLY 38 FEET TO CHARLES R. AND CATHY D. NABER FOR INGRESS AND EGRESS OF FARM EQUIPMENT.



**DETAIL SCALE: 1 INCH = 60 FEET**

**LEGEND**

- SET IRON ROD, 1/2" LONG, WEIGHING 1.0 LBS., 1/4" DIA.
- FOUND COUNTY MONUMENT
- EXISTING WIRE FENCE

**SCALE: 1 INCH = 200 FEET**

I hereby certify that the above described property has been surveyed by me in the manner and direction and that the above map is a true representation thereof and that the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, adjacent easements, mortgages and visible encroachments, if any. This survey is made for the use of the grant, conveyance of the property, and also those other purposes, mortgage, or other interest the title thereto within one year from date hereof.

**MARK L. MIRITZ**  
WISCONSIN REGISTERED  
LAND SURVEYOR S-2582

DATE: FEBRUARY 1, 2012 JOB NO. 12103  
REVISED FEB. 16, 2012



# CERTIFIED SURVEY MAP

A PORTION OF THE WESTERLY 800 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWN 4 NORTH, RANGE 14 EAST, LIMA TOWNSHIP, ROCK COUNTY, WISCONSIN.

## SURVEYOR'S CERTIFICATE:

I, MARK L. MIRITZ, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF LEOTA I. LARSON, 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 CHAPTER 236.34 OF THE WISCONSIN STATE STATUTES, AND WITH THE SUBDIVISION REGULATIONS OF ROCK COUNTY, WISCONSIN. THIS LAND IS A DIVISION OF A PORTION OF THE WESTERLY 800 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWN 4 NORTH, RANGE 14 EAST, LIMA TOWNSHIP, ROCK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER SAID SECTION 2, TOWN 4 NORTH, RANGE 14 EAST; THENCE NORTH 88°17'36" WEST, ALONG THE EAST-WEST 1/4 LINE, SAID SECTION 2, 1844.29 FEET, TO THE SOUTHEAST CORNER OF SAID WESTERLY 800 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SECTION 2, AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 88°17'36" WEST, ALONG THE EAST-WEST 1/4 LINE, A DISTANCE OF 434.63 FEET; THENCE NORTH 01°57'53" EAST A DISTANCE OF 121.99 FEET; THENCE NORTH 24°12'19" EAST A DISTANCE OF 84.46 FEET; THENCE NORTH 00°13'15" EAST A DISTANCE OF 189.09 FEET; THENCE NORTH 88°52'58" EAST A DISTANCE OF 396.00 FEET TO A POINT ON THE EAST LINE OF THE HEREIN BEFORE REFERENCED WESTERLY 800 FEET; THENCE SOUTH 00°08'40" WEST, ALONG SAID EAST LINE, A DISTANCE OF 408.71 FEET THE POINT OF BEGINNING. SAID PARCEL CONTAINS 163,801 SQUARE FEET OR 3.760 ACRE(S) OF LAND, MORE OR LESS.

\_\_\_\_\_  
MARK L. MIRITZ  
REGISTERED LAND SURVEYOR S-2582  
MARCH 7, 2012

## OWNER'S CERTIFICATE:

AS OWNER I, LEOTA I. LARSON, HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED HEREON.

\_\_\_\_\_  
LEOTA I. LARSON

STATE OF WISCONSIN) SS  
COUNTY OF WALWORTH)

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_  
THE ABOVE NAMED LEOTA I. LARSON, TO ME KNOWN TO BE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_, \_\_\_\_\_ COUNTY, WISCONSIN.

NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_.

## TOWN OF LIMA APPROVAL:

I CERTIFY THAT THIS CERTIFIED SURVEY MAP PREPARED FOR LEOTA I. LARSON, IS ACCEPTED AND APPROVED FOR RECORDATION BY THE LIMA TOWN BOARD.

DATE \_\_\_\_\_

\_\_\_\_\_  
TOWN CHAIRPERSON

## ROCK COUNTY TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THE PROPERTY TAXES ON THE PARENT PARCEL ARE

CURRENT AND HAVE BEEN PAID AS OF \_\_\_\_\_, 201\_\_\_\_

ROCK COUNTY TREASURER \_\_\_\_\_

THIS INSTRUMENT DRAFTED BY MARK L. MIRITZ

PROJECT NO. 12.103  
SHEET 2 OF 3 SHEETS

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

# CERTIFIED SURVEY MAP

A PORTION OF THE WESTERLY 800 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWN 4 NORTH, RANGE 14 EAST, LIMA TOWNSHIP, ROCK COUNTY, WISCONSIN.

## CITY OF WHITEWATER APPROVAL:

RESOLVED, THAT THE CERTIFIED SURVEY MAP HEREON, BEING LOCATED IN THE EXTRATERRITORIAL PLAT JURISDICTION AREA FOR THE CITY OF WHITEWATER, WISCONSIN, LEOTA I. LARSON, OWNER, IS HEREBY APPROVED BY THE CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW COMMISSION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012. \_\_\_\_\_  
MICHELE SMITH, CITY CLERK

## ROCK COUNTY PLANNING AND DEVELOPMENT:

THIS FINAL LAND DIVISION NO. \_\_\_\_\_ IS APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_, PURSUANT TO CHAPTER 15 OF THE ROCK COUNTY LAND DIVISION REGULATIONS.

AUTHORIZED SIGNATURE \_\_\_\_\_

RECEIVED FOR RECORDING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, AT \_\_\_\_\_ O'CLOCK \_\_\_\_M.  
AND RECORDED IN VOLUME \_\_\_\_\_ OF CERTIFIED SURVEYS OF ROCK COUNTY AT PAGES \_\_\_\_\_  
DOCUMENT NO. \_\_\_\_\_  
CERTIFIED SURVEY MAP NO. \_\_\_\_\_

\_\_\_\_\_  
ROCK COUNTY REGISTER OF DEEDS

\_\_\_\_\_  
MARK L. MIRITZ  
REGISTERED LAND SURVEYOR S-2582  
MARCH 7, 2012

PROJECT NO. 12.103  
SHEET 3 OF 3 SHEETS



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

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

To: City of Whitewater Plan and Architectural Review Commission  
From: Latisha Birkeland, Neighborhood Services Manager / City Planner  
Date: 5/1/2012  
Re: Certified Survey Map to divide an existing lot into two lots located at 511 North Tratt Street.

**Summary of Request**

**Requested Approvals:** Mr. Arthur Stritzel has applied to divide an existing lot located at 511 North Tratt Street into two lots.

**Location:** 511 North Tratt Street

**Current Zoning:** R-2 One and Two family Residential

**Comprehensive Plan’s Future Land Use Designation:** R-2 One and Two Family Residential

**Surrounding Zoning and Land Use:** R- 2, R-3, AT – Agricultural Transition Areas and property located outside of the City Limits; the land is being used as residential.

**Description of Use**

511 North Tratt Street – Lot 2

The original lot would be divided into two lots. The current single-family structure will remain on the newly created Lot 2.

523 North Tratt Street - Lot 1

The newly created lot will be created from land from 511 North Tratt Street.

Single-family detached dwellings are permitted uses in the R-2 Zoning District. Both lots comply with the City Code regarding size, frontage requirements, etc. for a single family dwelling. If the owner wants to build a two-family attached dwelling on 523 North Tratt Street – Lot 1, an approved Conditional Use Permit from the Plan Commission would be required.

The applicant will need to apply for a building permit before building a dwelling on this property. The future house on Lot 1 will connect into an existing private sewer serving the house on Lot 2 (Note: rear easement). A joint maintenance agreement for the private sewer would be required and recorded for both properties for the construction of the new dwelling unit. At the time of building permit application, staff will review all zoning and building requirements.

At this time, Staff is not recommending that a sidewalk be installed for the creation of one single-family lot/infill development since there are no current sidewalks around the area.

Mark Fisher, City Engineer, with Strand and Associates has reviewed the proposed CSM. Below are his comments:

1. When properties further north along the east side of Tratt Street were developed, and additional right-of-way width of 7 feet was dedicated along the east side of Tratt Street for future street improvements. Although it seems unlikely at this point that the city would need additional right-of-way to improve Tratt Street, the city may want to consider requesting a right-of-way dedication.
2. The sanitary sewer easement should be labeled "Private Sanitary Sewer Easement".
3. If sanitary sewer becomes available on the Tratt Street side of Lot 1 at some future date, the property owner should be required to connect to it at no cost to the City.

At this time, Staff is not requesting a right-of-way dedication from the landowner.

#### **Recommendation on CSM**

This CSM complies with all design standards and general provisions of the City Code Section 18.04.046. I recommend that the Plan and Architectural Review Commission approve the Certified Survey Map with the following requirements:

1. A joint maintenance agreement for the private sewer should be signed by the owners of both lots and should be recorded.
2. The sanitary sewer easement should be labeled "Private Sanitary Sewer Easement".
3. If sanitary sewer becomes available on the Tratt Street side of Lot 1 at some future date, the property owner should be required to connect to it at no cost to the City.
4. The CSM shall be recorded prior to the issuance of a building permit for any dwelling at 523 North Tratt Street.



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

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

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TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Whitewater Municipal Building Community Room located at 312 W. Whitewater Street on the 14th day of May, 2012, at 6:00 p.m. to review the proposed Certified Survey Map for the division of a single family lot, located at 511 N. Tratt Street, into two parcels for Arthur Stritzel.

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.

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

For information, call (262) 473-0540.

*Latisha Birkeland (Jw)*  
 \_\_\_\_\_  
 Latisha Birkeland, Neighborhood Services Manager/City Planner

CLARENCE F HARTWIG JR TRUST  
219 MUIRFIELD CT  
NORTH PRAIRIE WI 53153-1700

DLK ENTERPRISES INC  
P O BOX 239  
WHITEWATER WI 53190

KIENBAUM FAMILY TRUST  
318 S JANESVILLE ST  
WHITEWATER WI 53190

RUSSELL R WALTON  
KIMBERLY A WALTON  
1005 W MAIN ST SUITE C  
WHITEWATER WI 53190

UW-WHITEWATER  
PLANNING DEPT  
800 W MAIN ST  
WHITEWATER WI 53190

BOARD OF REGENTS  
STATE UNIVERSITIES  
142 E GILMAN ST  
MADISON WI 53708

JOHN KENT JR  
458 N TRATT ST  
WHITEWATER WI 53190

CARL KIENBAUM  
P O BOX 276  
WHITEWATER WI 53190

ARTHUR STRITZEL  
KRISTEN W STRITZEL  
W396 S3675 HARDSCRABBLE RD  
DOUSMAN WI 53118

FREDERICK E HUFFMAN ST  
SUSAN J HUFFMAN  
N142 N CTH N  
WHITEWATER WI 53190

GAYLE M MERCER  
N148 N CTH N  
WHITEWATER WI 53190

THOMAS J CROMOS  
MARY OLSON  
N149 N CTH N  
WHITEWATER WI 53190

ST JOHNS EVANGELICAL  
LUTHERAN CHURCH  
120 S CHURCH ST  
WHITEWATER WI 53190

KENNETH J FOUCAULT  
BARBARA E FOUCAULT  
500 N WALTON DR  
WHITEWATER WI 53190

MARLENE STRAIT  
514 N WALTON DR  
WHITEWATER WI 53190

TIM A NELSON  
MARY K NELSON  
524 N WALTON DR  
WHITEWATER WI 53190

SCOTT S EHLERT  
CINDY L EHLERT  
291 S COBURN LANE  
WHITEWATER WI 53190

NCENTERPRISES LLC  
W10412 HUBBLETON ROAD  
WATERLOO WI 53594

LESLIE J HYNUM  
MARY C HYNUM  
215 E CLAY ST #45  
WHITEWATER WI 53190

KEVIN M KEATING  
561 N WALTON DR  
WHITEWATER WI 53190

FELIPE PALOMEC  
EBERARDO PALOMEC  
549 N WALTON DR  
WHITEWATER WI 53190

WAYNE G LUEBKE  
DAWN R LUEBKE  
539 N WALTON DR  
WHITEWATER WI 53190

EUNICE M LEHNER  
529 N WALTON DR  
WHITEWATER WI 53190

NANCY S DADE  
519 N WALTON DR  
WHITEWATER WI 53190

1

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

CITY OF WHITEWATER  
PLAN REVIEW APPLICATION PROCEDURE

- .1 File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$100.00 fee. Filed on 4-3-12.
- .2 Agenda Published in Official Newspaper on 5-10-12.
- .3 Notices of the public review mailed to property owners on 5-4-12.
- .4 Plan Commission holds the public review on 5-14-12. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
- .5 At the conclusion of the public review, the Plan Commission makes a decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

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

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 10 plans is not submitted, the applicant should provide a written explanation of why it is not submitted.

