



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Agenda

February 11, 2013

City of Whitewater Municipal Building

312 W. Whitewater St., Whitewater, Wisconsin

6:00 p.m.

1.	Call to order and Roll Call.
2.	Hearing of Citizen Comments. No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item.
3.	Review minutes of December 10, 2012 and January 14, 2013.
4.	Review the proposed certified survey map for the expansion of the property located at 736 E. Executive Drive; Review the proposed construction of a 9000 sq. ft. addition for a raw materials warehouse to be located at 736 E. Executive Drive; and to hold a public hearing for the consideration of a conditional use permit for the construction of a 54 ft. x 36 ft. (1944 sq. ft.) detached garage to be located on the northeast corner of the property at 736 E. Executive Drive for Trostel Ltd.
5.	Hold a public hearing for the consideration of a conditional use permit for the construction of a 1560 sq. ft. detached garage with porch to be located at 826 W. Walworth Ave. for C. A. Pope. (This is 760 sq. ft. more than the maximum size (800 sq. ft.) allowed for a detached accessory structure.)
6.	Information Items: a. Update on Zoning Rewrite. b. Possible future agenda items. c. Next regular Plan Commission Meeting – March 11, 2013
7.	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.

The City of Whitewater website is: whitewater-wi.gov

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
December 10, 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: Greg Meyer, Lynn Binnie, Karen Coburn, Bruce Parker, Jacob Henley, Rod Dalee, Cort Hartmann.

Absent: None.

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

Hearing of Citizen Comments. There were no citizen comments.

Approval of the Plan Commission Minutes. The minutes of the October 8, 2012, October 22, 2012 and November 12, 2012 were not approved at the meeting. They were inadvertently left off the agenda. Moved by Dalee and seconded by Coburn to amend the agenda to note that change and to allow items #4 and #6 to be exchanged at the request of Chairperson Meyer. Ayes: Dalee, Coburn, Binnie, Parker, Henley, Hartman, Meyer. Noes: None. Abstain: None. Motion approved by unanimous roll call vote.

Review proposed Certified Survey Map for a lot division of the property located at 727 E. Clay Street for Tom Egnoski. City Planner Latisha Birkeland explained that Tom Egnoski is looking to split one large lot into two smaller lots. The property is located in an R-2 (One and Two Family Residence) Zoning District. The second lot is very narrow at the street. The lot width would be required to be 70 feet at building setback line for a single family structure and 100 feet for a duplex. There are accessory structures toward the back of the lot. Accessory structures are not allowed to be placed on a lot prior to the principal structure. There is one driveway access at this time. An easement would not be required if the driveway is used by the same owner. When one of the parcels is sold, an easement for the driveway would be required. The “multi-family” classification should be changed to “two family or greater structure” to allow for a two family structure. Multi-family is defined as having more than two attached dwelling units.

Mark Moritz, Surveyor, Landmarks Surveying, explained that there would be two driveways at the time of the sale. They would like the requested deadline of June 1, 2013 for removal of accessory structures to be extended to 2 years. There are plans to build as soon as the existing house is sold.

There were no citizen comments.

Moved by Meyer and seconded by Dalee to approve the proposed certified survey map for a lot division of the property at 727 E. Clay Street subject to the conditions of the City Planner. (See attached Certified Survey Map approval.) Aye: Meyer, Binnie, Coburn, Parker, Henley, Dalee, and Hartmann. No: None. Abstain: None. Motion approved by unanimous roll call vote.

Public hearing for consideration of a conditional use permit for the conversion of a single family home into a duplex by the construction of an addition to the home located at 361 S. Scott Street for Whitewater Housing Services (R.L. Freiermuth).

City Planner Latisha Birkeland explained that this proposal was to be on the last Plan Commission meeting but was removed by the applicant. The conversion of a single family home into a duplex requires a conditional use permit. The property is located in an R-3 (Multi-family) Zoning District which is the zoning located to the North, South and East of the property. West of the property is an R-2 (One and Two Family) Zoning District. The applicant plans to put an addition on the current structure. Each unit will have 5 bedrooms and two bathrooms. The current home has a 20 foot setback. The required setback is 30 feet. With a conditional use, the Plan Commission can determine the setback if there are reasons to vary from the requirements of the District. The proposal for parking is 10 stalls, 2 more than required, but will accommodate all 10 tenants. The driveway opening location has been changed to the southeast corner of the lot, which allows easier egress for the neighbor's access to their garage. The landscaping plan is slightly short of the requirements, but as a conditional use, the Plan Commission can approve the plan, require additional plantings or substitute a different treatment if they would like. The utilities, drainage and grading have been reviewed by Mark Fisher, Strand and Associates, the City Engineer. The area disturbed by this project is less than an acre and will need to comply with all codes necessary for construction. If in the future there are additional increases in density along Scott Street, the application will be reviewed by the City Engineer for drainage requirements. There may be a requirement to get an easement along the south side of 361 S. Scott Street to have access to the storm sewer main.

Plan Commission Member Henry explained that a driver has to be very alert when driving on Scott Street. It is very narrow. Water in this area drains from the west. Houses are built on limestone. She would like to see definite solutions before there is more development & traffic in the area.

Matt Kuehl explained that traffic flow, parking and related concerns will be addressed. They are many months away from future development, but they will keep the communication going.

Chairperson Meyer opened the hearing to the public.

Tom Hoffman, 363 S. Janesville St., explained that all houses in that area were designed as single family dwellings. He has concerns with the parking. They are providing 10 stalls. Where will visitors park? In the summer they will park on the streets. He would like to see neighborhood preservation go farther than Park Street. It is not necessary to make a duplex. Save the neighborhood.

Matt Kuehl explained that it is their intention to provide a neighborhood look and feel. There are a number of multi-family residences in the area. Homes are run down. They want to improve them and provide a more traditional look, to provide a community feel. We don't need another big box.

Pam Mattingly, 377 S. Janesville Street, explained that her main concern is access to her driveway and garage. She has concerns of more students in the neighborhood. The parking on Scott Street is a problem no matter what. Worst day of the year in this area is St. Patrick's Day. Mattingly asked if it would be possible to install a speed limit sign or a warning sign. Even with her concerns, she feels comfortable with what the applicant wants to do.

Bob Freiermuth stated that the building would be capable of housing students, homeowners or sold as condo units. The colors are rustic red (farmhouse red with lap siding), white trim, gray shingles on the roof. The existing house is rented now. The first floor bedroom will not be occupied for the summer. There will be no egress window when they are working on that area.

Chairperson Meyer closed the public hearing.

Plan Commission Members voiced concerns of congestion of people and cars; blacktop vs gravel, would like the project to remain gravel until they do their next project; would like to revisit the sidewalk;

Bob Freiermuth would like to keep the parking area in gravel until they know what the plans will be for the area. There may be a community parking lot in the future.

Matt Kuehl asked that the temporary gravel parking area be allowed up to 24 months after construction is completed.

Plan Commission Member Bruce Parker explained that there is room to work around the tree for the sidewalk installation. The sidewalk can go around the tree to the driveway. He also noted that gravel is no better than blacktop for drainage. They have the same drainage issues.

Moved by Binnie and seconded by Parker to approve the conditional use permit for the conversion of a single family home into a duplex by the construction of an addition to the home located at 361 S. Scott Street for Whitewater Housing Services subject to the City Planner conditions and drainage is to be reviewed upon any additional projects in the area. (See attached Conditional Use Permit Approval.) Ayes: Binnie, Coburn, Meyer, Henley, Parker, Dalee. No: Hartmann. Abstain: None. Motion approved.

Public hearing for consideration of a change of the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Title 9, specifically to create Section 9.06.015 Backyard Chicken Ordinance, to allow for a permitted use in Title 19 (Zoning Ordinance) for the keeping of a maximum of 6 backyard chickens for single family dwellings in Whitewater residential zoning districts (R-1, R-1X, R-2, R-3 and R-4). City Planner Latisha Birkeland explained how the proposed Backyard Chicken Ordinance came about. Under the current Whitewater ordinances, chickens are not

allowed in residential districts. Mr. Peter Underwood applied for an ordinance amendment to allow for a small amount of chickens in the back yard of residential properties. Mr. Underwood provided all kinds of information to move forward with this ordinance amendment. Plan Commission reviewed the application and comments were heard from the public. Plan Commission directed staff to work with the applicant to provide a first draft for the Plan Commission to review. The first draft was reviewed by Plan Commission, with a few changes to be made prior to holding the public hearing on the proposed ordinance.

Peter Underwood explained a little more about having backyard chickens. They are not noisy; keeping a small flock does not cause concern of public health. Legalization is a positive movement. Underwood was hoping not to have to have a permit or site plan, but would be okay with it to have approval. He understands the City wants control of any possible nuisance. There were a couple of items in the draft ordinance he wanted to address. The sale of eggs at a farmer's market requires a license. An egg producer selling directly to the consumer does not require a license. He also made a suggestion to clarify the wording for scatter feeding. "The main food source for the chickens should be provided in dedicated feeding containers and scatter feeding as the primary food source is prohibited (small amounts of scratch grains that do not accumulate on the property is allowable). The reason for this, per Dr. Shelby Molina, district veterinarian for the Wisconsin Department of Agriculture, Trade and Consumer Protection, is to minimize the number of pests that are attracted to the property. Peter Underwood endorsed the ordinance with the exception of being able to sell eggs.

Chairperson Meyer opened the public hearing for public comment.

Rob Holder, 255 Indian Mound Parkway, stated that he supported Peter in his effort to support the ordinance for sustainability and being able to grow his own produce. He had no concerns.

Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Parker to recommend to the City Council to move adoption with the removal of the prohibition of the sale of eggs (#11 Section 1) and changing Section 1(a)(10) on scatter feeding as Mr. Underwood suggested. Coburn asked if there would be renewal application fees. City Planner Birkeland stated that the renewal will be at no charge. The license will be automatically renewed if there are no changes and no verified complaints. Ayes: Meyer, Binnie, Coburn, Parker, Henley, Dalee, Hartmann. No: None. Motion approved by unanimous roll call vote.

Public hearing for consideration of a change of the District Zoning Map for the following area to rezone from M-1 (General Manufacturing) Zoning District, under Chapter 19.36 of the Zoning Ordinance of the City of Whitewater; to WUTP (Whitewater University Technology Park) Zoning District, under Chapter 19.38 of the Zoning Ordinance of the City of Whitewater: the lots located in certified survey maps 4442 and 4443 in the City of Whitewater, Walworth and Jefferson Counties, Wisconsin. City Planner Latisha Birkeland explained that the official Ordinance for the Whitewater University Technology Park Zoning District was recommended by the Plan Commission to the City Council in 2009 along with the

Whitewater University Technology Park Covenants. The certified survey maps were approved earlier this year. The Technology Park Covenants will be recorded after the zoning change.

Chairperson Meyer opened the public hearing. There were no citizen comments. Chairperson Meyer closed the public hearing.

Moved by Dalee and Henley to approve the change in zoning from M-1 (General Manufacturing) Zoning District to WUTP (Whitewater University Technology Park) Zoning District for the properties of the certified survey maps 4442 and 4443 in the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, both of the Certified Survey Maps are associated with the Whitewater University Technology Park. Ayes: Meyer, Binnie, Coburn, Parker, Henley, Dalee, Hartmann. No: None. Motion approved by unanimous roll call vote.

Informational Items:

Zoning Rewrite. City Planner Latisha Birkeland explained that the next meeting for the Zoning Rewrite Committee will be held in late January. Carolyn Esswein, one of the consultants from GRAEF will be leaving the firm, but Larry Witzling will still be there.

Future agenda items.

There were no items yet for the January meeting, but we will plan to have a work shop-training session for Plan Commission members.

Next regular Plan Commission meeting – January 14, 2013.

Moved by Meyer and seconded by Henley to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 8:00 p.m.

Chairperson Greg Meyer



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

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

Certified Survey Map

Plan Commission Meeting Date : December 10, 2012
Property Owner: Thomas Egnoski
Applicant: Thomas Egnoski
Property ID Number: /HAS 00075
Property Address: 727 E. Clay Street
Whitewater, WI 53190

REGARDING: An approval for a Certified Survey Map for a land division to create a second residential lot at 727 E. Clay Street.

Approved subject to the following conditions:

1. The CSM shall be recorded prior to the issuance of a building permit for the principal structure for Lot 2 and within six months of the approval.
2. There shall be separate driveways, one for each lot at the time of the sale.
3. Two existing accessory structures on Lot 2 shall be completely removed by December 10th, 2014 unless a principal structure is present or under construction.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Manager/City Planner



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

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CONDITIONAL USE PERMIT

Plan Commission Meeting Date: December 10, 2012
Property Owner: Whitewater Housing Services
Applicant: R. L. Freiermuth
Property ID Number: /K 00011
Property Address: 361 S. Scott Street
Whitewater, WI 53190

REGARDING: An approval for a conditional use permit (CUP) for the conversion of a single family home into a duplex by the construction of an addition to the home located at 361 S. Scott Street for Whitewater Housing Services.

Approved 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 apply for a building permit and comply with all required building codes.
3. Establish the parking lot in accordance with the submitted plans and City Code. Hard surface shall be required to be installed no later than 24 months after construction is complete.
4. The current driveway shall be removed once the new access has been established.
5. The sidewalk shall be extended to the new driveway at the south property line.
6. The applicant will work with staff in regard to the points of the landscaping.
7. If there is a need for an easement on the south side of the property for the stormsewer, that the easement be included in the proposal.
8. Plan Commission encourages the potential for additional parking on a gravel basis.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Manager/ City Planner

DRAFT

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
January 14, 2013

**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: Greg Meyer, Lynn Binnie, Karen Coburn, Bruce Parker, Jacob Henley, Cort Hartman, Donna Henry (Alternate).

Absent: Rod Dalee.

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

Hearing of Citizen Comments. There were no citizen comments.

Approval of the Plan Commission Minutes. Moved by Binnie and seconded by Coburn to approve the Plan Commission minutes of October 8, 2012, October 22, 2012 and November 12, 2012 meetings. Motion was approved by unanimous voice vote.

Plan Commission Training Session. Latisha Birkeland, City Planner, explained that this training session will be recorded, but will not be broadcast live. Birkeland had researched the previous Plan Commission training sessions and found that the latest one was done in 2009 by Vandewalle and Associates.

Chrome Books were provided for the use of the Boards and Commissions that meet in the Community Room. The Plan Commission was given the opportunity to play with them during the training so they could learn to use them. The Plan Commission will still receive paper copies of the packets.

City Attorney McDonell explained his memo which touched on the main areas Plan Commission will be addressing. The City of Whitewater Master Plans are still in effect. Plan Commission can draw on them if needed. They are used more for reference. The Comprehensive Plan is much broader and draws in the features of the Master Plans. If there is a difference between the Master Plan and the Comprehensive Plan, the Comprehensive Plan must be followed. Zoning must be consistent with the Comprehensive Plan. If a zoning request is not consistent with the Comprehensive Plan, the Comprehensive Plan would need to be amended also. There are many items that the Plan Commission reviews or does the study and planning for, and then makes a recommendation to the City Council for their decision. These would include rezones, new roads, sale or purchase of land, public buildings, etc. There are three major types of requests: 1) a permitted use that comes to the Plan Commission even if it doesn't need to. (This is totally appropriate.); 2) a conditional use, which is built into the zoning ordinance. This is generally an

allowed use, but should have a higher standard of scrutiny. Conditions can be put on a conditional use permit. 3) Rezone or amendment to the zoning ordinance. In the case of a rezone, the Plan Commission holds the public hearing, takes in all the information and then makes a recommendation to the City Council. (All the heavy lifting is normally done at the Plan Commission level.) Rezones can be a major undertaking. A rezone to a PCD (Planned Community Development) Zoning District, Plan Commission is creating a zoning district for a particular development project. A PCD can have different allowances and limitations. A PCD no longer has a zoning district. Standards are put into place as a PCD Zoning District. All these things are governed by State Statutes.

City Attorney McDonell explained that the final area the Plan Commission works with is the review of plats and subdivisions. This includes certified survey maps. This is covered in Chapter 18 of the Whitewater Municipal Code. Plan Commission can approve certified survey maps if there is no public dedication (street, park etc.). If there is a public dedication, Plan Commission reviews and makes recommendation to the City Council.

McDonell stated that 95% of what the Plan Commission does is in these categories. Fiscal considerations are for City Council.

Plan Commission Member Bruce Parker requested that the City Council and City Staff receive a copy of the memo from City Attorney McDonell. People don't always realize what the Plan Commission is responsible for.

City Planner Birkeland provided the Plan Commission with the first two chapters of a Plan Commission Handbook for the training session. The first chapter was on the general role of the Plan Commission. Latisha went over the highlights. The second chapter was on procedural responsibility, understanding Open Meeting Law, and ethics.

City Attorney McDonell indicated that Commissioners need to be cautious in the way that they respond to comments received from the public outside of Plan Commission meetings. Particularly in the case of quasi-judicial considerations (applications for conditional use permits or subdivision plats), "ex parte" communications should either be disregarded in one's decision-making, or disclosed to the public and the other commissioners in the public hearing. Commissioners should not express their opinions outside of the meeting. The best thing to do is to encourage concerned citizens to attend the public hearing in order to express their opinions directly to the Commission.

City Planner Birkeland explained that according to the AICP Code of Ethics and Professional Conduct, there are three principles to which City Planners aspire: 1) Responsibility to the Public; 2) Responsibility to Our Clients and Employers; 3) Responsibility to Our Profession and Colleagues. City Planner Birkeland explained that Paul Zucker in his *ABZ's of Planning Management*, the City Planner is considered the "Gate Keeper" or regulator who gives realistic expectations to customers, enforces deadlines and requirements, and creates consistency. The middle of the continuum is problem solvers and the other end is community builder. Birkeland explained the procedure that happens before the Plan Commission meeting and the procedure after a Plan Commission meeting.

City Planner Birkeland asked where the Plan Commission wanted to go from here.

Plan Commission Member Bruce Parker indicated that he would prefer that in the City Planner's report on proposals, she include her recommendations, rather than just giving options. He also explained that sometimes the plans that are submitted to the City are not 100 % accurate. Can we approve the plan subject to City Ordinances? Conditional approval?

City Attorney McDonell explained that general language could be used. Approving subject to all City Ordinances and/or State Statutes is a good idea.

Where is Whitewater going?

Plan Commissioner Henry stated it is a year by year process. Five different people have five different ideas.

Plan Commissioner Parker thought that some time should be spent on getting to know the Comprehensive Plan. Each group has their own idea of where the importance is, such as neighborhood preservation or zoning. If Plan Commission reviews the Comprehensive Plan, they will know what the City's goal is. Residents will get better and clearer information at the meetings.

Birkeland explained that there will be three joint meetings for Plan Commission and City Council for review of the Zoning Re-Write and the vision for the community.

Informational Items:

Zoning Rewrite. City Planner Latisha Birkeland announced that the next meeting for the Zoning Rewrite Committee will be held on February 6, 2013 at 6:00 p.m.

Future agenda items. City Planner Latisha Birkeland stated that the Plan Commission will have two items for the February 11, 2013 Plan Commission meeting. One is a conditional use permit for a detached garage which would be larger than 800 sq. ft. to be located at 826 W. Walworth Ave. The second is a request from Trostel Ltd. for a 9000 sq. ft. addition which requires a site plan review and for a detached accessory structure which would be larger than 800 sq. ft. which requires a conditional use permit.

Next regular Plan Commission meeting – February 11, 2013.

Moved by Coburn and seconded by Henley to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 7:35 p.m.

Chairperson Greg Meyer



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
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To: City of Whitewater Plan and Architectural Review Commission
From: Latisha Birkeland, Neighborhood Services Manager / City Planner
Meeting Date: February 11, 2013
Re: Review a proposed Certified Survey Map (CSM) for the expansion of the property, a 9,086 square foot warehouse addition to the existing building and Conditional Use Permit (CUP) for a detached accessory structure for 736 E. Executive Drive.

Summary of Request

Requested Approvals: The applicant, Trostel Polymer Compounding Division, is proposing a Certified Survey Map (CSM) for the expansion of the property, a 9,086 square foot warehouse addition to the existing building and Conditional Use Permit (CUP) for a detached accessory structure.

Location: 736 E. Executive Drive

Current Land Use: Rubber manufacturing

Proposed Use: Rubber manufacturing and warehouse

Current Zoning: M-1 – Walworth County Business Park Covenants and restrictions apply

Proposed Zoning: (no change proposed)

Comprehensive Plan’s Future Land Use Designation: Manufacturing or similar use

Surrounding Zoning and Land Use:

<u>Zoning</u>	<u>Land Use</u>
South and East: M-1 General Manufacturing.	General Manufacturing / Industrial
North: M-1 and outside the City limits	Vacant and farm
West: R-2 One and Two Family Residence	Farm

Description of Use

Trostel Polymer Compounding Division is proposing a two-phase construction project. The Plan and Architectural Commission will review Phase I: A Certified Survey Map to add one acre of land to the north of the existing property, a 9,086 square foot raw warehouse addition to the north side of the existing building and a detached accessory structure. Phase II includes an addition the east side of the existing building which will be reviewed at a later date.

The proposed warehouse addition will also include a dedicated oil storage room and training facility. Currently, Trostel stores roughly 5,000 square feet of raw materials in an off-site storage location because they do not have the room to safely store it in their current facility.

The dedicated oil storage room will allow them to consolidate oils storage in their facility and address insurance provider concerns. The new training facility in the addition will provide enough room to have all of their employees attend training at the same time. This addition will greatly reduce or eliminate the amount of shipping materials stored outside and allow them to bring the cardboard compactor inside; reducing the exterior storage containers and materials outside.

Acquiring the additional one-acre of land to the north will allow Trostel to build a detached accessory structure. This land will need to be purchased from the City of Whitewater. The land purchase agreement had not been signed at the time this report was written. This land sale will need to be completed prior to permit issuance. The proposed accessory structure located on the additional acre will hold a company van and straight truck, as well as other maintenance equipment.

Building Dimensions and Yard Requirements

The total acreage with the newly added property to the north equals 5.360 acres. The proposed 9,086 square foot addition will still keep this property in compliance with the maximum lot coverage of 50% and it will maintain all required setbacks of 50 feet from the right-of-way. The maximum height will be 35' and 4.5".

The addition will use insulated precast wall panels with exposed aggregate finish to match the existing structure. One portion of the east wall will use formcore metal because the existing walls will not support the weight of precast concrete; they needed a lighter weight wall. Color shall match existing building.

Detached Accessory Structure

The application for a Conditional Use Permit is because the proposed detached accessory structure is larger than what the City Code allows for detached accessory structures. The Code does not distinguish between commercial and residential detached structures.

The City Code Section 19.06.120 (F): Detached accessory structures are permitted in side and rear yards only. They shall not be closer than ten feet to the principal structure, shall not exceed fifteen feet in height, shall not be larger than ten percent of the side and rear yard lot area (open space) and in no case shall exceed eight hundred square feet in size. Detached accessory structures shall not be closer than five feet to any lot line nor ten feet to any alley line. Any proposed detached accessory structure which is larger than the requirements of this section may be allowed but shall require a conditional use permit.

The proposed detached accessory structure will be 19 feet in height; 16 feet to the top of the detached accessory structure wall. Total square footage will be 1,944 (54 ft. x 36 ft.). The material used will be 2" formcore metal panels.

Access to the detached accessory structure will come off of former Executive Court. The Plan and Architectural Commission recommended approval of the vacation of former Executive Court on 5/4/2012. The Common Council approved the vacation on July 17, 2012. Former Executive Court is no longer a public right-of-way; it is a privately maintained road. The easement agreement between 736 and 840 Executive Drive is included in the packet.

Parking and Ingress / Egress

Trostel will not be increasing employees with the proposed warehouse addition or accessory structure. The south parking lot does not need to be expanded.

A new asphalt paving is proposed to the north and south of the current driveway west of former Executive Court. Widening the driveway will improve truck traffic flow around the building. The plan identifies two-way traffic flow. A stop sign should be added to Executive Drive for vehicles leaving the property.

Sidewalks

There is no sidewalk along Newcomb Street, west of the site and staff is not recommending adding one. There are no sidewalks on Executive Drive, but it does have on-street bike lanes to provide other methods of transportation into the Business Park.

Landscaping

There is a large berm and mature trees located on the west side of the lot, abutting Newcomb Street. City Engineer, Mark Fisher, has recommended a berm extension and landscaping north of the berm to provide screening of the expansion area. Trostel prefers not to install a berm due to cost and maintenance, but has chosen to add additional landscaping to this area.

A dense scrub brush line and mature trees along the current property line are to be removed as indicated on page SD1.0. Please see attached photos. This area will be paved with asphalt to widen the existing driveway. Replacement trees north of the new asphalt will be added to this area. Trees and plantings not noted or tagged are existing and will not be removed.

Chuck Nass, City Forester, received the electronic and paper plans and discussed the landscaping plan with me. After the landscaping review, the applicant has added additional plantings and trees. Please see the updated plan.

The applicant is required to install 14 large deciduous trees and 1540 additional landscaping points. They have installed 12 large deciduous trees and 1920 landscaping points. Landscaping has been added in areas that currently lacked screening and around the site. The increase in landscaping points help screen/buffer the site better than two additional large deciduous trees might. Staff approved the updated landscaping plan.

A new 6' high chain link fence is proposed along the new north property line.