City of Whitewater  
Application for Plan Review

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

Applicant's Name: Arthur W. Stritzel  
 Applicant's Address: W396 S3675 Hardscrabble Road  
Dousman, WI 53118 Phone # 262 719 3191

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

Street address of property: 511 North Tratt street.

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

I, Paul J. Hilmer, surveyor, do hereby certify: That I have surveyed, divided, mapped and dedicated a parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 32, Town 5 North, Range 15 East, in the City of Whitewater, Jefferson County, Wisconsin bounded and described as follows: Commencing at the Southwest Corner of the Southwest Quarter of said Section 32, thence N 88°52'42" E 1311.59 feet along the south line of said Southwest Quarter, thence N 01°40'18" W 105.14 feet to a point in the centerline of County Trunk Highway "N" and the point of beginning of the lands hereinafter described: thence continuing N 01°40' 18 " W along the west line of Cold Spring Addition, a subdivision, 391.21 feet to a 1" iron pipe found, thence S 87°46'54" W 229.22 feet to the centerline of County Trunk Highway "N"; thence S 27°46'18" E 418.04 feet along said centerline to a point; thence S 30°42'18" E along said centerline, 93.33 feet to the point of beginning. Said lands containing 53624.69 square feet or 1.23 Acres of land.

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

Name of Contractor: \_\_\_\_\_

Has either the applicant or the owner had any variances issued to them, on any property? YES  NO   
 If YES, please indicate the type of variance issued and indicate whether conditions have been complied with.

**EXISTING AND PROPOSED USES:**

Principal Use: Single Family Home **Current Land Use:**

Accessory or Secondary Uses: \_\_\_\_\_

existing  
 Proposed Use: Divide 1 Lot for 2 Future one of Two Family Homes.

No. of occupants proposed to be accommodated: \_\_\_\_\_

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

Zoning District in which property is located: R-2 One and Two Family District

Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located: \_\_\_\_\_

**PLANS TO ACCOMPANY APPLICATION**

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building official may require.

**PLOT PLAN**

When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

**STANDARDS**

STANDARD	APPLICANT'S EXPLANATION
.A The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;	yes
.B The proposed development will be consistent with the adopted city master plan;	yes
.C The proposed development will be compatible with and preserve the important natural features of the site;	yes
.D The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	Correct

STANDARD	APPLICANT'S EXPLANATION
----------	-------------------------

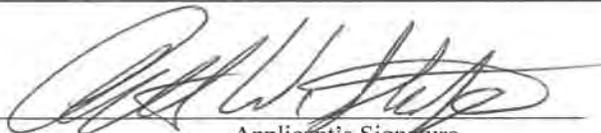
<p>.E The proposed development will not create traffic circulation or parking problems;</p>	<p><i>correct</i></p>
<p>.F The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p><i>yes</i></p>
<p>.G Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	<p><i>N/A</i></p>
<p>.H The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	<p><i>correct</i></p>

**CONDITIONS**

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved uses. Conditions can deal with the points listed below (Section 19.63.080). Be aware that there may be discussion at the Plan Commission in regard to placement of such conditions upon your property. You may wish to supply pertinent information.

“Conditions” such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be required by the Plan and Architectural Review Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance.

“Plan Review” may be subject to time limits or requirements for periodic reviews where such requirements relate to review standards.

  
Applicant's Signature  
Date 3-31-2012  
\$105.-

**APPLICATION FEES:**

*Fee for Plan Review Application: \$100*  
Date Application Fee Received by City 4-3-12 Receipt No. 6.009712  
Received by Jane E. Wegner

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

Date notice sent to owners of record of opposite & abutting properties: 5-4-12  
Date set for public review before Plan & Architectural Review Board: 5-14-12

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Plan Commission Chairman  
\_\_\_\_\_  
Date

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

### **A Guide for Applicants**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Typical City Planning Consultant Development Review Costs

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

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

Type of Development Review Being Requested	Planning Consultant Review Cost Range
<b>Minor Site/Building Plan</b> (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
<b>Major Site/Building Plan</b> (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
<b>Conditional Use Permit with no Site Plan Review</b> (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$up to \$600
<b>Rezoning</b>	
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: Arthur W. Stritzel

Applicant's Mailing Address: W 396 S 3675 Hardscrabble Road  
Dousman, WI 53118

Applicant's Phone Number: 262-719-3191

Applicant's Email Address: astritzel1@gmail.com

Project Information:

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

Address of Development Site: 511 North Tratt Street

Tax Key Number(s) of Site: 292-0515-3233-007

Property Owner Information (if different from applicant):

Name of Property Owner: same as above

Property Owner's Mailing Address: same as above

\_\_\_\_\_

### 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.

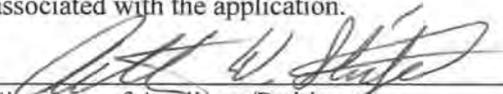
- A. Application Fee.....\$ 100.-
- B. Expected Planning Consultant Review Cost .....\$ 5
- C. Total Cost Expected of Applicant (A+B) .....\$ 105.-
- D. 25% of Total Cost, Due at Time of Application.....\$ \_\_\_\_\_
- E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < 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)

Arthur W. Stritzel  
Printed Name of Applicant/Petitioner

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

3-31-2012  
Date of Signature

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



# Certified Survey Map No. Preliminary Review

A parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 32, Town 5 North, Range 15 East, in the City of Whitewater, Jefferson County, Wisconsin.

## SURVEYORS CERTIFICATE

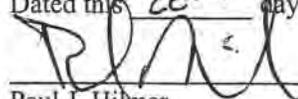
State of Wisconsin)  
County of Jefferson) SS

I, Paul J. Hilmer, surveyor, do hereby certify: That I have surveyed, divided, mapped and dedicated a parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 32, Town 5 North, Range 15 East, in the City of Whitewater, Jefferson County, Wisconsin bounded and described as follows: Commencing at the Southwest Corner of the Southwest Quarter of said Section 32, thence N 88°52'42" E 1311.59 feet along the south line of said Southwest Quarter, thence N 01°40'18" W 105.14 feet to a point in the centerline of County Trunk Highway "N" and the point of beginning of the lands hereinafter described: thence continuing N 01°40' 18 " W along the west line of Cold Spring Addition, a subdivision, 391.21 feet to a 1" iron pipe found, thence S 87°46'54" W 229.22 feet to the centerline of County Trunk Highway "N"; thence S 27°46'18" E 418.04 feet along said centerline to a point; thence S 30°42'18" E along said centerline, 93.33 feet to the point of beginning. Said lands containing 53624.69 square feet or 1.23 Acres of land.

That I have made such survey and map by the direction of Arthur W. Stritzel and Kirsten W. Stritzel, owners of said land.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision regulations of the City of Whitewater in surveying, dividing and mapping the same.

Dated this 20<sup>th</sup> day of March 2017.

  
Paul J. Hilmer  
Registered Land Surveyor # 2496  
Hilmer & Associates, LLC



### NOTES:

- bearings are referred to the South line of the Southwest Quarter of Section 32-5-15, N 88°52'42" E, based on Jefferson County Coordinates.
- Property is currently Zoned R-2 One and Two Family District, offsets are based on this zoning.

Certified Survey Map No. Preliminary Review

A parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 32, Town 5 North, Range 15 East, in the City of Whitewater, Jefferson County, Wisconsin.

OWNER'S CERTIFICATE

As owners, we hereby certify that we have caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map. We also certify that this map is required by Chapter 236.34 of the Wisconsin Statutes and the Subdivision Regulations of the City of Whitewater and must be submitted to the following for approval:

1) City of Whitewater

Witness the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Arthur W. Stritzel, Owner

\_\_\_\_\_  
Kirsten W. Stritzel, Owner

State of Wisconsin)

\_\_\_\_\_ Wisconsin) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, Arthur W. Stritzel and Kirsten W. Stritzel, owners, to me known to be the persons whom executed the foregoing instrument and acknowledged the same.

(Notary seal) \_\_\_\_\_  
Notary Public, \_\_\_\_\_, Wisconsin.  
My commission expires \_\_\_\_\_.

CONSENT OF CORPORATE MORTGAGEE

\_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of the State of \_\_\_\_\_, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of the land described on this map, and does hereby consent to the above certificate of Micheal P. McGarry, owner.

IN WITNESS WHEREOF, the said \_\_\_\_\_, has caused these presents to be signed by \_\_\_\_\_, its officer, and countersigned by \_\_\_\_\_, its officer, at \_\_\_\_\_, Wisconsin, and its corporate seal to be hereunto affixed this \_\_\_\_\_, day of \_\_\_\_\_, 2012.

In the presence of

\_\_\_\_\_  
Corporate name

\_\_\_\_\_  
Countersigned

(Corporate seal)

\_\_\_\_\_  
Officer

\_\_\_\_\_  
Officer

State of Wisconsin)

\_\_\_\_\_ County) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012, \_\_\_\_\_, officer, and \_\_\_\_\_, officer, of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) \_\_\_\_\_  
Notary Public, \_\_\_\_\_, Wisconsin.  
My commission expires \_\_\_\_\_.



# Certified Survey Map No. Preliminary Review

A parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 32, Town 5 North, Range 15 East, in the City of Whitewater, Jefferson County, Wisconsin.

## PLANNING COMMISSION APPROVAL

Approved by the Planning Commission of the City of Whitewater this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

## COMMON COUNCIL APPROVAL

Approved by the Common Council of the City of Whitewater on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk





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

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

To: City of Whitewater Plan and Architectural Review Commission  
 From: Latisha Birkeland, Neighborhood Services Manager / City Planner  
 Date: 5/14/12  
 Re: Certified Survey Map to enlarge current lot located at 410 North Tratt Street and to create a new single family lot from property at 434 North Tratt Street

**Summary of Request**

**Requested Approvals:** Mr. John Tincher is requesting to create a new lot for a single-family residence from a larger lot located at 434 N. Tratt Street. Along with this, he proposes to enlarge a current single-family lot at 410 North Tratt Street.

**Location:** 434 and 410 North Tratt Street

**Current Zoning:** R-3

**Comprehensive Plan’s Future Land Use Designation:** R-3 Multi-Family Residential

**Surrounding Zoning and Land Use:** R- 3 Multi-Family Residential Zoning. Surrounded by multi-family and single family.

**Description of Use**

410 North Tratt Street – Lot 2

This single-family lot would be enlarged by moving the north property line twenty (20) feet northbound, increasing the width of the rear property line from 80 feet to 100 feet.

422 North Tratt Street – NEW – Lot 1

Once the additional twenty (20) feet has been added to Lot 2 - 410 North Tratt Street, a new lot will be created from land at 434 North Tratt Street. A single family home is planned to be moved to this site.

434 North Tratt Street - /WUP 00155 ‘Lot 3’

This large lot will become slightly smaller due to the expansion of Lot 2 and creation of Lot 1, but no other changes are proposed.

Single-family detached dwellings are permitted uses in the R-3 Zoning District. All three lots comply with the City Code regarding size, frontage, etc. The applicant will need to apply for a building permit before moving the house to Lot 1. At the time of application, staff will review it for all zoning and building requirements.

At this time, Staff is not recommending that a sidewalk be installed for the creation of one single-family lot/infill development. In the future, if the density increases on any of these lots, staff will re-evaluate the installation of sidewalks.

Mark Fisher, City Engineer, with Strand and Associates has reviewed the proposed CSM. Below are his comments:

- 1) The right-of-way of Tratt Street is 50 feet wide on the east side of Tratt Street and 33 feet on the west side of Tratt Street. Presumably, additional right-of-way was dedicated when the property on the east side of Tratt Street was developed. 83 feet of right-of-way is generous for whatever future street improvements may be considered in this area, but the city may want to consider requesting a right-of-way dedication.
- 2) When the actual CSM is prepared, it should include all of the land in WUP 00155 and should be labeled as "Unplatted Lands of Owner".

At this time, Staff is not requesting a right-of-way dedication from the landowner. However, that decision may change in the future depending on any proposed development.

#### **Recommendation on CSM**

This CSM complies with all design standards and general provisions of the City Code Section 18.04.046. I recommend that the Plan and Architectural Review Commission approve the Certified Survey Map with the following requirements:

1. The official CSM will include all of the land in /WUP 00155 and should be labeled as "Unplatted Lands of Owner".
2. The CSM shall be recorded prior to the issuance of a building permit for a single family home at 422 North Tratt Street.



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

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

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Whitewater Municipal Building Community Room located at 312 W. Whitewater Street on the 14th day of May, 2012, at 6:00 p.m. to review the proposed Certified Survey Map for the division of a single family lot, located at 434 N. Tratt Street, into two parcels and a lot line adjustment for Lot 2 (410 N. Tratt Street) for John Tincher.

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.

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

For information, call (262) 473-0540.

Latisha Birkeland, Neighborhood Services Manager/City Planner

CLARENCE F HARTWIG JR  
TRUST  
219 MUIRFIELD CT  
NORTH PRAIRIE WI 53153-1700

KIENBAUM FAMILY TRUST  
318 S JANESVILLE ST  
WHITEWATER WI 53190

UW-WHITEWATER  
PLANNING DEPT  
800 W MAIN ST  
WHITEWATER WI 53190

DLK ENTERPRISES INC  
P O BOX 239  
WHITEWATER WI 53190

LEE L DANIELS TRUST  
ROBERT F KANTIN TRUSTEE  
3445 CEDAR DR  
PARK CITY UT 84098

JOHN TINCHER  
TINCHER REALTY  
532 W MAIN ST  
WHITEWATER WI 53190

WHPC-UNIVERSITY GARDEN  
LLC  
2 E MIFFLIN ST  
SUITE 801  
MADISON WI 53703  
RR WALTON & CO  
1005 W MAIN ST SUITE C  
WHITEWATER WI 53190

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

CITY OF WHITEWATER  
PLAN REVIEW APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. ~~\$100.00~~ fee. Filed on 4-16-12.  
~~\$105.00~~
2. Agenda Published in Official Newspaper on 5-10-12.
3. Notices of the public review mailed to property owners on 4-30-12.
4. Plan Commission holds the public review on 5-14-12.  
They will hear comments of the Petitioner and comments of property owners.  
Comments may be made in person or in writing.
5. At the conclusion of the public review, the Plan Commission makes a decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

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

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 10 plans is not submitted, the applicant should provide a written explanation of why it is not submitted.

## SITE PLAN SUBMITTAL REQUIREMENTS

This checklist must be completed before making application for a City of Whitewater Zoning/Building Permit. If not complete, the application will be returned to the owner and will not proceed until all information and forms are complete.

Drawings must be legible and drawn to scale not less than 1/4" per foot unless noted.

Address of Project 434 N Tra H  
Zoning of Property R-3

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.

9. **Floor plan** which shows:
- A. The size and locations of:
- 1) Rooms;
  - 2) Doors;
  - 3) Windows;
  - 4) Structural features - size, height and thickness of wood, concrete and/or masonry construction;
  - 5) Exit passageways (hallways) and stairs (including all stair dimensions - riser height, tread width, stair width, headroom and handrail heights);
  - 6) Plumbing fixtures (bathroom, kitchen, etc.) - lavatory, water closet, water heater, softener, etc.;
  - 7) Chimney(s) - include also the type of construction (masonry or factory built);
  - 8) Heating equipment;
  - 9) Cooling equipment (central air conditioning, if provided);
  - 10) Attic and crawl space access; and
  - 11) Fire separation between dwelling and garage.
  - 12) Electrical service entrance/transformer location.

10. **Elevation drawings** which show:
- A. Information on exterior appearance (wood, stone, brick, block, colors);
- B. Indicate the location, size and configuration of doors, windows, roof chimneys and exterior grade level.
- C. Indicate color of Trim\_\_\_\_\_, Siding\_\_\_\_\_, Roofing\_\_\_\_\_.
- D. Electrical service entrance/transformer location.

11. **Type of Project:**
- A. Single family;
- B. Duplex;
- C. Multifamily # units \_\_\_\_\_;  
 Condominium # units \_\_\_\_\_;  
 Sorority # units \_\_\_\_\_;  
 Fraternity # units \_\_\_\_\_;
- D. Office/Store;
- E. Industrial;
- F. Parking lot # of stalls \_\_\_\_\_;
- G. Other;

City of Whitewater  
Application for Plan Review

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: John J. T. Nohr  
 Applicant's Address: 532 W Main Whitewater  
 Phone # 262-473-4125

Owner of Site, according to current property tax records (as of the date of the application):  
Lee L Ogniel's Trust

Street address of property: 434 N TRATT 2410 TRATT ST.

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):  
 PT NW 1/4 Sec 5 T4N R15E Desc As: com At PT 20.24 Rods W & 9. 52 Rods S Of Inter C/L Cold Spring RD With N LN Sec 5, S 20 Rods, E To C/L Hwy, NW In Hwy To PT E Of Beg, W To Pob. Exc. MWUP-155A Desc In Vol 602 Deeds PG 65 W.C.R. City Of Whitewater

434 Tract

PT NW 1/4 Sec 5 T4N R15E Desc As: Com In C/L Tratt ST At Se Cor Land Desc In Vol 587 Deeds PG 137, W 300', N 80', E To C/L RD, Sely To Pob. City Of Whitewater

410 Tract

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

Name of Individual: Jim Woodman

Name of Firm: Woodman & Associates SC

Office Address: 210 Madison Ave Fort Atkinson WI 53538  
 Phone: 920-563-8162

Name of Contractor:

Has either the applicant or the owner had any variances issued to them, on any property? YES  NO   
 If YES, please indicate the type of variance issued and indicate whether conditions have been complied with.

**EXISTING AND PROPOSED USES:**

Principal Use: 2 Rental Homes Current Land Use: 2 Bare Land. 410 Tract + 434 Tract

Accessory or Secondary Uses:  
1011 = modular home 1022 - 410 tract 434 -

Proposed Use  
enlarge lot 2 At 410 Tract TO 100' From 80'  
lot 1 will be a new lot for a single family home  
434 Tract Home will stay with remaining land

No. of occupants proposed to be accommodated:

No. of employees:

Zoning District in which property is located: R3

Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located:

**PLANS TO ACCOMPANY APPLICATION**

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building official may require.

**PLOT PLAN**

When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

**STANDARDS**

STANDARD	APPLICANT'S EXPLANATION
A. The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;	yes
B. The proposed development will be consistent with the adopted city master plan;	yes
C. The proposed development will be compatible with and preserve the important natural features of the site;	yes
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	yes

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p>yes, it will not</p>
<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p>yes</p>
<p>G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	<p>NA</p>
<p>H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	<p>yes</p>

**CONDITIONS**

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved uses. Conditions can deal with the points listed below (Section 19.63.080). Be aware that there may be discussion at the Plan Commission in regard to placement of such conditions upon your property. You may wish to supply pertinent information.

"Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be required by the Plan and Architectural Review Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance.

"Plan Review" may be subject to time limits or requirements for periodic reviews where such requirements relate to review standards.

  
\_\_\_\_\_  
Applicant's Signature

4-13-12  
Date

**APPLICATION FEES:**

*Fee for Plan Review Application: \$100*

Date Application Fee Received by City 4-16-12 Receipt No. 6.009932

Received by D. Wagner

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

Date notice sent to owners of record of opposite & abutting properties: 4-30-12

Date set for public review before Plan & Architectural Review Board: 5-14-12

**ACTION TAKEN:**

Plan Review: \_\_\_\_\_ Granted \_\_\_\_\_ Not Granted 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



## 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:

John Tincher

Applicant's Mailing Address:

532 W Main

Whitewater UT

Applicant's Phone Number:

473-4175

Applicant's Email Address:

JohnTincher@TincherRealty.com

### Project Information:

Name/Description of Development:

\_\_\_\_\_

Address of Development Site:

1WUP00155 & 1WUP00155A

Tax Key Number(s) of Site:

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

Name of Property Owner:

Lee W Daniels Trust

Property Owner's Mailing Address:

3445 Cedar Dr

Park City, UT 84098-5499



# 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

John Tinone

Printed Name of Applicant/Petitioner

4-13-12  
Date of Signature

Signature of Property Owner (if different)