Lighting

The maximum illumination levels shall not exceed 2.5 footcandles within the parking lot and 2.0 footcandles at the property line (Section 19.57.150 E). Some light poles have been relocated. Five light poles have a mounting height of 30', which is under the maximum height of 35'; the additional light poles are 14' high. The parking lot lighting meets these requirements except directly abutting the building.

Staff does not recommend decreasing these levels because of the nature of these areas and how trucks will need to maneuver in and out. Also because the footcandle levels at the property lines decrease, they are within the 2.0 footcandle requirement. The placement of the lighting is appropriate for the site.

Utilities/Grading

The plans submitted have identified that the total area disturbed is less than one acre. The City does not require a storm water management plan and/or City permitting unless a known drainage issue is identified. At this time, there is no known drainage concern. Mark Fisher, Strand Associates, has reviewed the plans. Attached are his comments. All comments would need to be addressed before permit approval.

Fire Chief, Don Gregoire, has reviewed and approved this plan for hydrants and access to those hydrants.

Signage

The plans state there is a new sign to be placed in the same location, however no new sign is planned for.

Recommendation on CSM, Proposed Addition and Conditional Use Permit

Staff review and general approvals or comments have been given from Greg Noll, Building Inspector; Mark Fisher, City Engineer and Don Greigoire, Fire Chief and Chuck Nass, City Forester.

Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the proposed Certified Survey Map, proposed warehouse addition and the Conditional Use Permit for Trostel Polymer Compounding Division subject to the following conditions:

CSM

1. The applicant shall comply with all attached City Engineer comments dated 1/31/2013.
2. The applicant shall provide the legal descriptions and other input for the Release of the Utility Easement along the existing property line.
3. The one-acre land purchase with the City of Whitewater and the CSM shall be recorded prior to building permit approval.

Addition

1. The applicant shall make the building and site renovations in accordance with the plans dated 01/22/2013 with any changes approved by the Plan Commission on 2/11/2013.
2. Comply with all attached City Engineer comments dated 1/31/2013, including any adjustments agreed upon with Strand Associates per recommendation from Plan Commission.
3. The applicant shall comply with all required building codes and City Codes. State approved plans must be received prior to the issuance of a building permit.
4. Eleven additional large deciduous trees are to be added to the site. All approved landscaping shall be installed no later than six months from date of Certificate of Occupancy.

CUP – Detached Accessory Structure

1. Add some trees to the north and northwest side of the accessory structure.
2. Allow the extension of the asphalt (33 feet wide x 20 feet in length) from the private drive to the new accessory structure.

Analysis of Proposed Addition

Standard	Evaluation	Comments
Plan Review Guidelines (see section 19.63.100 of zoning ordinance)		
The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;	Yes	Project is consistent with the purpose, character and intent of the M-1 General Manufacturing Zoning District

Standard	Evaluation	Comments
The proposed development will be consistent with the adopted city master plan;	Yes	Allowing the continuation and expansion of this use is encouraged by the Comprehensive Plan.
The proposed development will be compatible with and preserve the important natural features of the site;	Yes	The site will be improved and landscaping will be added.
The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	Yes	The proposed addition will not create a nuisance to the neighboring uses, especially since most, if not all outdoor storage will not be kept inside the warehouse addition.
The proposed development will not create traffic circulation or parking problems;	Yes	The additional hard surface shall improve the truck traffic flow around the property.
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;	Yes	The proposed addition and current structure are comparable to the other structures in the M-1 Zoning District
Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;	N/A	This is not a national or local landmark.
The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	Yes	Project is consistent with the purpose, character and intent of the M-1 Zoning District and the Walworth County Business Park Covenants.

Analysis of Proposed Conditional Use Permit – Accessory Structure

Standard	Evaluation	Comments
Conditional Use Permit Standards (see section 19.66.050 of zoning ordinance)		

Standard	Evaluation	Comments
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	The proposed detached accessory structure is more than double the 800 square foot maximum requirement. However, the code does not differentiate between commercial and residential accessory structure maximum square footage. The amount of square footage in this case does not seem abnormal for commercial detached accessory structure. This should not create a nuisance for the neighbors since all storage will be inside.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	Access of the private road will be extended to the accessory structure.
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	This accessory structure is located in the rear yard (19.09.850) and does not abut a public right of way. This meets all district setbacks
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 manufacturing. The use of the property is not changing.
The conditional use and structures are consistent with sound planning and zoning principles.	Yes	Project is consistent with the purpose, character and intent of M-1 General Manufacturing areas

From: Fisher, Mark [<mailto:Mark.Fisher@strand.com>]
Sent: Friday, January 25, 2013 4:27 PM
To: Latisha Birkeland
Subject: Trostel Expansion

Latisha,

This e-mail will summarize our preliminary comments on the plans and CSM related to the expansion of Trostel in the Whitewater Business Park. The plans are dated 1/22/13 and were prepared by Computerized Structural Design, SC. The CSM is dated December 2012 and was prepared by Land-Mark Surveying.

Sheet SD1.0

1. Several mature trees along the north property line will need to be removed and should be noted.
2. The existing site contours do not completely cover the expansion area (garage, etc.).

Sheet SD2.0

1. A significant berm with landscaping exists along the west edge of the property. The berm and landscaping should be extended north to provide screening of the expansion area.
2. The contours shown north of the expansion area appear to indicate drainage toward the site. This does not appear to be correct based on other information. Please confirm.
3. A new chain link fence is shown along the north property line. This should be subject to PC approval.
4. It is difficult to understand the proposed grading based on the contours provided. The plan should be revised to distinguish between existing and proposed contours. Spot elevations at critical locations should also be provided.
5. The "drainage" arrows seem to over-simplify drainage routes. Please review and confirm.
6. An area of new pavement is shown south of the existing driveway. The contours imply this area will be steeply cross-sloped to the north. Will a retaining wall and/or grading be needed along the south side of this area? All grading must be accounted for in total disturbed area.
7. There appears to be a low area east of the northeast corner of the building expansion that does not drain.
8. Proposed finished floor elevation and spot elevations at loading dock areas should be provided.
9. The garage floor elevation and necessary grading around the garage should be provided/shown.
10. Please confirm the existing asphalt driveway will not be reconstructed.
11. The project data table should be revised to include the total disturbed area of the site (including any re-grading) and the total impervious area (including former Executive Court).
12. Erosion control provisions should be shown.

Sheet SD4.0

1. The landscape berm along the west property line should be extended north.
2. Additional plantings/trees should be added on the berm immediately west of the building expansion.
3. Plantings/screening should be provided at the northwest corner of the new garage.

Sheet A5.0

1. The building elevations (loading docks, etc.) should be coordinated with the site grading plan.

CSM:

1. The proposed "20' Water Easement" should be labeled "20' Water Main Easement".
2. An existing "10' platted utility easement" along exists the west side of vacated Executive Court should be shown.
3. What process will be used to vacate existing easements?
4. A shared driveway agreement between property owners on either side of vacated Executive Court should be provided.
5. The 66 feet or frontage along STH 59 for the 1 acre expansion area should include a no access restriction.
6. A utility easement along the north and east sides of the 1 acre expansion area should be provided (shown on site plan).

General:

1. It is our understanding a subsequent facility expansion may occur in the next several years. From a stormwater management plan/permitting standpoint, any disturbed area resulting from the current project will need to be included with any subsequent expansion/redevelopment of the site (cumulative).
2. If the total disturbed area is less than 1 acre, the city does not require a storm water management plan and/or city permitting unless a known drainage issue is identified by the Director of Public Works. It is suggested the applicant evaluate the capacity of the existing storm sewer at the northeast corner of the site.
3. The attached site photo maybe helpful.

Please review and contact me to discuss.

Thanks.

Mark A. Fisher, P.E.
Strand Associates, Inc.
910 West Wingra Drive
Madison, WI 53719
Phone: (608) 251-4843
Direct: (608) 251-2129 Ext. 1078
Fax: (608) 251-8655

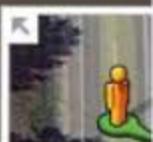
mark.fisher@strand.com



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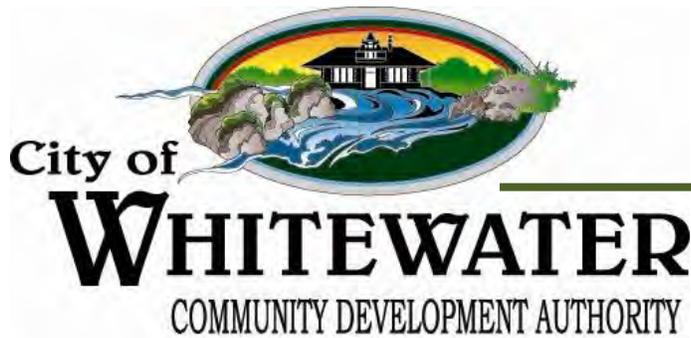




01/29²⁴/2013



01/29²⁵/2013



Patrick A. Cannon
Executive Director
P.O. Box 178
312 W. Whitewater Street
Whitewater, WI 53190

PHONE: (262) 473-0148
FAX: (262) 473-0549
Email: pcannon@whitewater-wi.gov
WEBSITE: www.whitewater-wi.gov

February 6, 2013

Latisha Birkland
Neighborhood Services Director
City of Whitewater
312 W. Whitewater St.
Whitewater, WI 53913

Re: Trostel LLC

Dear Latisha:

On behalf of the Whitewater Community Development Authority (CDA), I would like to offer this letter of support on behalf of Trostel LLC and their requests before you.

Several months ago, representatives from Trostel LLC approached the CDA regarding their need to expand both their facility and their workforce. The initial plan calls for the expansion of the existing facility to increase the efficiency of their work process. This change calls for a small expansion of the building and the construction of a new garage facility as an auxiliary facility. The second portion of the project calls for a much larger expansion of the building and the addition of approximately 15-18 new employees. Both phases are planned to take place over the next several months.

To accommodate the projects, Trostel **LLC** has agreed to purchase approximately 1 acre of vacant land from us to allow for the building of the garage. We also felt that allowing them to reduce the masonry work around the garage area is a more efficient use of their construction funds. The additional landscaping more than offsets the additional brick work.

In addition, we have been working with them to address their current and future storm water needs. We felt that the coordination of the storm water needs for the entire area should be analyzed as part of the project.

In our opinion, the requests before you will serve both the needs of Trostel LLC and the needs of the city. Both the expansion of the building and the hiring of additional employees is in line with our overall goal of expanding our local economy. Assisting a current business in meeting their needs is something we should be proud of doing.

The CDA is extremely proud that Trostel LLC has decided to expand their business in Whitewater. WE ask that you approve their requests.

If you have any additional questions, please feel free to contact our office.

Sincerely,

Patrick Cannon
Executive Director
Whitewater Community
Development Authority



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

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

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 11th day of February, 2013 at 6:00 p.m. to review the proposed certified survey map for the expansion of the property located at 736 E. Executive Dr.; to review the proposed construction of a 9000 sq. ft. addition for a raw materials warehouse to be located at 736 E. Executive Drive; and to hold a public hearing for the consideration of conditional use permit for the construction of a 54 ft. x 36 ft. (1944 sq. ft.) detached garage to be located on the northeast corner of the property at 736 E. Executive Drive for Trostel Ltd.

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

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

For information, call (262) 473-0540

Latisha Birkeland, Neighborhood Services Manager/City Planner

GKM2 WHITEWATER LLC
600 S JEFFERSON ST
WATERFORD WI, 53185

GS WHITEWATER WI LANDLORD LLC
18301 VON KARMAN AVE
IRVINE CA, 92612

ALBERT TROSTEL PACKINGS, LTD
901 MAXWELL
LAKE GENEVA WI, 53147

MACLEAN INDUSTRIAL, LLC
1000 ALLANSON RD
MUNDELEIN IL, 60060

KLIGORA TRUST
N 101 STATE RD 59
WHITEWATER WI, 53190

AKKOL LLC
N2829 RETZLAFF RD
FORT ATKINSON WI, 53538

PROPOSED LOT LINE ADJUSTMENT

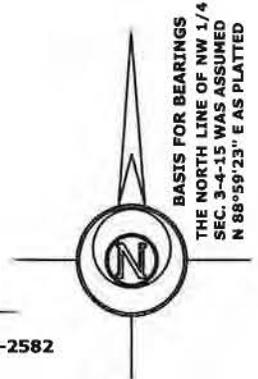
THE CITY OF WHITEWATER TO ALBERT TROSTEL PACKING, LTD.