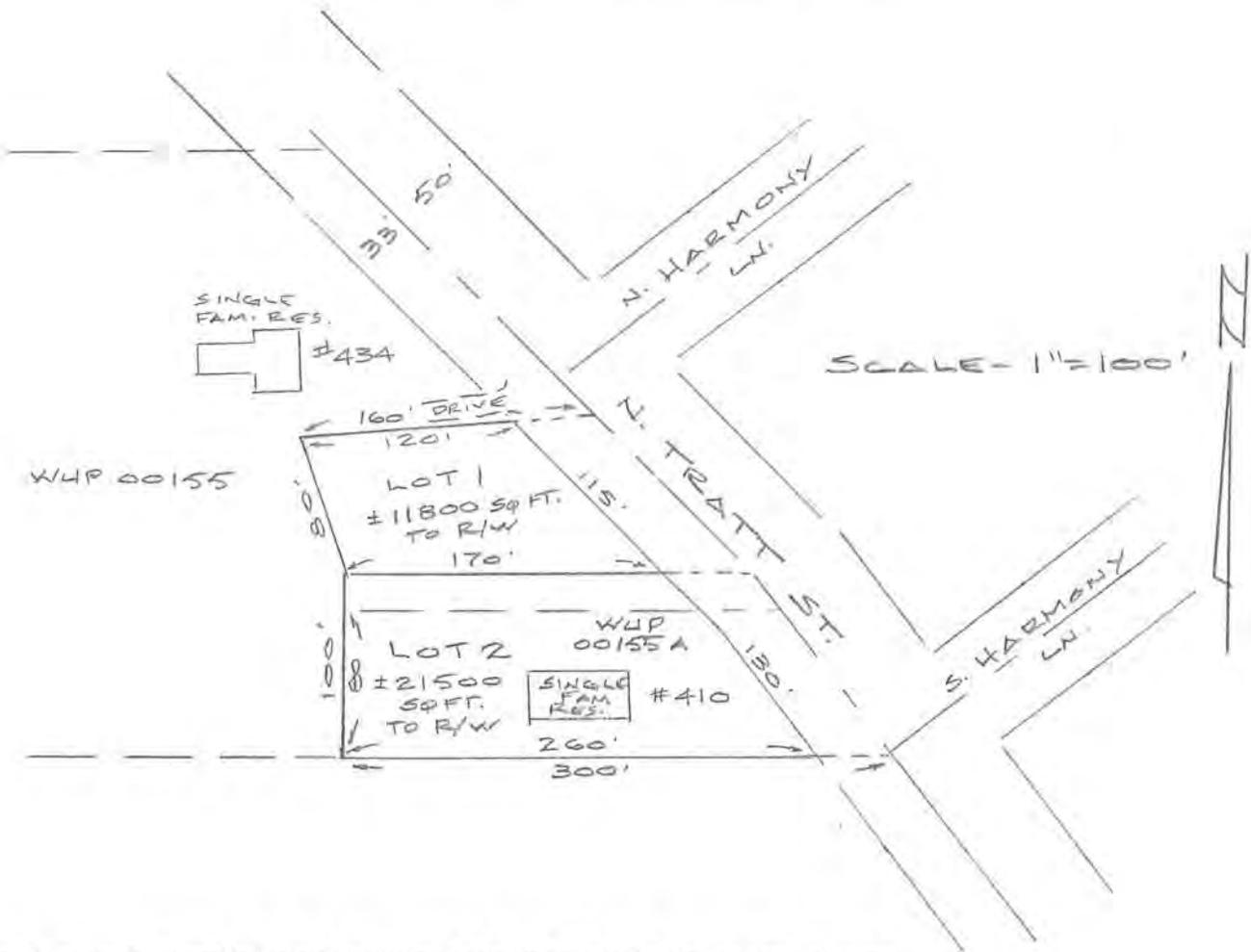
Robert F Martin Trustee

Printed Name of Property Owner (if different)

4-13-12  
Date of Signature

# PRELIMINARY CERTIFIED SURVEY MAP

A part of the NE¼ and NW¼ of the NW¼ of Section 5, T4N, R15E, City of Whitewater,  
Walworth County, Wisconsin



Lot 1 is being created as a building site for a single family residence  
(House to be moved to site)

Lot 2 enlarges an existing Lot which contains a single family residence

Existing Zoning – R-3

OWNER: Lee L. Daniels Trust  
c/o John Tinchner  
532 W. Main St.  
Whitewater, WI 53190

Date: April 11, 2012

Sheet 1 of 1

JN 12-18

**WOODMAN & ASSOCIATES, S.C.**  
210 Madison Avenue, Fort Atkinson, WI 53538

*Professional Land Surveyors*  
Phone (920) 563-8162  
Fax (920) 563-6654



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

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

To: City of Whitewater Plan and Architectural Review Commission  
From: Latisha Birkeland, Neighborhood Services Manager / City Planner  
Date: May 14<sup>th</sup>, 2012  
Re: Requested Conditional Use Permit to allow used car sales at 707 E. Milwaukee Street

**Summary of Request**

**Requested Approvals:** The applicants, Charles and Jean Mills of Mills Automotive Engine and Transmission Exchange of Whitewater, are requesting a conditional use permit (CUP) to allow three parking stalls to be used for automobile sales.

**Location:** 707 East Milwaukee Street

**Current Land Use:** Auto repair and U-Haul Dealer

**Proposed Use:** Auto repair, U-Haul Dealer and used automobile sales

**Current Zoning:** B-3 Highway Commercial and Light Industrial

**Proposed Zoning:** (no change proposed)

**Comprehensive Plan's Future Land Use Designation:** Highway Commercial

**Surrounding Zoning and Land Use:**

<u>Direction</u>	<u>Zoning</u>	<u>Current Land Use</u>
North	B-3 Highway Commercial and Light Industrial	Commercial
South	R-2 One and Two Family Residential	Residential
East	B-3 Highway Commercial and Light Industrial	Residential
West	B-3 and R-2	Commercial and Residential

**Description of Use**

Mills Automotive Engine and Transmission Exchange of Whitewater is a general automobile repair shop with full service towing. They have been in business since 1997 in Whitewater and moved to 707 E. Milwaukee Street in 2000. Automobile repairs and service within a principal or accessory structure is considered a conditional use in a B-3 district.

Mr. and Mrs. Mills are requesting a Conditional Use Permit to allow used automobile sales on the lot. The proposed amount of vehicles for sale on the lot will not exceed three (3) at one time. The cars for sale will be located in Northwest corner of their current parking lot.

The proposed location (parking spaces) for the used cars meet the square footage requirement of the City Code Section 19.51.050. The green space between the current parking lot and the property line provide a

nice buffer to the cars. The Comprehensive Plan promotes Highway Commercial areas to enhance the visual image of important roadway corridors (East Milwaukee Street). This may be done by installing high quality landscaping treatment of buffer yards, street frontages, etc.

This is a highly visible corner that will undergo construction proposed in 2017. Attached is the plan as of April 2012. S. Newcomb Street will be widened and curbing will be installed, almost reaching Bishop Street. If any landscaping were required by the Plan Commission, consideration may be made to have it installed after the proposed construction.

**Hours**

The hours of operation are not changing. The current hours are:

- Monday – Friday        8:00 AM to 5:00 PM
- Saturday                8:00 AM to 12:00 PM
- Sunday                    9:00 AM to 1:00 PM

There are no proposed changes to signage, staffing, or interior layout.

**Recommendation on Conditional Use Permit**

As of 5:00 p.m. on 5/8/2012, staff did not receive any public comments.

If the Plan and Architectural Review Commission approves the conditional use permit for Mills Automotive, I recommend the approval be subject to the following conditions:

1. The conditional use permit shall run with the applicant and not the land. If the business is sold, the new owner/operator must return to the Plan Commission for approval to sell used cars.
2. Restrict no more than three automobiles at one time may be for sale. No other motorized vehicles i.e. boats, RV's, etc. shall be allowed for sale on site.
3. The applicant shall comply with all State of Wisconsin regulations regarding dealerships and the regulations as indicated on the application for first times dealerships.
4. Allow staff to work with the applicant for future sign approval.

**Analysis of Proposed Project**

Standard	Evaluation	Comments
<b>Conditional Use Permit Standards (see section 19.66.050 of zoning ordinance)</b>		
The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of other property.	Yes	This use has worked very well in this location since 2000. Increasing the use to allow used car sales should not increase a nuisance for neighboring uses.

Standard	Evaluation	Comments
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	Existing use. Everything has been provided prior to this application.
The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance [or through a variance].	Yes	Project meets all zoning ordinance requirements applicable under the B-3 Zoning District.
The conditional use conforms to the purpose and intent of the city master [comprehensive] plan.	Yes	The Comprehensive Plan identifies the site as appropriate for “Highway Business” uses. This would commercial service, retail and some lightweight assembly.
The conditional use and structures are consistent with sound planning and zoning principles.	Yes	Project is consistent with the purpose, character and intent of the future land use classification and zoning district.

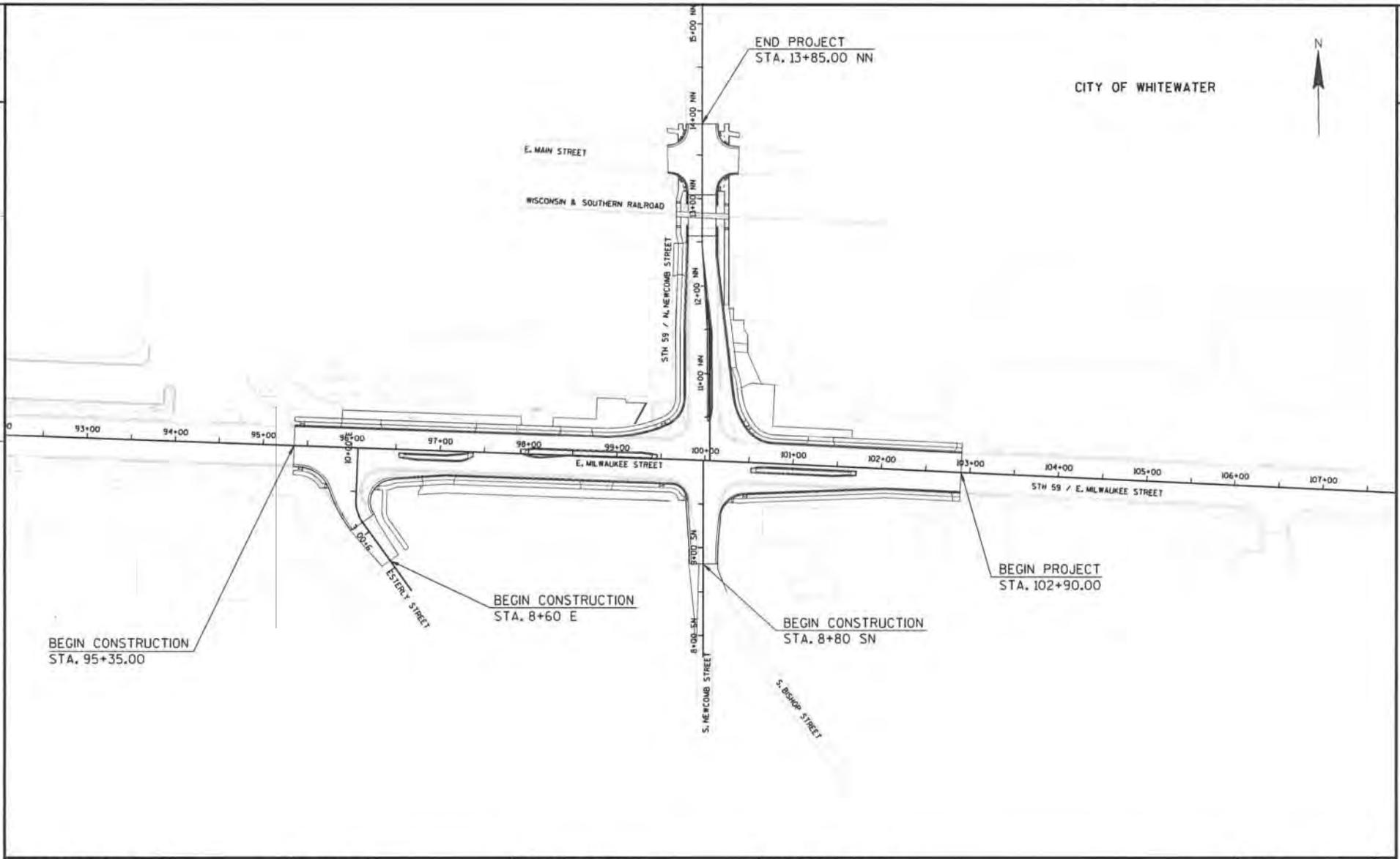
PRELIMINARY 4-18-12

2

64

2

CITY OF WHITEWATER



PROJECT NO: 3110-06-70	HWY: STH 59	COUNTY: WALWORTH	PROJECT OVERVIEW	SHEET 003 E
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Neighborhood Services Department  
*Planning, Zoning, Code Enforcement, GIS  
and Building Inspections*

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

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NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Whitewater Municipal Building, Community Room, located at 312 W. Whitewater Street on the 14th day of May, 2012 at 6:00 p.m. to hold a public hearing for the consideration of a conditional use permit for the proposed three parking stalls to be used for used car sales at 707 E. Milwaukee Street for Charles and Jean Mills at Mills Automotive.