A LOT LINE ADJUSTMENT OF PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3497, AS RECORDED IN VOLUME 15 OF JEFFERSON COUNTY CERTIFIED SURVEY MAPS, PAGES 286-287, DOCUMENT NO. 978560, LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWN 5 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, JEFFERSON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N 88°59'23" E 262.62 FEET ALONG THE SOUTH LINE OF SAID SECTION 34 TO THE EASTERLY RIGHT-OF-WAY OF STATE TRUNK HIGHWAY "59" (ALSO CALLED NEWCOMB STREET) TO THE POINT OF BEGINNING; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,928.34 FEET, A DELTA OF 01°57'40", AN ARC LENGTH OF 66.00 FEET, AND A CHORD WHICH BEARS N 01°27'24" W HAVING A CHORD DISTANCE OF 66.00 FEET; THENCE N 88°59'23" E 415.00 FEET; THENCE N 03°12'28" E 50.16 FEET; THENCE N 88°59'23" E 136.73 FEET; THENCE S 01°00'37" E 116.03 FEET TO THE SOUTH LINE OF SAID SECTION 34; THENCE S 88°59'23" W ALONG SAID SOUTH LINE 554.91 FEET TO THE POINT OF BEGINNING, AND CONTAINING 43,560 SQUARE FEET OR 1.000 ACRE(S) OF LAND, MORE OR LESS.

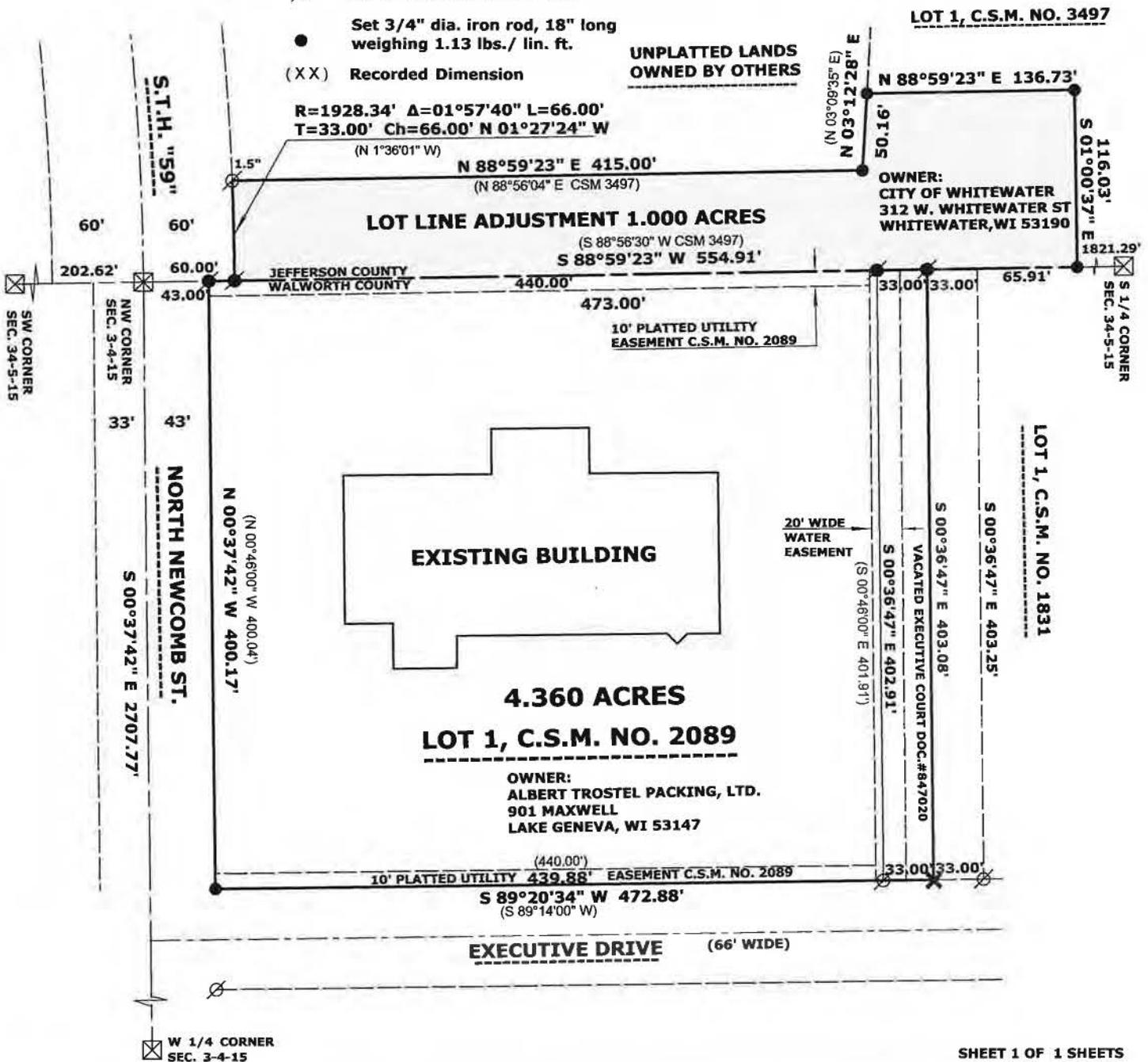
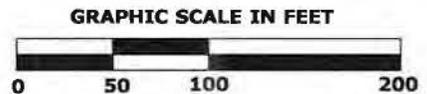
LEGEND

- X Found 6" Mag Spike
- ⊠ Found County Section Corner Concrete Mon. with Brass Cap
- Found iron rod 3/4" dia.
- ∅ Found iron pipe 1 1/4" dia.
- Set 3/4" dia. iron rod, 18" long weighing 1.13 lbs./ lin. ft.
- (XX) Recorded Dimension

MARK L. MIRITZ
WI REGISTERED LAND SURVEYOR S-2582
DECEMBER 17, 2012



SCALE 1" = 100 FEET



SHEET 1 OF 1 SHEETS
PROJECT NO. 12.1101

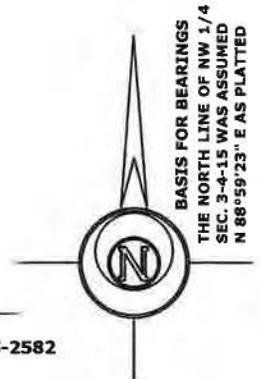
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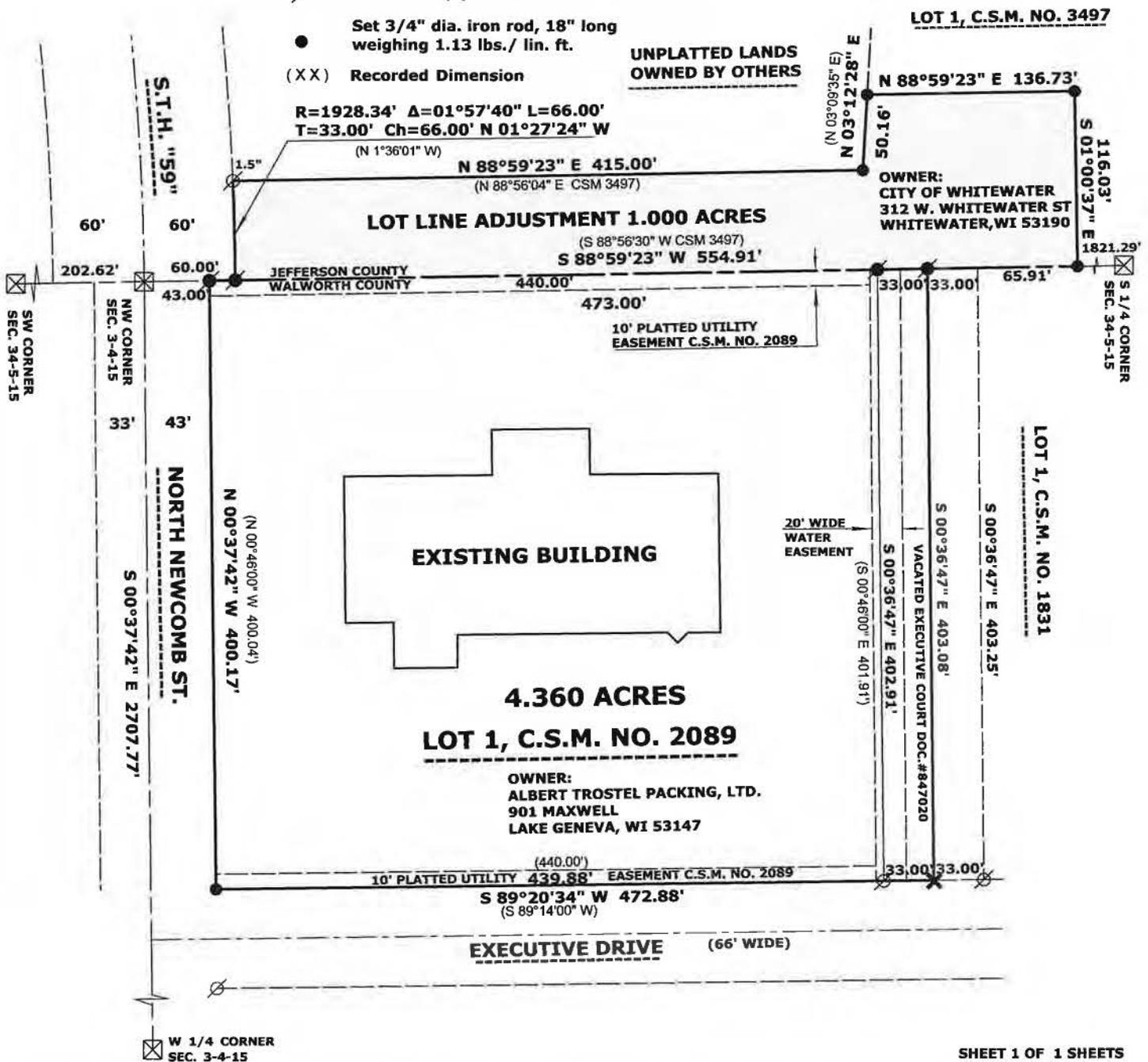
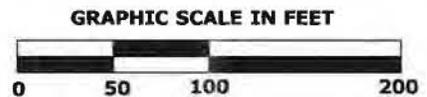
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- (XX) Recorded Dimension

MARK L. MIRITZ
 WI REGISTERED LAND SURVEYOR S-2582
 DECEMBER 17, 2012



SCALE 1" = 100 FEET



SHEET 1 OF 1 SHEETS
 PROJECT NO. 12.1101

CERTIFIED SURVEY MAP NO.

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OWNER:
ALBERT TROSTEL PACKING, LTD.
901 MAXWELL
LAKE GENEVA, WI 53147

MARK L. MIRITZ
WI REGISTERED LAND SURVEYOR S-2582
DECEMBER 10, 2012

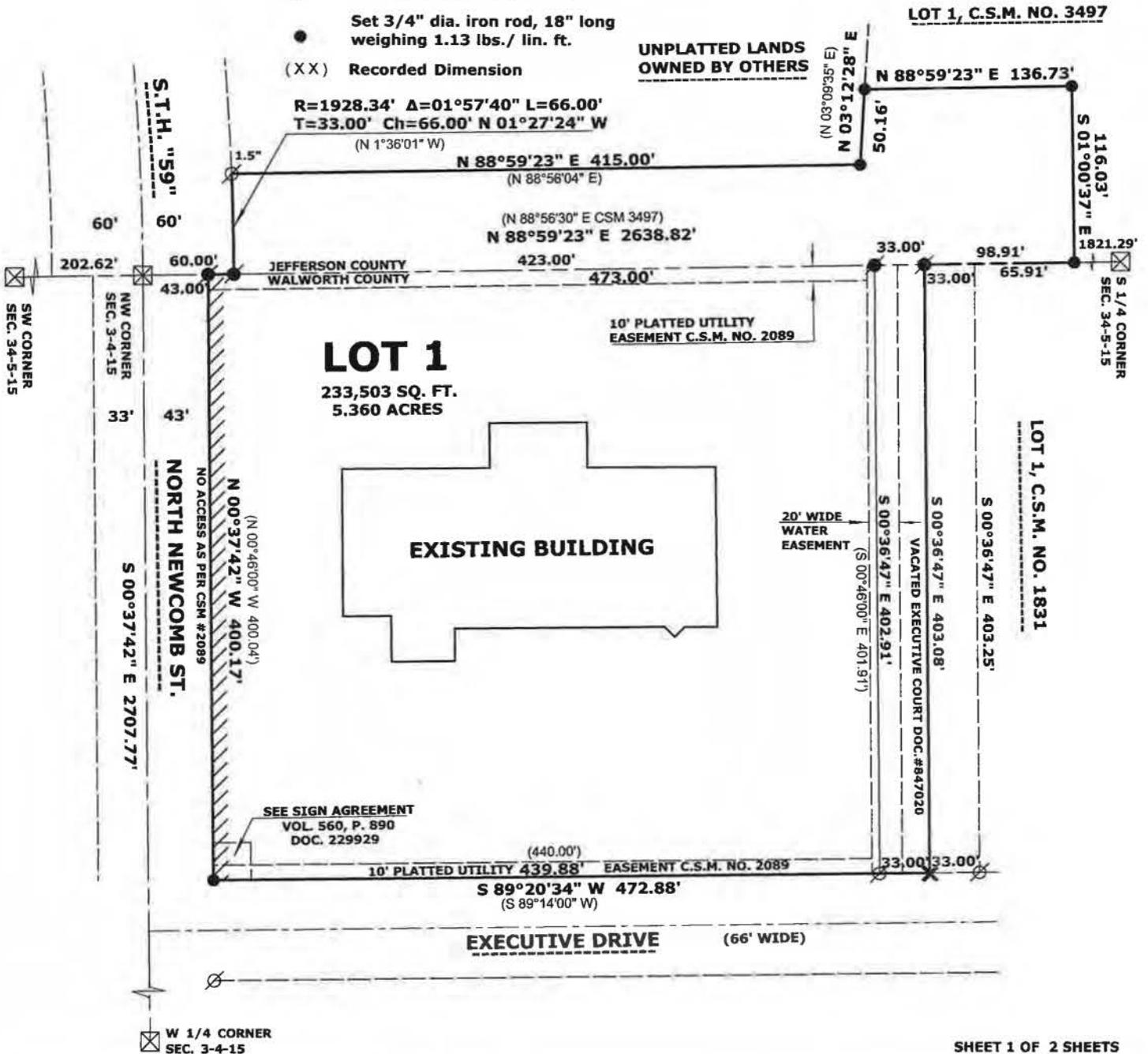


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GRAPHIC SCALE IN FEET

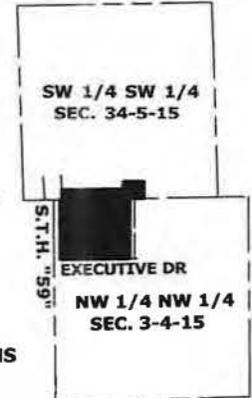


SHEET 1 OF 2 SHEETS
PROJECT NO. 12.1101

CERTIFIED SURVEY MAP NO. _____

VOL. _____ PAGES _____

LOCATION SKETCH



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SURVEYOR'S CERTIFICATE:

I, MARK L. MIRITZ, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF ALBERT TROSTEL PACKING, LTD., 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 THE LAND DIVISION ORDINANCE, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

A REDIVISION OF PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3497, AS RECORDED IN VOLUME 15 OF JEFFERSON COUNTY CERTIFIED SURVEY MAPS, PAGES 286-287, DOCUMENT NO. 978560, LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWN 5 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, JEFFERSON COUNTY, WISCONSIN, AND A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 2089, AS RECORDED IN VOLUME 10 OF WALWORTH COUNTY CERTIFIED SURVEY MAPS, PAGES 69-71, DOCUMENT NO. 223326, AND THE WESTERLY HALF OF VACATED EXECUTIVE COURT AS PER RESOLUTION RECORDED IN DOCUMENT NO. 847020 WALWORTH COUNTY RECORDS, LOCATED IN PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWN 4 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N 88°59'23" E 245.62 FEET ALONG THE SOUTH LINE OF SAID SECTION 34 TO THE EASTERLY RIGHT-OF-WAY OF STATE TRUNK HIGHWAY "59" (ALSO CALLED NEWCOMB STREET) AND THE POINT OF BEGINNING; THENCE CONTINUE N 88°59'23" E 17.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 34; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,928.34 FEET, A DELTA OF 01°57'40", AN ARC LENGTH OF 66.00 FEET, AND A CHORD WHICH BEARS N 01°27'24" W HAVING A CHORD DISTANCE OF 66.00 FEET; THENCE N 88°59'23" E 415.00 FEET; THENCE N 03°12'28" E 50.16 FEET; THENCE N 88°59'23" E 136.73 FEET; THENCE S 01°00'37" E 116.03 FEET TO THE SOUTH LINE OF SAID SECTION 34; THENCE S 88°59'23" W ALONG SAID SOUTH LINE 98.91 FEET TO THE CENTERLINE OF VACATED EXECUTIVE COURT; THENCE S 00°36'47" E ALONG SAID CENTERLINE 403.08 FEET TO THE NORTHERLY RIGHT-OF-WAY OF EXECUTIVE DRIVE; THENCE S 89°20'34" W ALONG SAID RIGHT-OF-WAY 472.88 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID STATE TRUNK HIGHWAY "59"; THENCE N 00°37'42" W ALONG SAID RIGHT-OF-WAY 400.17 FEET TO THE POINT OF BEGINNING, AND CONTAINING 233,503 SQUARE FEET OR 5.360 ACRE(S) OF LAND, MORE OR LESS.

MARK L. MIRITZ
WI REGISTERED LAND SURVEYOR S-2582
DECEMBER 24, 2012

OWNER'S CERTIFICATE:

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

JAY LONGBOTTOM
ALBERT TROSTEL PACKING, LTD
PRESIDENT AND CEO

STATE OF WISCONSIN) SS
COUNTY OF WALWORTH)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 201____
THE ABOVE NAMED JAY LONGBOTTOM, TO ME KNOWN TO BE THE PERSON
WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____ COUNTY, WISCONSIN.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

CITY OF WHITEWATER APPROVAL:

RESOLVED, THAT THE CERTIFIED SURVEY MAP HEREON, ALBERT TROSTEL PACKING, LTD., OWNER, IS HEREBY APPROVED BY THE CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW COMMISSION.

DATED THIS _____ DAY OF _____, 2012. _____
MICHELE SMITH, CITY CLERK

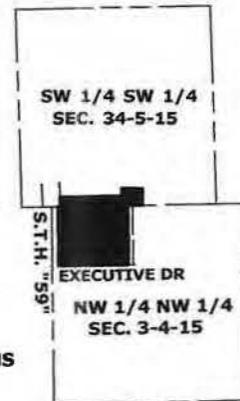
THIS INSTRUMENT DRAFTED BY MARK L. MIRITZ

SHEET 2 OF 2 SHEETS
PROJECT NO. 12.1101

CERTIFIED SURVEY MAP NO. _____

VOL. _____ PAGES _____

LOCATION SKETCH



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SURVEYOR'S CERTIFICATE:

I, MARK L. MIRITZ, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF ALBERT TROSTEL PACKING, LTD., 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 THE LAND DIVISION ORDINANCE, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

A REDIVISION OF PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3497, AS RECORDED IN VOLUME 15 OF JEFFERSON COUNTY CERTIFIED SURVEY MAPS, PAGES 286-287, DOCUMENT NO. 978560, LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWN 5 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, JEFFERSON COUNTY, WISCONSIN, AND A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 2089, AS RECORDED IN VOLUME 10 OF WALWORTH COUNTY CERTIFIED SURVEY MAPS, PAGES 69-71, DOCUMENT NO. 223326, AND THE WESTERLY HALF OF VACATED EXECUTIVE COURT AS PER RESOLUTION RECORDED IN DOCUMENT NO. 847020 WALWORTH COUNTY RECORDS, LOCATED IN PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWN 4 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N 88°59'23" E 245.62 FEET ALONG THE SOUTH LINE OF SAID SECTION 34 TO THE EASTERLY RIGHT-OF-WAY OF STATE TRUNK HIGHWAY "59" (ALSO CALLED NEWCOMB STREET) AND THE POINT OF BEGINNING; THENCE CONTINUE N 88°59'23" E 17.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 34; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,928.34 FEET, A DELTA OF 01°57'40", AN ARC LENGTH OF 66.00 FEET, AND A CHORD WHICH BEARS N 01°27'24" W HAVING A CHORD DISTANCE OF 66.00 FEET; THENCE N 88°59'23" E 415.00 FEET; THENCE N 03°12'28" E 50.16 FEET; THENCE N 88°59'23" E 136.73 FEET; THENCE S 01°00'37" E 116.03 FEET TO THE SOUTH LINE OF SAID SECTION 34; THENCE S 88°59'23" W ALONG SAID SOUTH LINE 98.91 FEET TO THE CENTERLINE OF VACATED EXECUTIVE COURT; THENCE S 00°36'47" E ALONG SAID CENTERLINE 403.08 FEET TO THE NORTHERLY RIGHT-OF-WAY OF EXECUTIVE DRIVE; THENCE S 89°20'34" W ALONG SAID RIGHT-OF-WAY 472.88 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID STATE TRUNK HIGHWAY "59"; THENCE N 00°37'42" W ALONG SAID RIGHT-OF-WAY 400.17 FEET TO THE POINT OF BEGINNING, AND CONTAINING 233,503 SQUARE FEET OR 5.360 ACRE(S) OF LAND, MORE OR LESS.

MARK L. MIRITZ
WI REGISTERED LAND SURVEYOR S-2582
DECEMBER 24, 2012

OWNER'S CERTIFICATE:

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

JAY LONGBOTTOM
ALBERT TROSTEL PACKING, LTD
PRESIDENT AND CEO

STATE OF WISCONSIN) SS
COUNTY OF WALWORTH)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 201____
THE ABOVE NAMED JAY LONGBOTTOM, TO ME KNOWN TO BE THE PERSON
WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____, _____ COUNTY, WISCONSIN.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____.

CITY OF WHITEWATER APPROVAL:

RESOLVED, THAT THE CERTIFIED SURVEY MAP HEREON, ALBERT TROSTEL PACKING, LTD., OWNER, IS HEREBY APPROVED BY THE CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW COMMISSION.

DATED THIS _____ DAY OF _____, 2012. _____
MICHELE SMITH, CITY CLERK

THIS INSTRUMENT DRAFTED BY MARK L. MIRITZ

SHEET 2 OF 2 SHEETS
PROJECT NO. 12.1101

18.04.040 - Procedure—Site assessment checklist and concept plan.

(a) Preliminary Procedure. Before filing an application for approval of a preliminary plat or certified survey map, the subdivider shall prepare the following, unless exempted by other sections of this chapter:

(1) A site assessment checklist per the requirements of subsection (d) of this section. A site assessment report per the requirements of subsection (e) may also be required, following plan commission review of the site assessment checklist.

(2) For projects which will require the filing of a preliminary and final plat, a concept plan per the requirements of subsection (f).

(3) Written requests to the director of public works for any water main and sanitary sewer extensions necessary to serve the proposed subdivision.

(4) A signed statement listing development projects for which the applicant has both received city approval in the last five years and has outstanding performance or financial obligations. If this statement is found to contain information which is contrary to fact or to omit the listing of such projects or obligations on which performance or payment is delinquent, the application may be dismissed without prejudice until the application is corrected and/or the delinquency is cured.

(b) Preapplication Meeting. On the completion of the documents specified in subsection (a), a preapplication meeting may be required by the zoning administrator and director of public works to assist the subdivider in appraising the objectives of these regulations, the city's comprehensive (master) plan and elements thereof, the city's official map and any pertinent ordinances and plans, and to reach conclusions regarding the objectives and general program for the proposed development.

(c) Plan Commission and Park and Recreation Commission Review. The subdivider may revise the submitted documents per the direction of the city zoning administrator and director of public works. Thirty copies of said revised documents shall be submitted by the subdivider to the city zoning administrator who shall distribute the copies to the city plan commission and park and recreation commission for review and comment. Said copies must be submitted at least ten days prior to the date of the plan commission or park and recreation commission meeting at which the matter is to be reviewed. The subdivider may request a formal vote of either commission on the submitted concept plan, but such vote shall not be binding on the city in its review of future preliminary or final plats that may follow.

(d) Site Assessment Checklist Requirements. A site assessment checklist shall be prepared by the subdivider for review by the city plan commission.

(1) Purpose. The purpose of the site assessment checklist is to provide the basis for an orderly, systematic review of the effects of all new subdivisions upon the community in accordance with the principles and procedures of Section 236.45(1), Wisconsin Statutes. The city plan commission will use these procedures in determining land suitability under Section 18.04.010(m).

(2) Coverage. The site assessment checklist requirement shall apply to all subdivisions. The city plan commission may waive this requirement for the filing of a site assessment checklist for minor

(NOTE: The plan commission may waive the filing of a site assessment checklist for subdivisions of less than 5 acres total area.)

(e) Site Assessment Report Requirements.

(1) Determination of Need for Site Assessment Report. The plan commission may, for reasons stated in a written resolution setting forth specific questions on which it requires research, data and input from the developer and other affected persons, decide that the site assessment checklist raises unusually significant questions on the effects on the environment and/or that an unusually high level of citizen interest has resulted from questions raised in the site assessment checklist and that review by other city committees and commissions is required. The listing of questions can include items which this ordinance already enables the commission to obtain, or it may include additional information which is relevant to the questions from other governmental agencies or the public. The resolution shall set a reasonable date for the return of the requested data and information from the subdivider, and it may specify the format in which the data is to be presented.