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

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

For information, call (262) 473-0540

\_\_\_\_\_  
Latisha Birkeland, Neighborhood Services Manager/City Planner

MARILYN ANN FLETCHER, LIFE EST  
BRENDA L O'DONNELL, BRUCE A  
FLETCHER & RICKY R FLETCHER  
214 S BISHOP ST  
WHITEWATER WI, 53190

MARTHA R SCHULTZ  
110 N 5TH ST  
BLACKRIVER FALLS WI, 54615

RICKY ROGERS  
JACQUELINE ROGERS  
712 E. CLAY ST  
WHITEWATER WI, 53190

MURIL T FIELDS TRUST  
720 E. CLAY ST  
WHITEWATER WI, 53190

FRAWLEY ENTERPRISES WHITEWATER  
PO BOX 630  
WHITEWATER WI, 53190

PATRICK M FLEMING  
PO BOX 215  
WHITEWATER WI, 53190

MILWAUKEE STREET VENTURE LLC  
1005 W MAIN ST  
WHITEWATER WI, 53190

MAX F CORDIO  
2701 N. SCHARINE RD  
WHITEWATER WI, 53190

FRAWLEY ENTERPRISES WHITEWATER  
P. O. BOX 630  
WHITEWATER WI, 53190

JANET A LUBASZ  
222 S NEWCOMB ST  
WHITEWATER WI, 53190

BONITA J VEIUM  
233 S. ESTERLY ST  
WHITEWATER WI, 53190

FRAWLEY ENTERPRISES WHITEWATER  
PO BOX 630  
WHITEWATER WI, 53190

KERRI MANSKY  
256 S ESTERLY ST  
WHITEWATER WI, 53190-2800

SCHENCK ACCURATE, INC  
746 E MILWAUKEE ST  
WHITEWATER WI, 53190

MERLIN N HARE  
W7491 KETTLE MORaine RD  
WHITEWATER WI, 53190

CHARLES P MILLS III  
JEAN M MILLS  
336 S WHITON ST  
WHITEWATER WI, 53190

CHARLES P MILLS III  
JEAN M MILLS  
336 S. WHITON ST  
WHITEWATER WI, 53190

AKEY RENTALS LLC  
N7221 MCCABE RD  
WHITEWATER WI, 53190

AKEY RENTALS LLC  
N7221 MCCABE RD  
WHITEWATER WI, 53190

COREY KLEFBOHM  
746 E CLAY ST  
WHITEWATER WI, 53190

RICHARD A WISCH  
RAYMOND V WISCH  
612 W WALWORTH ST #8  
WHITEWATER WI, 53190

ERIC R BERGHOLTZ  
734 E. CLAY ST  
WHITEWATER WI, 53190

JOANN M L OSBORNE  
207 S BISHOP ST  
WHITEWATER WI, 53190

RODNEY D FORESTER  
JOYCE E FORESTER  
202 S. BISHOP ST  
WHITEWATER WI, 53190

STATE OF WISCONSIN  
DEPT OF TRANSPORTATION  
MADISON WI, 53702



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: 707 E. Milwaukee Street Whitewater, WI

Owner's Name: Charles + Jean Mills

Applicant's Name: Jean Mills

Mailing Address: 336 S. Whiton St. Whitewater, WI 53190

Phone #: 920-723-8183 Email: millsautomotive@yahoo.com

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

### Existing and Proposed Uses:

Current Use of Property: Auto Repair + V-Haul Dealer

Zoning District: B-3

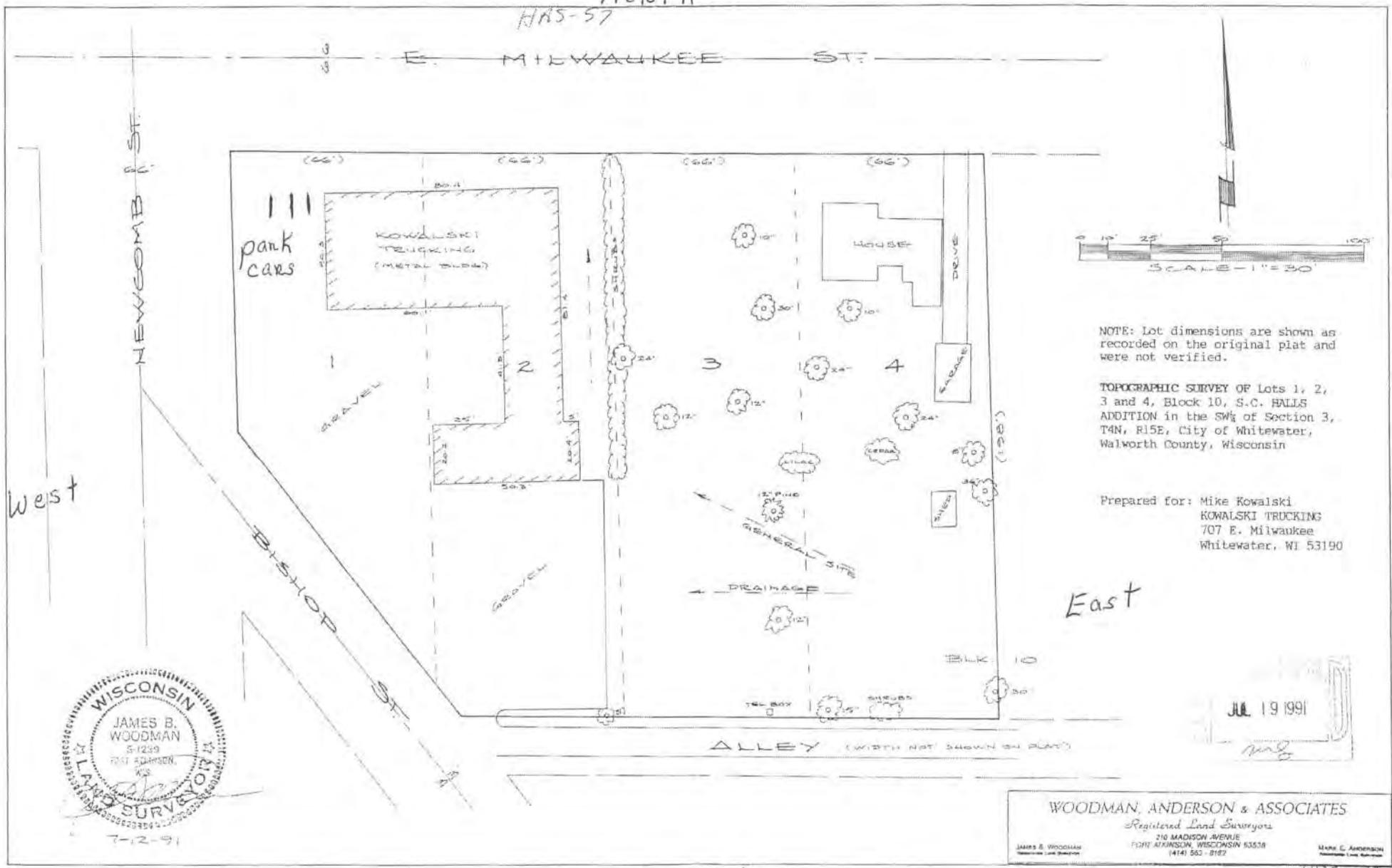
Proposed Use: used car sales

**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.*

North  
HAS-57



NOTE: Lot dimensions are shown as recorded on the original plat and were not verified.

TOPOGRAPHIC SURVEY OF Lots 1, 2, 3 and 4, Block 10, S.C. HALLS ADDITION in the SW $\frac{1}{4}$  of Section 3, T4N, R15E, City of Whitewater, Walworth County, Wisconsin

Prepared for: Mike Kowalski  
KOWALSKI TRUCKING  
707 E. Milwaukee  
Whitewater, WI 53190

East



WOODMAN, ANDERSON & ASSOCIATES  
Registered Land Surveyors  
210 MADISON AVENUE  
FORT ATKINSON, WISCONSIN 53538  
(414) 582-3182

JUL 19 1991

88-464

South

HAS-57  
HAS-59

**Mills Automotive Engine & Transmission Exchange Of Whitewater**

707 E Milwaukee Street.  
Whitewater, WI 53190  
Telephone: (262) 473 - 6560

April 6, 2012

To whom it may concern,

As owner and manager of Mills Automotive I, Jean Mills, am writing this letter to the Plan and Architectural Commission to request a Conditional Use Permit (CUP) to incorporate vehicle sales into our business at Mills Automotive Engine & Transmission Exchange Of Whitewater. We are a general automobile repair shop with full service towing employing a staff of six. Mills Automotive is located in a B-3 Highway Commercial and Light Industrial Zoning District.

We have determined a need for our customers to have access to affordable used vehicles when repair is no longer an option. We have an opportunity to provide an additional service to our customers by gaining the ability to buy, fix and sell used vehicles for affordable prices. Additionally, due to the anticipated increase in construction surrounding the premises of Mills Automotive, it is imperative that we create another avenue of revenue to supplement for the possible economic hardship soon to be experienced.

The maximum number of vehicles for sale on the lot at any given time will not exceed three vehicles. They will be on display in one of the three spaces designated in the front of the building. The reason to gain a Conditional Use Permit (CUP) is not to have a used car sales lot. This opportunity is to create an affordable way to access, fix and sell vehicles to customers when the need is present. Additionally, the revenue gained will aid in economic recovery as construction increases.

The official conditional use can be found in Chapter 19.33 - B-3 Highway Commercial and Light Industrial District under section 19.33.030-Conditional Uses. As a part of the B-3 district, Mills Automotive is requesting to be considered for the following:

*Automobile, boat, trailer and small engine vehicle sales and rental facilities, including incidental repair and service within a principal or accessory building*

As manager and owner of Mills Automotive I, Jean Mills, appreciate your time and consideration in granting a Conditional Use Permit (CUP) to buy and sell used vehicles at Mills Automotive. Please contact me if you have any questions.

Sincerely,

  
Jean Mills

**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 4-9-12. Received by: Jaw Receipt #: U.009718
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 5-3-12.
- 3) Notices of the Public Hearing mailed to property owners on 4-30-12.
- 4) Plan Commission holds the PUBLIC HEARING on 5-14-12. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

**ACTION TAKEN:**

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

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

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

\_\_\_\_\_  
Date

**STANDARDS FOR REVIEW AND APPROVAL**

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

STANDARD	APPLICANT'S EXPLANATION
A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property.	<i>Nothing will change from the use now.</i>
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	<i>The only difference in parking would be cars in the line-up at one time. Now maybe one or 2 cars are parked there.</i>
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	<i>B-3 Highway Commercial + Light Industrial</i>
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	<i>yes</i>

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

Applicant's Signature: *Jean Mills*

Date: *4/6/12*

Printed: *Jean Mills*

# 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: Jean Mills

Applicant's Mailing Address: 336 S Whiton Street  
Whitewater, WI 53190

Applicant's Phone Number: 920-723-8183

Applicant's Email Address: mills\_automotive@yahoo.com

Project Information:

Name/Description of Development: Mills Automotive - Auto Repair, used cars

Address of Development Site: 707 E Milwaukee Street, Whitewater

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.

Jean Mills  
Signature of Applicant/Petitioner

Jean Mills  
Printed Name of Applicant/Petitioner

4/6/12  
Date of Signature

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

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

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



**Mills Automotive Engine & Transmission Exchange Of Whitewater**  
707 E Milwaukee Street,  
Whitewater, WI 53190  
Telephone: (262) 473 - 6560

April 6, 2012

To whom it may concern,

As owner and manager of Mills Automotive I, Jean Mills, am writing this letter to the Plan and Architectural Commission to request a Conditional Use Permit (CUP) to incorporate vehicle sales into our business at Mills Automotive Engine & Transmission Exchange Of Whitewater. We are a general automobile repair shop with full service towing employing a staff of six. Mills Automotive is located in a B-3 Highway Commercial and Light Industrial Zoning District.