(2) Hearing on Site Assessment Report. Following the return to the plan commission of the data required in the resolution, the commission shall make such report available for scrutiny by all interested persons or agencies. The plan commission may schedule and hold a public hearing on the findings of the report. If scheduled, the hearing shall be preceded by a Class I notice under Chapter 985, Wisconsin Statutes. Persons attending such hearing shall be afforded an opportunity to comment on the report.

(3) Review of Site Assessment Report. The plan commission shall review the site assessment report, with supporting data, department and committee reviews and any other data required for determining the suitability of the land for the proposed development. Within thirty days after submission to the plan commission of the final expanded site assessment report by the subdivider, the plan commission shall decide whether said land is suitable for development. If determined unsuitable, the plan commission shall provide its reasons in writing, and subdivider shall have the opportunity to remedy the reasons before a certified survey map or preliminary plat may be filed.

(f) Concept Plan Requirements.

(1) Purpose. The purpose of the concept plan is to depict the general intent of the subdivider in terms of general layout of the subdivision and its relationship to nearby properties, roads, utilities and other public facilities. In conjunction with the site assessment checklist, the concept plan provides an opportunity to review the general intent and impact of the proposed subdivision, without the need for detailed engineering, surveying, and other time consuming and costly processes associated with the preparation of a preliminary plat.

(2) Coverage. The concept plan requirement shall apply to all major subdivisions, and shall cover all contiguous lands owned or controlled by the subdivider, except for lands that are completely or nearly completely separated from the proposed subdivision area by substantial areas of undevelopable open space or pre-existing public roads. The zoning administrator shall waive the requirement for the filing of a concept plan for all or part of the proposed subdivision area where he finds that the proposed layout is in substantial conformance to a detailed neighborhood development plan previously adopted as a component of the city's comprehensive (master) plan.

subdivisions of less than five acres total area.

(3) Site Assessment Checklist Form. The subdivider shall complete the following site assessment checklist form:

Site Assessment Checklist for Subdivisions

(Plats and Certain CSMs)

ITEM OF INFORMATION	YES	NO
I. Land Resources. Does the project site involve:		
A. Changes in relief and drainage patterns (Attach a topographical map showing, at a minimum, 2-foot contour intervals)		X
B. A landform or topographical feature including perennial streams		X
C. A floodplain (If "yes," attach 2 copies of the 100-year floodplain limits and the floodway limits)		X
D. An area of soil instability—greater than 18 percent slope and/or organic soils, peats, or mucks at or near the surface as depicted in the applicable "County Soils Atlas"		X
E. An area of bedrock within 6 ft. of the soil surface as depicted in the applicable "County Soils Atlas" or a more detailed source		
F. An area with groundwater table within 10 feet of the soil surface as described in the applicable "County Soils Atlas" or a more detailed source		
G. An area with fractured bedrock within 10 feet of the soil surface as depicted in the applicable "County Soils Atlas"		
H. Prevention of future gravel extraction		X
I. A drainageway with a tributary area of 5 or more acres		X
J. Lot coverage of more than 50 percent impermeable surfaces		X
K. Prime agricultural land as depicted in the applicable "County Soils Atlas" or adopted farm land reservation plans		X
L. Wetlands as depicted on DNR wetland inventory maps or more detailed sources		X
M. Environmental corridors, as mapped by SEWRPC or more detailed sources		X
II. Water Resources. Does the project involve:		
A. Location in an area traversed by a navigable stream, intermittent stream, or dry run		X
B. Impact on the capacity of a stormwater storage		X

system or flow of a waterway within 1 mile		X
C. The use of septic tank(s) for on-site waste disposal		X
D. Lowering of water table by pumping or drainage		X
E. Raising of water table by altered drainage		X
F. Lake or river frontage		X
III. Biological Resources. Does the project involve:		
A. Critical habitat for plants and animals of community interest per DNR or SEWRPC inventory		X
B. Endangered, unusual or rare animal or plant species per DNR or SEWRPC inventory		X
C. Trees with a diameter of 6 or more inches at breast height		
D. Removal of over 30 percent of the present trees on the site	X	
IV. Human and Scientific Interest per State Historical Society Inventory. Does this project site involve:		X
A. An area of archeological interest		X
B. An area of historical interest, including historic buildings or monuments		X
V. Energy, Transportation and Communications.		
A. Would the development increase traffic flow on any arterial or collector street by more than 10 percent based upon the most recent traffic counts and trip generation rates provided by the Institute of Transportation Engineers (ITE)		X
B. Is the land traversed by an existing or planned roadway corridor, as shown on the city's official map or comprehensive plan		X
C. Is the land within a highway noise impacted area		X
D. Is the land traversed by an existing or planned utility corridor (gas, electrical, water, sewer, storm, communications)		X
VI. Population.		
A. Which public school service areas (elementary, middle and high) are affected by the proposed development, and what is their current available capacity?	E: Cap: M: Cap: H: Cap:	X
VII. Comments on any of the above which may have significant impact.		
VIII. Appendices and Supporting Material.		
(NOTE: All "yes" answers must be explained in detail by attaching maps and supportive documentation describing the impacts of the proposed development.)		

(Ord. 1510 §1(part), 2002).

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 1-14-13.
2. Agenda Published in Official Newspaper on 2-7-13.
3. Notices of the public review mailed to property owners on 1-28-13.
4. Plan Commission holds the public review on 2-11-13.
They will hear comments of the Petitioner and comments of property owners.
Comments may be made in person or in writing.
5. At the conclusion of the public 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: <u>Jayson Irlin</u>	
Applicant's Address: <u>736 Executive Dr.</u>	
<u>Whitewater, WI 53190</u>	Phone # <u>262-472-6308</u>

Owner of Site, according to current property tax records (as of the date of the application): <u>Trustel Ltd.</u>	
*	Street address of property: <u>736 Executive Dr.</u>
*	Legal Description (Name of Subdivision, Block and Lot or other Legal Description): _____ _____ _____
Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)	
Name of Individual: <u>ROBERT J. NEUMANN</u>	
Name of Firm: <u>COMPUTERIZED STRUCTURAL DESIGN</u>	
Office Address: <u>8989 N. FORT WASHINGTON RD</u>	
<u>MILWAUKEE WI 53217</u> Phone: <u>414-247-2857</u>	
Name of Contractor: <u>JHPINDORFF & SON, INC</u>	
<u>MADISON, WI 53705</u>	
Has either the applicant or the owner had any variances issued to them, on any property? YES NO	
If YES, please indicate the type of variance issued and indicate whether conditions have been complied with. _____	

EXISTING AND PROPOSED USES:

Principal Use: <u>Manufacturing of</u>	Current Land Use: <u>rubber</u>
Accessory or Secondary Uses: _____	
Proposed Use	
<u>Add additional warehouse space for storing raw materials.</u>	
No. of occupants proposed to be accommodated: <u>40</u>	
No. of employees: <u>40</u>	
Zoning District in which property is located: _____	
Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located: _____	

PLANS TO ACCOMPANY APPLICATION

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

PLOT PLAN

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

STANDARDS

STANDARD	APPLICANT'S EXPLANATION
A. The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;	This expansion meets all covenants of the industrial park.
B. The proposed development will be consistent with the adopted city master plan;	Development is consistent with the city master plan.
C. The proposed development will be compatible with and preserve the important natural features of the site;	Natural features will be improved upon by removing the scrub brush to the north of our facility and replacing with landscaping, grass and/or wild flowers.
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	This expansion will not create an nuisance nor unduly reduce the values of adjoining property.

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p>Expansion will improve traffic flow around the facility. No effect to any city streets.</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>Expansion will be of similar construction and appearance of existing facility. Setbacks will be similar to existing.</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>No landmark or historic places will be affected by this expansion.</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>This expansion will improve solarization of adjoining property by removing the scrub brush behind the facility.</p>

AGREEMENT OF SERVICES

REIMBURSABLE BY THE PETITIONER/APPLICANT. The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposal coming before the Plan Commission, Board of Zoning Appeals and/or Common Council. The submittal of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal. The City may apply the charges for these services to the Petitioner and/or property owner. The City may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until the Petitioner pays such fees. Review fees which are applied to a Petitioner, but which are not paid, may be assigned by the City as a special assessment to the subject property. The Petitioner shall be required to provide the City with an executed copy of the following form as a prerequisite to the processing of the proposed application (Architectural Review, B.Z.A., Planning, Zoning Change):

Jayson Irwin, the applicant/petitioner for
(Owner's Name): Trustel Ltd, dated: 1/14/13
Phone # 262 472 6308, tax key #(s) _____

Agrees that in addition to those normal costs payable by an applicant/petitioner (e.g. filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the City of Whitewater, in the judgement of its staff, to obtain additional professional service(s) (e.g. engineering, surveying, planning, legal) than normally would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the City for the costs thereof.

Dated this 14 day of January, 2013.

Jayson C Irwin (Signature of Applicant/Petitioner)

Jayson C Irwin (Printed Name of Applicant/Petitioner)

(Signature of Owner of Property & Date Signed)

(Printed Name of Owner of Property)



Polymer Compounding Division
736 Expansion Drive
Whitewater, VA 23100
ph. 702-475-2542
fx. 262-475-0905

1/14/13

To: City of Whitewater
From: Jayson Irwin, Engineering Manager
RE: Trostel Expansion plans

The Trostel Polymer Compounding Division located in Whitewater is a quickly growing rubber manufacturer. We have been growing over the last several years and are in need of an expanded facility. Currently we store roughly 5,000 square feet of raw materials in an off-site storage location because we do not have the room to safely store it in our current facility. Trostel's expansion is planned for two phases:

Phase I: Add an additional 9,000 square foot raw materials warehouse which includes a dedicated oil storage room and training facility. This warehouse will allow us to warehouse storage all of our raw materials at one location and will also allow for growth. The dedicated oil storage room will allow us to consolidate oil storage in our facility and address several concerns of our insurance provider, Factory Mutual. The training facility will provide us a room large enough to have all of our employees attend training at the same time. Along with this warehouse addition, we will also be adding a small garage behind our facility. The purpose of this garage is to allow us to park our straight truck and company van indoors. It will also provide storage for maintenance equipment, ie lawn care equipment, snow removal equipment, spare parts, excess production equipment, etc.

Phase II: Add an additional finished goods warehouse located to the east of our existing facility. This additional warehouse will be needed when we add a 2nd mixing line in our facility. Currently this is planned sometime in 2014-2017 depending on sales.

Additional benefits of the Phase I expansion:

- 1) Improve flow of traffic around the building. Currently trucks have a very difficult time backing into our receiving docks due to limited turn around space. The new plan will provide some additional hard surface to allow trucks to more easily get around our facility and back into the receiving dock doors.
- 2) Greatly reduce or eliminate the amount of shipping materials stored outside (pallets, Gaylords, etc). They will now be stored in the warehouse.
- 3) Will bring the cardboard compactor inside, reducing the number of trash storage containers outside.
- 4) Eliminate the scrub brush tree line behind our plant that is partly on the Trostel property and partly on the city owned land.

Sincerely,

Jayson Irwin
Engineering Manager

Right Match.



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

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

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 736 Executive Dr.

Owner's Name: Trostel Ltd

Applicant's Name: Jayson Irwin

Mailing Address: 736 Executive Dr. Whitewater WI

Phone #: 262-472-6308 Email: jirwin@trostel.com

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

Existing and Proposed Uses:

Current Use of Property: _____

Zoning District: _____

Proposed Use: _____

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.

1

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.	The "garage" will be built as a pre-engineered building. It will have a paved driveway. There will be landscaping around the garage.
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	All necessary site improvements are being provided.
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.	Only exemption requested is the requirement for masonry on the walls. We will be using landscaping to create an overall aesthetically pleasing appearance.
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	Conforms to the city master plan.

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

Applicant's Signature: Jayson C Irwin

Date: 1/14/13

Printed: Jayson C Irwin

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 1-14-13. Received by: Jw Receipt #: _____
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 1-31-13.
- 3) Notices of the Public Hearing mailed to property owners on 1-28-13.
- 4) Plan Commission holds the PUBLIC HEARING on 2-11-13. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

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

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

A photograph showing a close-up of a speckled concrete floor. A rectangular block of the same material is placed on the floor. The number 52 is printed in the center of the image.

52

A rectangular concrete specimen is shown, embedded in a larger matrix of similar concrete. The specimen is filled with aggregate particles of various colors, including yellow, grey, and red. The number '53' is printed in black on the front face of the specimen.