We have determined a need for our customers to have access to affordable used vehicles when repair is no longer an option. We have an opportunity to provide an additional service to our customers by gaining the ability to buy, fix and sell used vehicles for affordable prices. Additionally, due to the anticipated increase in construction surrounding the premises of Mills Automotive, it is imperative that we create another avenue of revenue to supplement for the possible economic hardship soon to be experienced.

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The official conditional use can be found in Chapter 19.33 - B-3 Highway Commercial and Light Industrial District under section 19.33.030-Conditional Uses. As a part of the B-3 district, Mills Automotive is requesting to be considered for the following:

*Automobile, boat, trailer and small engine vehicle sales and rental facilities, including incidental repair and service within a principal or accessory building*

As manager and owner of Mills Automotive I, Jean Mills, appreciate your time and consideration in granting a Conditional Use Permit (CUP) to buy and sell used vehicles at Mills Automotive. Please contact me if you have any questions.

Sincerely,

  
Jean Mills



## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 707 E. Milwaukee Street Whitewater, WI

Owner's Name: Charles + Jean Mills

Applicant's Name: Jean Mills

Mailing Address: 336 S. Whitton ST, Whitewater, WI 53190

Phone #: 920-723-8183 Email: millsautomotive@yahoo.com

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

### Existing and Proposed Uses:

Current Use of Property: Auto Repair + U-Haul Dealer

Zoning District: B-3

Proposed Use: used car sales

**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**

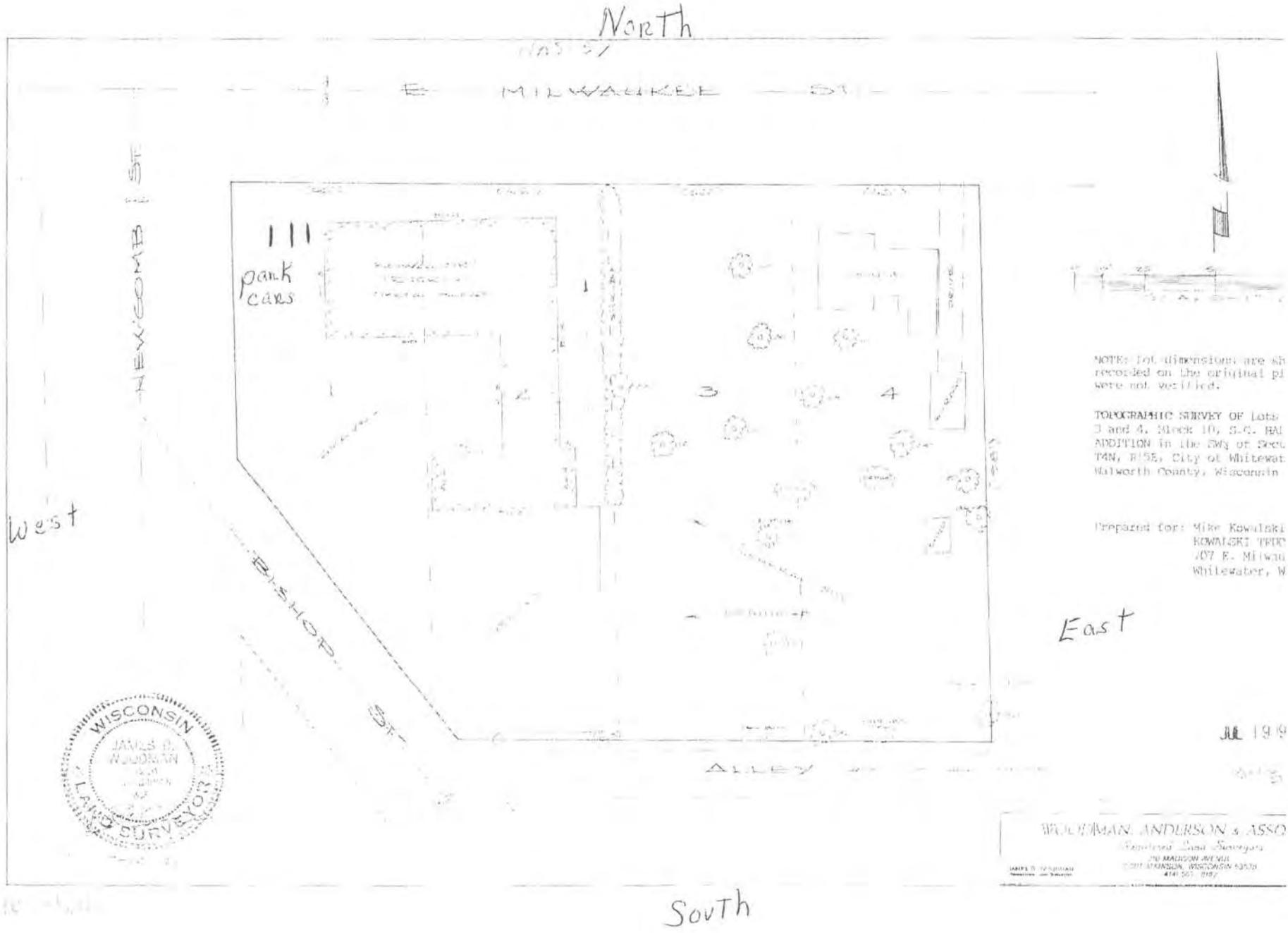
The Plan and Architectural Commission shall use the following standards when reviewing applications for conditional uses. The applicant is required to fill out the following items and explain how the proposed conditional use will meet the standard for approval.

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.	There will be no changes in the way the property is used now.
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	The only difference in parking would be ,that there are 3cars parked there instead of 2
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.	B-3 Highway Commerical and Light Industrial
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	YES

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

Applicant's Signature: Jean Mills  
 Printed: Jean Mills

Date: 4/19/12



North

MILWAUKEE ST

NEWCOMB ST

park cars

West

BISHOP ST



East

ALLEY

South

NOTE: lot dimensions are as recorded on the original pl were not verified.

TOPOGRAPHIC SURVEY OF Lots 3 and 4, Block 10, S.C. BAL ADDITION in the SW 1/4 of Sec 14N, R15E, City of Whitewater Walworth County, Wisconsin

Prepared for: Mike Kowalski  
KOWALSKI TRUP  
107 E. Milwaukee  
Whitewater, W

JUL 1919

WADDAMAN, ANDERSON & ASSO  
Registered Land Surveyors  
710 MADISON AVE. 4TH FL.  
2017 STANFORD, WISCONSIN 53579  
414.501.0187

**Mills Automotive Engine & Transmission Exchange Of Whitewater**  
707 E Milwaukee Street.  
Whitewater, WI 53190  
Telephone: (262) 473 - 6560

April 19, 2012

Neighborhood Services Department  
*Planning, Zoning, Code Enforcement, GIS*  
*and Building Inspections*  
www.whitewater-wi.gov  
Telephone: (262) 473-0540

**RE: CUP application for Plan Commission**

To whom it may concern,

In response to the initial review for a Conditional Use Permit (CUP) for Mills Automotive; I have included the following information per the request of the city.

Verify hours of operation

Monday-Friday	8:00 AM to 5:00PM
Saturday	8:00 AM to 12:00PM
Sunday	9:00 AM to 1:00PM

Please contact me if you have any questions at (262) 473-8901.

Sincerely,

Jean and Charles Mills



NOTE: lot dimensions are as recorded on the original; were not verified.

TOPOGRAPHIC SURVEY OF Lots 3 and 4, Block 10, S.E. 1/4 ADDITION in the SW 1/4 of Sec 74N, R15E, City of Whitewater Walworth County, Wisconsin

Prepared For: Mike Rowalski  
 ROWALSKI TRS  
 707 E. Milwa  
 Whitewater,



WOODMAN, ANDERSON & ASSOCIATES  
 Registered Land Surveyors  
 210 MADISON AVENUE  
 27th FLOOR, WISCONSIN 53501  
 (414) 583-1102

610-404



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

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

To: City of Whitewater Plan and Architectural Review Commission  
From: Latisha Birkeland, Neighborhood Services Manager / City Planner  
Date: May 14<sup>th</sup>, 2012  
Re: Request a conditional use permit for the conversion of a duplex into a 3-unit apartment at 510 W. Walworth Ave.

**Summary of Request**

**Requested Approvals:** The applicant, Land and Water Investments, is requesting a conditional use permit to convert an existing two unit structure into three units - resulting in more dwelling units.

**Location:** 510 W. Walworth Ave

**Current Land Use:** Two family unit (previously 3-unit structure)

**Proposed Use:** 3-unit structure

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

**Proposed Zoning:** (no change proposed)

**Comprehensive Plan's Future Land Use Designation:** Higher Density Residential

**Surrounding Zoning and Land Use:** North, South and West: R-3 Multi-Family Residential;

Land Use- Residential

East: B-3 Highway Commercial and Light Industrial,

Land Use – Residential

**Description of Use**

Originally this structure was a triplex with one unit on the upper level and two units on the lower level. Each unit was rented to four tenants, for a total occupancy of 12 tenants in the building. The downstairs unit was converted from two – four (4) bedroom units into one five (5)-bedroom unit in 2011. This proposal would expand the two unit building into a three unit building with a total of 15 bedrooms, 5 bedrooms in each unit.

**Building Dimensions and Yard Requirements**

For purposes of determining yard requirements, the front yard shall be the yard where the main door of the principal structure faces the street addressed (19.09.170). Because this structure has two units, there are two addresses. 436 S. Franklin and 510 W. Walworth Ave. The front yard of this structure will be 510. W. Walworth Ave.

If S. Franklin Street were to be considered the front yard, the width of 90 feet would not satisfy the minimum width requirement of 100 feet. The lot width on West Walworth Ave. is 198.00 feet, which well

exceeds the requirement. Using W. Walworth Ave as the front yard establishes the current parking lot as a side yard parking lot, where parking of more than five (5) vehicles would not be allowed.

Whichever way front or side yards are determined, one or more items will not meet the code requirements. However, this established structure has been this way and by approving or denying this CUP application will not change where the parking is now.

The existing structure has a front yard setback of 14' 2.5" from the property line on West Walworth Ave.; the requirement is 30 feet. This is a legal non-conforming structure. The City Attorney, Wally McDonell, and I have discussed this addition and adding on to this structure is allowed as long as the extension or enlargement will not increase the nonconforming dimensions (19.60.020).

The proposed wraparound porch addition will meet the current setback at 14' 2 1/2". The proposed addition will be setback at 23' 8" from the property line. The setback on South Franklin has exceeded the City Code requirement.

The total square footage of the lot is 17,924, which also exceeds the lot area requirement of 15,000 square feet.

The proposed addition will increase the structure by 1,897 square feet. This addition will be shorter than the current structure. The maximum height for multi-family buildings in the R-3 Zoning Districts is 45 feet or four stories. The colors and materials used for this building are attached.

The open space requirement of 1,050 square feet (350 square feet x 3 units) has been met by the applicant providing a total of square feet of open space along the east and north east side of the structure.

### **Parking and Ingress / Egress**

Multi-family units that have three or more bedrooms are required to have four (4) stalls for each dwelling unit. For three total dwelling units this project requires 12 parking stalls. The applicant has provided 15 total stalls to accommodate all 15 tenants. Parking lot expansions under 20 additional spaces are not required to install curbs.