53



736 EXECUTIVE DRIVE
WHITEWATER, WI 53190

01-22-2013 PLAN
COMMISSION SUBMITTAL -
NOT FOR CONSTRUCTION

ISSUE DATE:
01-22-2013

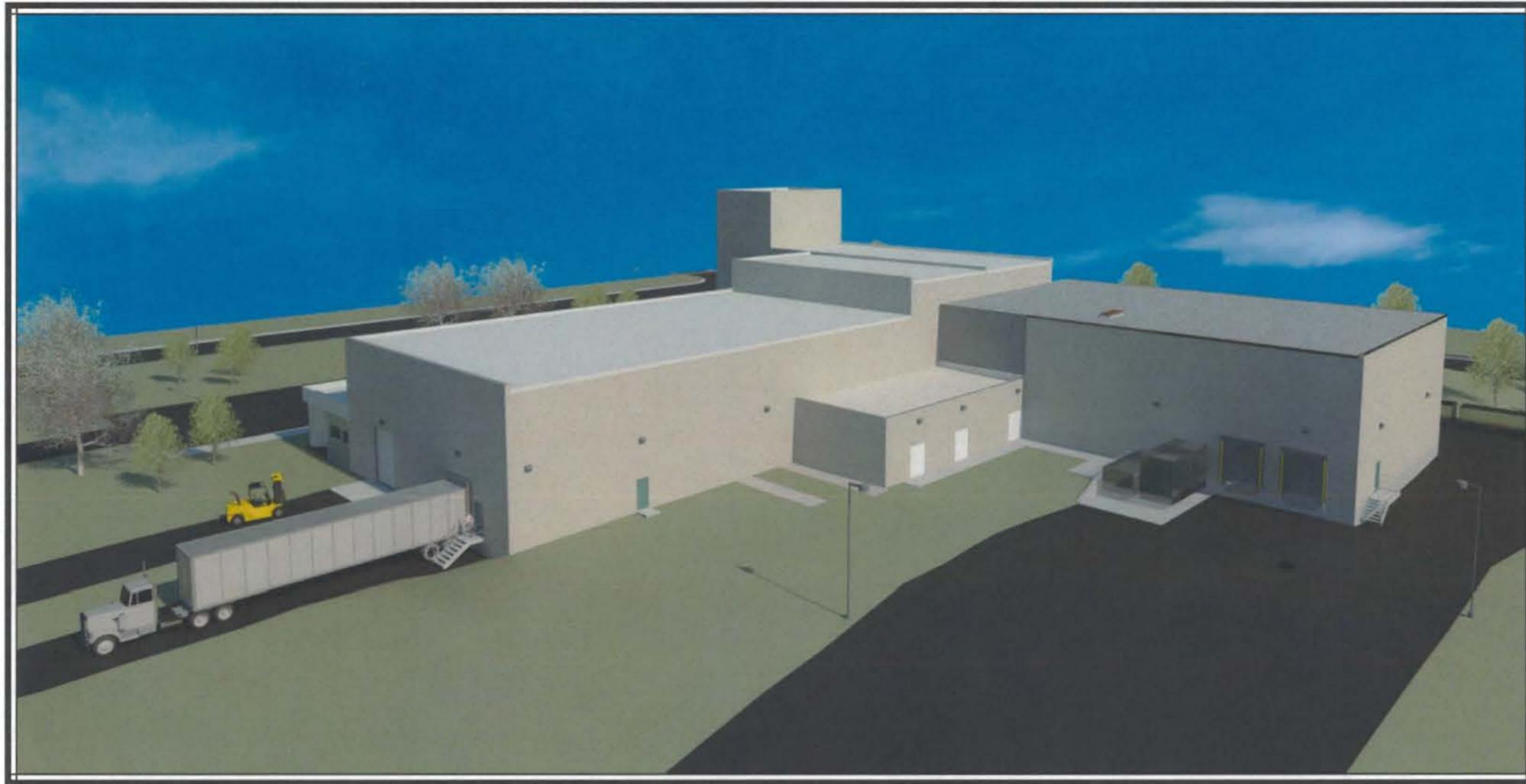
PREPARED BY:



8989 N. PORT WASHINGTON ROAD
MILWAUKEE, WISCONSIN 53217
VOICE: (414) 351-5588
FAX: (414) 351-4617
J19272879

TURNKEY COORDINATOR:

J.H. FINDORFF & SON INC.
300 South Bedford Street
Madison, Wisconsin 53703
(608) 257-5321
www.findorff.com



TROSTEL, LTD.

RAW MATERIALS WAREHOUSE EXPANSION
736 EXECUTIVE DRIVE
WHITEWATER, WI 53190

GENERAL NOTES

DEMOLITION

ARCHITECTURAL

STRUCTURAL

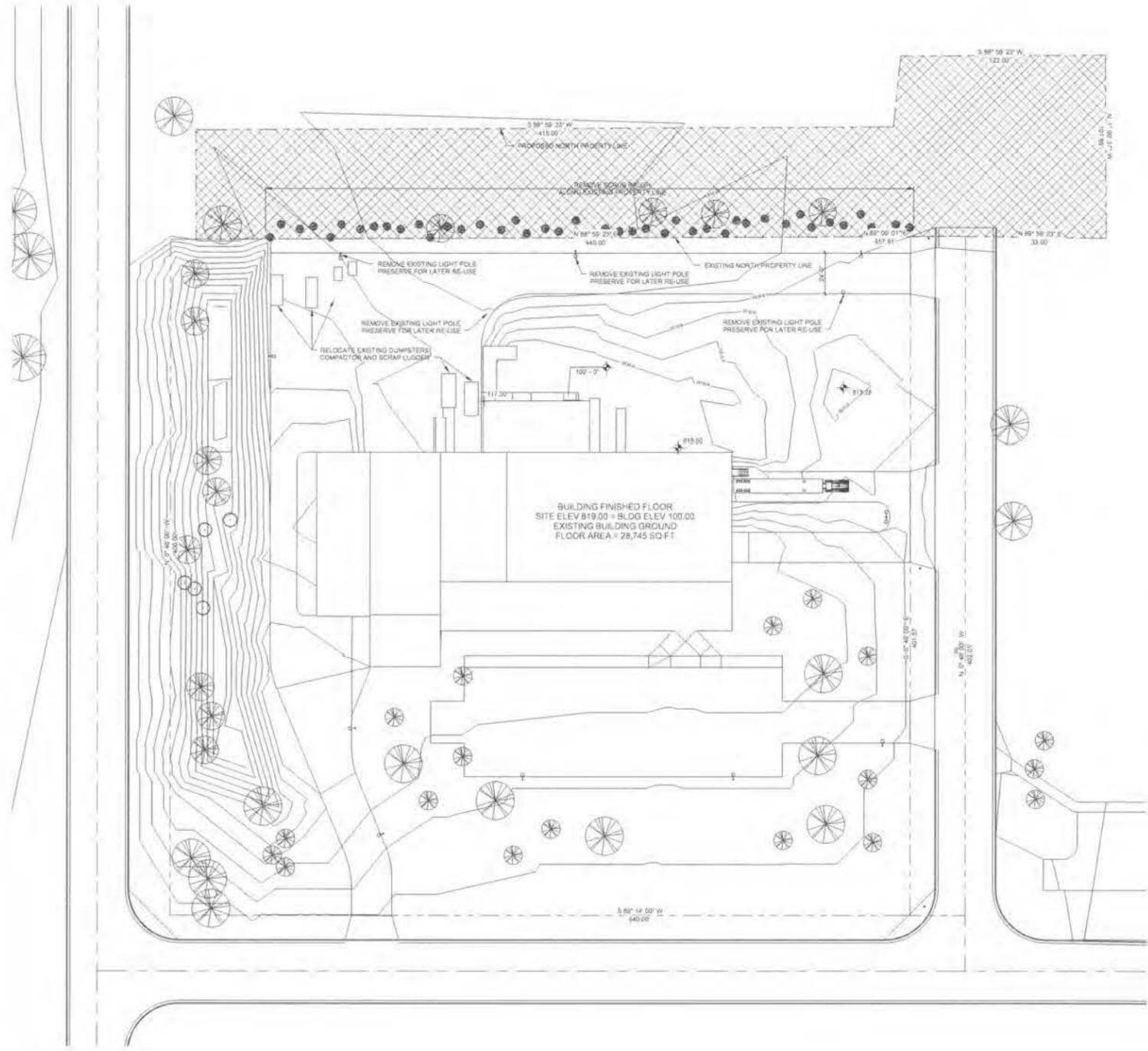
SITE DEVELOPMENT

- SD1.0 EXISTING SITE PLAN / DEMO PLAN
- SD2.0 PROPOSED SITE PLAN
- SD3.0 EXISTING SITE UTILITY PLAN
- SD4.0 LANDSCAPE PLAN

- A1.10 GROUND FLOOR PLAN OVERALL
- A1.11 GROUND FLOOR PLAN ENLARGED
- A1.12 GARAGE FLOOR PLAN / ELEVATIONS / SECTIONS
- AS 0 EXTERIOR ELEVATIONS

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EXISTING SITE PLAN / DEMO PLAN

SCALE: 1" = 30' 0"



01-25-2013 PLAN COMMISSION SUBMITTAL - NOT FOR CONSTRUCTION

COMPUTERIZED STRUCTURAL DESIGN, S.C.
 1500 W. 10th Street
 Columbia, SC 29201
 Phone: (803) 733-1558
 Fax: (803) 733-1557

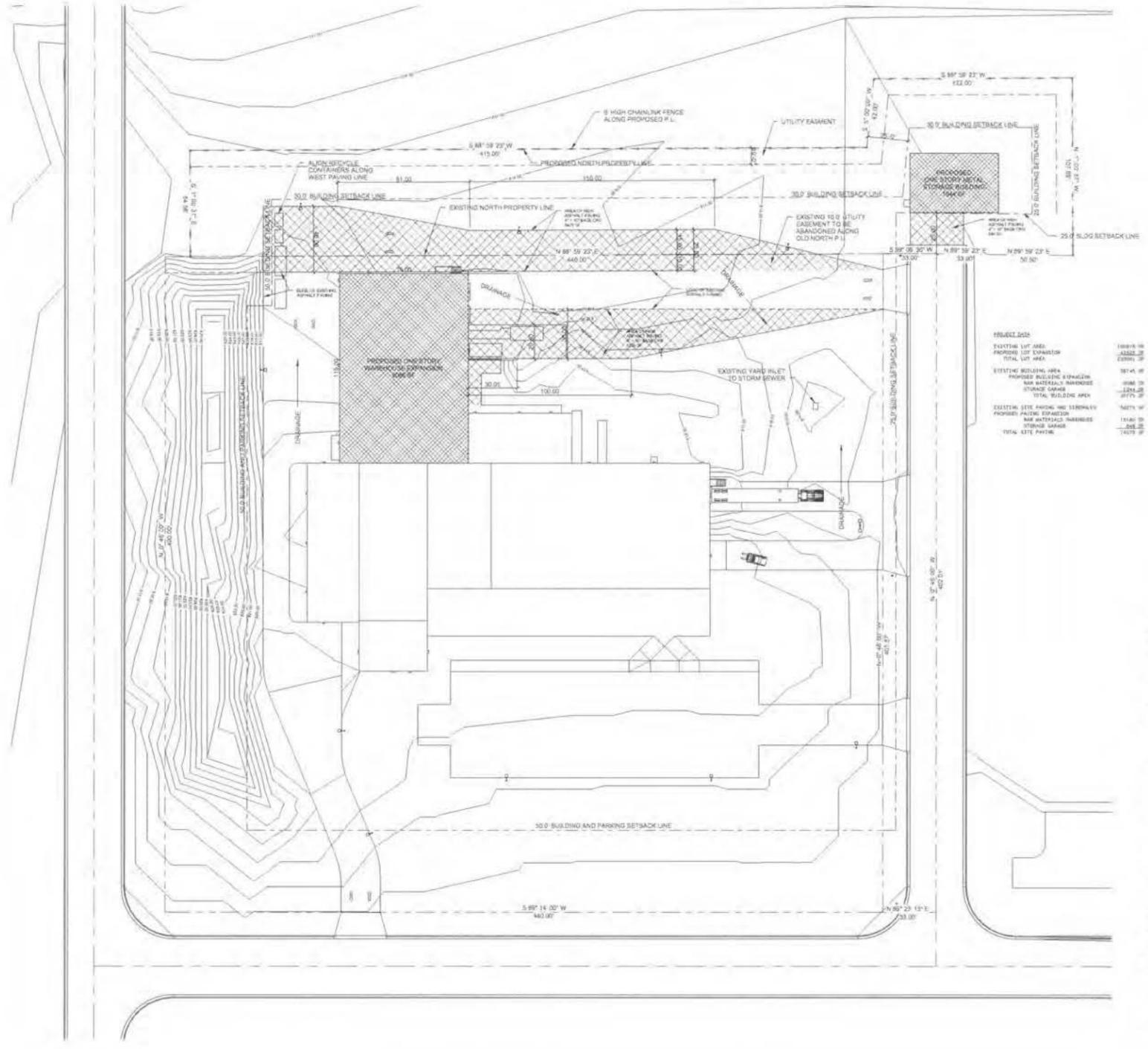
EXISTING SITE PLAN / DEMO PLAN

TROSTEL LTD.
 RAW MATERIALS WAREHOUSE EXPANSION
 728 EXECUTIVE DRIVE
 WHITEWATER, WI 53190

NO.	DATE	DESCRIPTION
1		
2		
3		
4		

SD1.0

NOTES: 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.1. 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.2. 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.3. 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.4. 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.5. 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.6. 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.7. 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.8. 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.9. 10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 303, SECTION 1.1.10.