The driveway width shall be no greater than 24 feet off Walworth Ave. The proposed parking stalls meet the Zoning Code requirement for interior parking spaces to be eight and one-half feet wide and not less than 150 square feet for interior parking stalls.

The applicant has asked to have the parking lot be built to the line on the north side. The parking lot needs to maintain at least three (3) feet from the abutting property. Currently the applicant owns the abutting property. An agreement will be required to be filed with the County. This record would run with the land if the property changes owners.

The dumpster location will be at the north side of the parking lot. The applicant indicated that the dumpster would be screened by fencing. Any approval of this CUP shall include a dumpster enclosure.

### **Landscaping**

The landscaping requirement for this project only includes the proposed addition in the calculation. The proposed trees and bushes exceed the minimum standards. The location of the flowering crabapple tree in the southeast corner will need to be adjusted, as it is located in the vision triangle. Please see plan for more details on the plantings. The plan was submitted to the City Forester, Chuck Nass, for review and no comments were received.

No additional lighting is proposed on the site. Sidewalks are currently established on Franklin Street and Walworth Ave.

The total paved area for this site is 6,490 square feet.

**Utilities**

There will be no changes to the utilities or service provided to the structure.

**Recommendation on Conditional Use Permit**

Staff review and general approvals have been given from Greg Noll, Building Inspector. Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the conditional use permit for Land and Water Investments three unit multi-family building subject to the following conditions:

1. All approved landscaping shall be installed no later than six months from date of Certificate of Occupancy.
2. The applicant shall comply with all required building codes. State approved plans must be received prior to the issuance of a building permit.
3. Establish the parking lot in accordance with the submitted plans and City Code. This includes grading and surfacing of the lot to be dust-free and properly drained per City requirements. Hard surface shall be required for all multifamily residential uses. No later than August 1<sup>st</sup>, 2013.
4. Fencing to be installed surrounding the parking lot and dumpster to comply with the City Code. Fencing around the parking lot shall screen neighboring properties from light pollution. Wood privacy or other known types of fencing to prevent this shall be required.
5. An agreement shall be filed with the County allowing parking to the lot line between 426 S. Franklin Street and 510 W. Walworth Ave.
6. Driveway width shall not exceed 24 feet at the curb to the sidewalk.

**Analysis of Proposed Project**

Standard	Evaluation	Comments
<b>Conditional Use Permit Standards (see section 19.66.050 of zoning ordinance)</b>		
The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of other property.	Yes	This project will improve the site aesthetically. Buffers will be added to protect the neighbors from additional nuisances.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	All items have been provided unless otherwise noted.

Standard	Evaluation	Comments
The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance [or through a variance].	No	Legal non-conforming setback relating to the front setback. This legal non-conforming matter will not be expanded to make it more non-conforming.
The conditional use conforms to the purpose and intent of the city master [comprehensive] plan.	Yes	The Comprehensive Plan identifies the site as an area for Higher Density Residential, which is what the applicant is proposing.
The conditional use and structures are consistent with sound planning and zoning principles.	Yes	Project is consistent with the purpose, character and intent of higher density residential and the R-3 Zoning District.



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

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

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NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Whitewater Municipal Building, Community Room, located at 312 W. Whitewater Street on the 14th day of May, 2012 at 6:00 p.m. to hold a public hearing for the consideration of a conditional use permit for the conversion of a duplex into a 3-unit apartments at 510 W. Walworth Ave. for Matt Kuehl & Bob Freiermuth (Land & Water Investments).

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

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

For information, call (262) 473-0540

\_\_\_\_\_  
Latisha Birkeland, Neighborhood Services Manager/City Planner

DLK ENTERPRISES INC  
141 W. WHITEWATER ST  
PO BOX 239  
WHITEWATER WI, 53190

~~DLK ENTERPRISES INC  
141 W. WHITEWATER ST  
PO BOX 239  
WHITEWATER WI, 53190~~

IRVING E REINKE  
RITA L REINKE  
426 S. FRANKLIN ST  
WHITEWATER WI, 53190-2800

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

BENJAMIN F OWALEON  
30464 BIRCH ACRES RD  
CUSHING MN, 56443

CHRISTOPHER M HALE  
304 E GRANT ST  
WHITEWATER WI, 53190

SHARON KEHOE  
RODNEY G DEMPICH  
JULIE A DEMPICH  
511 W HARPER ST  
WHITEWATER WI, 53190-4200

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

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

WALWORTH AVENUE APARTMENTS  
INC.  
530 SOUTH JANESVILLE ST  
WHITEWATER WI, 53190

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

STRITZEL RENTAL PROPERTIES LLC  
530 S JANESVILLE ST  
WHITEWATER WI, 53190

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

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

TERRY J SPLITTER  
463 W. ANN ST  
WHITEWATER WI, 53190

JUAN M GOMEZ  
MARIA J GOMEZ  
467 W. ANN ST  
WHITEWATER WI, 53190

KAREN SINGER  
477 W ANN ST  
WHITEWATER WI, 53190

WDSC 460 WEST ANN LLC  
PO BOX 239  
WHITEWATER WI, 53190

WISCONSIN DAIRY SUPPLY CO  
PO BOX 239  
WHITEWATER WI, 53190

THAYER A COBURN  
ANNE E FLEMMING-COBURN  
PO BOX 147  
WHITEWATER WI, 53190

513 S FRANKLIN LLC  
PO BOX 147  
WHITEWATER WI, 53190

DORIS A LEASTMAN  
521 S FRANKLIN ST.  
WHITEWATER WI, 53190-0100

BRADLEY K DARWIN  
3535 PIONEER RD  
VERONA WI, 53593-6100

MICHAEL W PIEPER JR  
BRIANNA L BEALS  
528 S. FRANKLIN ST  
WHITEWATER WI, 53190

STATE OF WISCONSIN  
DEPT OF TRANSPORTATION  
MADISON WI, 53702

~~STATE OF WISCONSIN  
DEPT OF TRANSPORTATION  
MADISON WI, 53702~~

LAWRENCE L ZIMMERMAN  
SHIRLEE J ZIMMERMAN  
226 WOOD ST  
WHITEWATER WI, 53190



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: 570 Walnut St.

Owner's Name: Land + Water Investments LLC

Applicant's Name: Matt Koehl + Bob Friermuth CW1105

Mailing Address: 503 Conifer St Lake Geneva, WI 53147

Phone #: 262-745-6603 Email: koehl.law@sbcglobal.net

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

### Existing and Proposed Uses:

Current Use of Property: Duplex Residential

Zoning District: R3

Proposed Use: Triplex Residential

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

### Conditions

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

## APPLICATION REQUIREMENTS

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

1. Statement of use, including type of business with number of employees by shift.
  2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
  3. All buildings and structures: location, height, materials and building elevations.
  4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
  5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
  6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
  7. Access: pedestrian, vehicular, service. Points of ingress and egress.
  8. Loading: location, dimensions, number of spaces, internal circulation.
  9. Landscaping: including location, size and type of all proposed planting materials.
  10. Floor plans: of all proposed buildings and structures, including square footage.
  11. Signage: location, height, dimensions, color, materials, lighting and copy area.
  12. Grading /drainage plan of the proposed site.
  13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
  14. Outdoor storage, where permitted in the district: type, location, height of screening devices.
- \*\*Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

## STANDARDS FOR REVIEW AND APPROVAL

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

STANDARD	APPLICANT'S EXPLANATION
A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property.	<i>The proposed use will not impact neighboring uses.</i>
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	<i>All will be provided for. See Narrative</i>
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	<i>Yes</i>
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	<i>Yes</i>

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

Applicant's Signature: *Matthew*

Date: *4/19/12*

Printed: *Matthew*

**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 1 Notice published in Official Newspaper on 5-3-12.
- 3) Notices of the Public Hearing mailed to property owners on 4-30-12.
- 4) Plan Commission holds the PUBLIC HEARING on 5-14-12. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

**ACTION TAKEN:**

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

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

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

\_\_\_\_\_  
Date

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

## **Applicants**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6

submitting your development review application.

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

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

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

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

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

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

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

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

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

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

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

Name of Applicant: Leland & Wenzel Investments LLC

Applicant's Mailing Address: 5013 Center St  
Lafoe Covered, WI 53147

Applicant's Phone Number: 262-745-6603

Applicant's Email Address: lruent.lau@stacglobal.net

Project Information:

Name/Description of Development: 510 Walworth Street Addition

Address of Development Site: 510 Walworth Street

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

Property Owner Information (if different from applicant):

Name of Property Owner: Same as above

Property Owner's Mailing Address: Same as above

## Section B: Applicant/Property Owner Cost Obligations

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

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

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

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

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

## Section C: Agreement Execution

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

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

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

*Mark K. Kowal - Owner*  
\_\_\_\_\_  
Printed Name of Applicant/Petitioner

*4/16/12*  
\_\_\_\_\_  
Date of Signature

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

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

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

## NARRATIVE

### CONDITIONAL USE PERMIT

#### 510 WALWORTH EXPANSTION PROJECT

The proposed project involves the property located at 510 Walworth Street, which is on the corner of Walworth and Franklin Streets. This property has historically been a triplex with one unit on the upper level and two units on the lower level. Each unit was rented to four tenants, for a total occupancy of 12 tenants in the building.

Since purchasing the property, we had consistently been dis-satisfied with both the look and rentability of the property. The two lower units were too small to fit 4 tenants, which invariably led to maintenance issues with the property. This led to a property that was unkempt and in constant need of maintenance.

In 2011, we began a two-part plan to modernize the subject property. The first step of the plan was to combine the two lower units into one larger, five bedroom unit – thus downsizing by three tenants. To partially off-set the loss of this revenue, we were able to add one bedroom to the upstairs unit. The result of this phase of the project was to vastly improve the quality of the interior of the building and reduce the occupancy by two tenants.

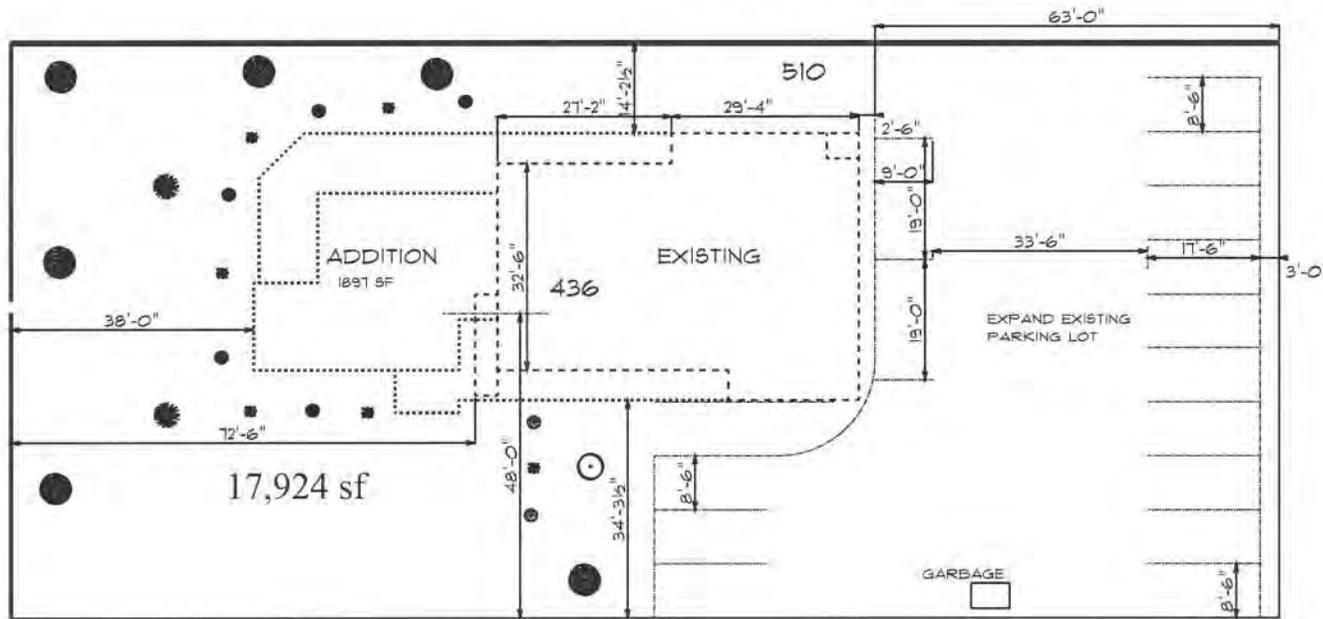
The next step of our plan is to return the building to a triplex by building a five bedroom addition on the Franklin Street side of the building. The result of the project will be a much more attractive building that will improve the overall appearance of the neighborhood. This project will improve the exterior of the building to match the improved interior of the building.

The plan will be for a 2000 square foot, two story, five bedroom addition facing the Franklin Street side of the lot. To give the exterior character, the addition will have a wrap-around porch connecting the existing lower unit with the new addition and a rear porch also connecting the new addition to the existing lower unit. An upper porch will be added to the existing upper unit. The color scheme will be French gray with white trim on the porches, windows, and facia. The roof will have gray shingles. The landscape plan is depicted in the drawing(s) included with this narrative. Our primary intent is to include landscaping that compliments the improved design of the building by providing a picturesque lot, while allowing the building to remain the center of attention. The parking plan is also depicted in the drawings. We have redesigned the existing parking lot to accommodate five (5) additional spaces by expanding the existing lot.

The purpose of this project is to be the final step in the process of modernizing and improving the character of the subject building. The end result, including the already completed projects, will be to increase the occupancy from 12 to 15, while changing the building from an older, unattractive structure to a building that will be a centerpiece and attractive focal point for the entire block.

FRANKLIN STREET

WALWORTH STREET



**LANDSCAPING KEY**

- 1 1/2" FLOWERING CRABAPPLE
- SWEETGUM
- 4' BLUE SPRUCE
- 2' BARBERRY
- 2' SPIREA
- 2' SERVICEBERRY



graphic scale in feet



FRANKLIN STREET ELEVATION



WALWORTH STREET ELEVATION



NORTH ELEVATION







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

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

To: City of Whitewater Plan and Architectural Review Commission  
From: Latisha Birkeland, Neighborhood Services Manager / City Planner  
Date: 5/14/12  
Re: Discontinuing Executive Court

**Summary of Request**

**Requested Approvals:** The owner of 840 Executive Drive and 736 Executive Drive, Trostel, has requested that the City of Whitewater discontinue Executive Court to facilitate future business development in the area.

**Location:** 840 and 736 Executive Drive

**Description of Use**

Trostel owns both 840 and 736 Executive Drive. The reason for this request is to expand the west parcel, 736 Executive Drive, to encompass all the land up to the western property line of the east parcel at 840 Executive Drive. Trostel plans to sell 840 Executive Drive.

Discontinuation of Executive Court would turn the public road into a privately maintained road. The hard surface road will remain with the discontinuation of Executive Court. This is to provide access to each parcel for private or emergency services use in the future.

The only utility located under Executive Court is a water main. It has been determined by the Public Works Director, Dean Fischer and City Engineer, Mark Fisher that a minimum of a 20 foot easement shall be placed over the water main for future maintenance.

Trostel has discussed expanding the structure at 736 Executive Drive with the City and soon we will receive plans from them. This expansion may include the need to acquire land north of the parcel. Any building expansion would come back to the Plan Commission for approval as stated in the Business Park Covenants.

This matter was introduced to the City Council on May 1<sup>st</sup>, 2012. Notice shall be published in the paper 3 times and be brought back to the Council for final action at the 06-19-12 meeting.

**Recommendation**

I recommend that the Plan and Architectural Review Commission approve the discontinuation of Executive Court with the following provisions:

- 1) A minimum of a 20 foot easement shall be placed over the water main for any future maintenance or need of the City.
- 2) A shared access must always be provided from Executive Drive along Executive Court for both properties and for emergency services.

## MEMORANDUM

**TO:** Common Council  
**FROM:** Kevin Brunner, City Manager  
**DATE:** April 26, 2012  
**RE:** **Comments on May 1, 2012 Common Council Agenda Items**

The following are my comments on various items on the May 1, 2012 Common Council Agenda

**1. Staff reports.**

Both the UW-Whitewater National Championship Men's Basketball team and Women's Gymnastics Team will be in attendance to receive special recognition from the City. Please note the Women's Gymnastics Team was given the option of coming to a different Council meeting to receive its city award, however, because of the end of the spring semester they opted to attend with the Men's Basketball Team.

There are also four municipal proclamations; the Wisconsin Archaeology and Wisconsin Historic Preservation Month proclamations have been requested by the Landmarks Commission as well as the National Police Week and Municipal Clerk Week proclamations that have been requested by City staff.

**2. Resolutions regarding sale of general obligation and waterworks and sewer system revenue bonds.**

At its April 5, 2012 meeting, the Common Council authorized the sale of \$5.635 million in general obligation corporate purpose bonds as well as \$865,000 in waterworks system revenue bonds and \$1.505 million in sewer system revenue bonds. City financial advisors, Robert W. Baird, will be conducting the sale of these bonds earlier in the day on May 1<sup>st</sup> and will be reporting the results of those sales to the Council at this meeting. Brad Viegut of Robert W. Baird also needs to attend the Fort Atkinson Common Council meeting (Fort Atkinson is also selling bonds next Tuesday); consequently, I would ask that these resolutions be considered right after the UWW Championship Teams have been recognized. I would like to honor Mr. Viegut's need to leave for Fort Atkinson as soon as possible after the Council has considered these resolutions.

**3. Resolution approving the Certified Survey Map for Whitewater University Technology Park.**

Recommend approval pursuant to the recommendation of the Plan Commission.

**4. Resolution discontinuing Executive Court.**

Staff is recommending the discontinuation or vacation of Executive Court which essentially divides the two Trostel Ltd. Properties north of Executive Drive in the Business Park. This is being done primarily to accommodate the growth plans for Trostel, Ltd. Trostel is in the process of selling its eastern facility because of the market phase out of its product line

manufactured there. While I am not at liberty to currently say who will be moving into this facility, I understand the sale is to an out of town business and it will be finalized later this year.

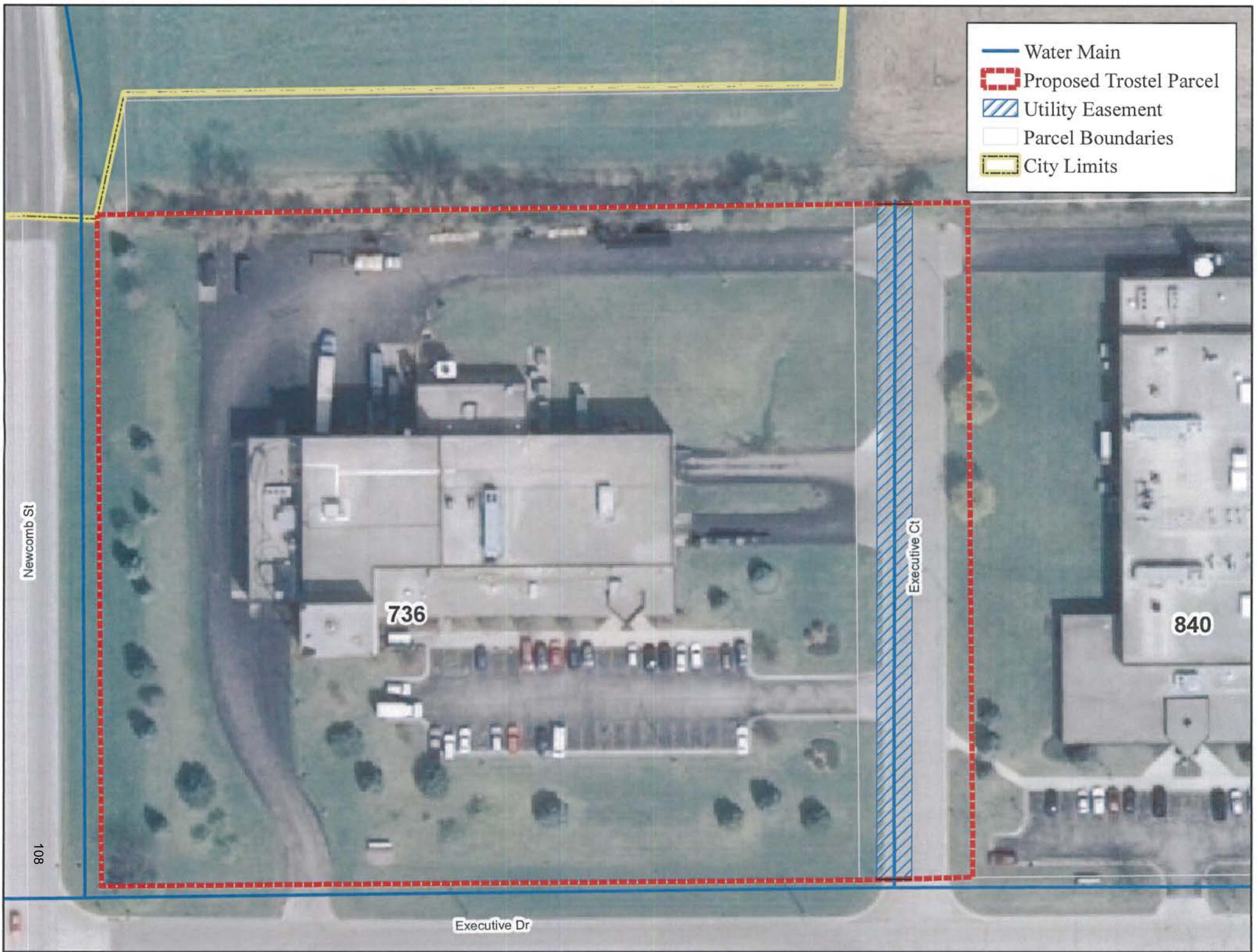
Trostel wants to expand its polymer facility which is located in the second building located west of Executive Court.

The discontinuation of Executive Court will assist in facilitating both the sale of Trostel's easterly property as well as the expansion of the polymer division located in its other facility. I expect that Trostel will be finalizing its expansion plans in the next several months with construction slated to begin later this year.

- 5. Amendment to Chapter 15, Police Public Records management.**  
Recommend approval. This is simply a request from the Police Department to define a length of time necessary to retain Police Department videos.
- 6. Amending Chapter 11.16 regarding parking on Tratt Street.**  
Recommend approval.
- 7. Approval of purchase of mower and attachments for Wastewater Treatment Plant.**  
Recommend approval.
- 8. Approval of contract with Weber Auction Service and authorization to dispose of City property.**  
Recommend approval. Please note that City staff is preparing for the annual city auction which will be taking place on June 2<sup>nd</sup>.
- 9. Closed Session.**  
We have scheduled a brief closed session to discuss the current status of collective bargaining with municipal unions as well as possible 2012 wage adjustments for City employees.

If you have any questions regarding any of the above items, please feel free to contact me in advance of next week's meeting.

-  Water Main
-  Proposed Trostel Parcel
-  Utility Easement
-  Parcel Boundaries
-  City Limits



Newcomb St

108

736

840

Executive Ct

Executive Dr