PROJECT DATA	EXISTING LOT AREA	18874.00
PROPOSED LOT EXPANSION	13322.00	
TOTAL LOT AREA	32196.00	
EXISTING BUILDING AREA	10000.00	
PROPOSED BUILDING EXPANSION	10000.00	
NEW INDUSTRIAL BUILDING	10000.00	
TOTAL BUILDING AREA	20000.00	
EXISTING SITE PARKING AND DRIVEWAYS	14000.00	
PROPOSED PARKING EXPANSION	19000.00	
NEW INDUSTRIAL BUILDING	10000.00	
TOTAL SITE PARKING	33000.00	

PROPOSED SITE PLAN
SCALE: 1" = 30'-0"



01-2013 PLAN COMMISSION SUBMITTAL - NOT FOR CONSTRUCTION

COMPUTERIZED STRUCTURAL DESIGN, S.C.
1100 W. 10th Street
Greenville, SC 29615
Phone: (803) 757-5528
Fax: (803) 757-5517

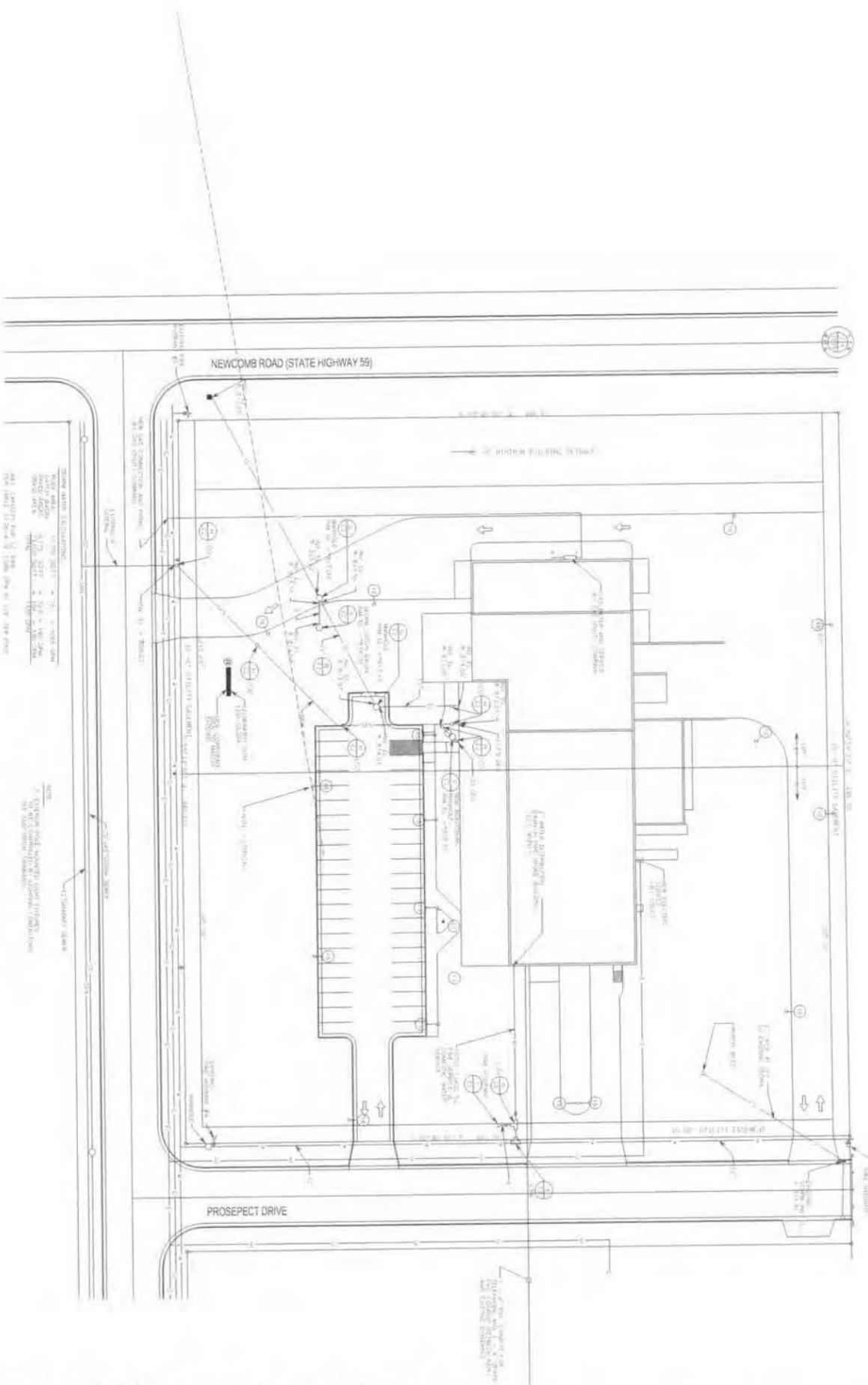
PROPOSED SITE PLAN

TROSTEL LTD.
RAW MATERIALS WAREHOUSE EXPANSION
728 EXECUTIVE DRIVE
WHITEWATER, WI 53190

SD2.0

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EXISTING UTILITIES

UTILITY	DEPTH (FEET)	LOCATION
12" WATER MAIN	4.0	UNDER PROSPECT DRIVE
8" GAS MAIN	4.0	UNDER PROSPECT DRIVE
4" ELECTRIC MAIN	4.0	UNDER PROSPECT DRIVE
12" WATER MAIN	4.0	UNDER NEWCOMB ROAD
8" GAS MAIN	4.0	UNDER NEWCOMB ROAD
4" ELECTRIC MAIN	4.0	UNDER NEWCOMB ROAD

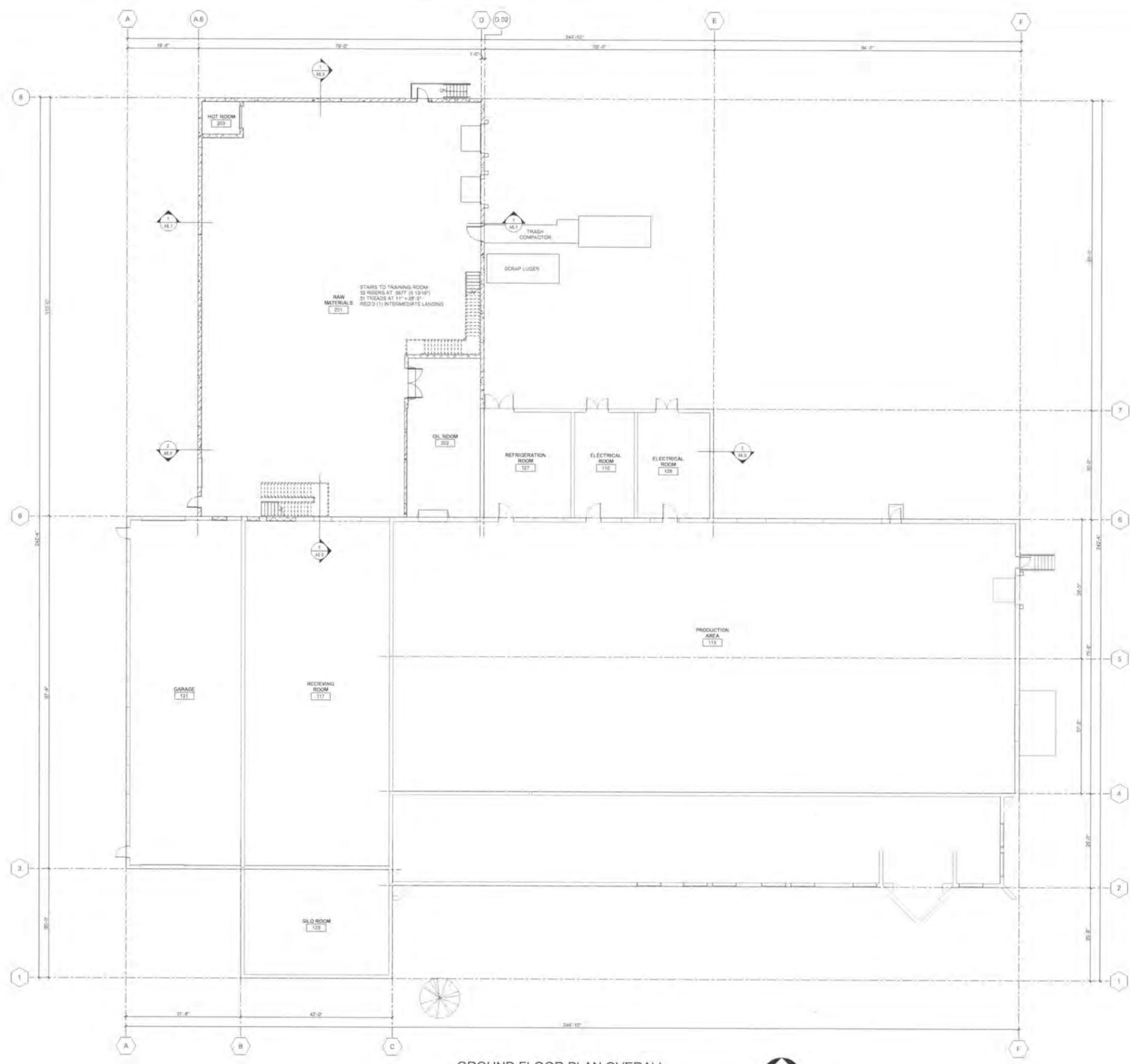
EXISTING SITE UTILITY PLAN
SCALE 1" = 30'



01-25-2013 PLAN COMMISSION SUBMITTAL - NOT FOR CONSTRUCTION

COMPUTERIZED STRUCTURAL DESIGN, S.C. CONSULTING ENGINEERS 9200 N. Port Washington Rd. Milwaukee, WI 53217 Phone: (414) 351-5588 Fax: (414) 351-4617	EXISTING SITE UTILITY PLAN	TROSTEL, LTD. RAW MATERIALS WAREHOUSE EXPANSION 736 EXECUTIVE DRIVE WHITEWATER, WI 53190	REV. NO.	DESCRIPTION	DATE	BY
			3			
			4			
			2			
			1			

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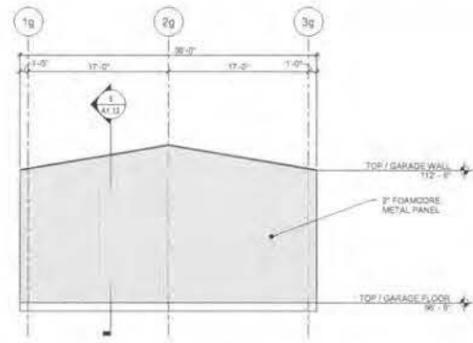
01-28-2013 PLAN COMMISSION SUBMITTAL - NOT FOR CONSTRUCTION

COMPUTERIZED STRUCTURAL DESIGN, S.C.
 1000 W. 10th Street
 Greenville, SC 29615
 Phone: (864) 251-0588
 Fax: (864) 251-0481

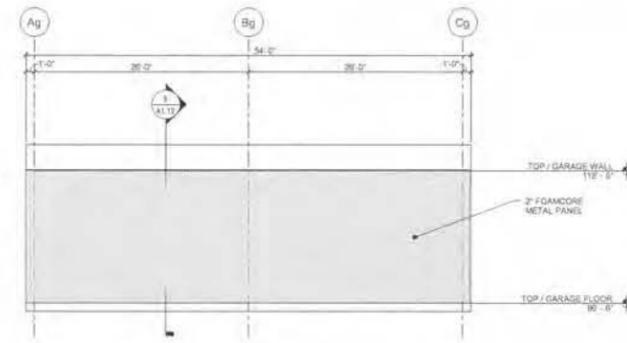
Project: TROSTEL LTD
 RAW MATERIALS WAREHOUSE EXPANSION
 736 EXECUTIVE DRIVE
 WHITEWATER, WI 53190

GROUND FLOOR PLAN OVERALL

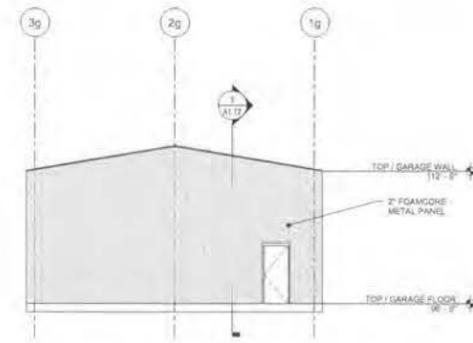
REV	DATE	DESCRIPTION
1		
2		
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9		
10		



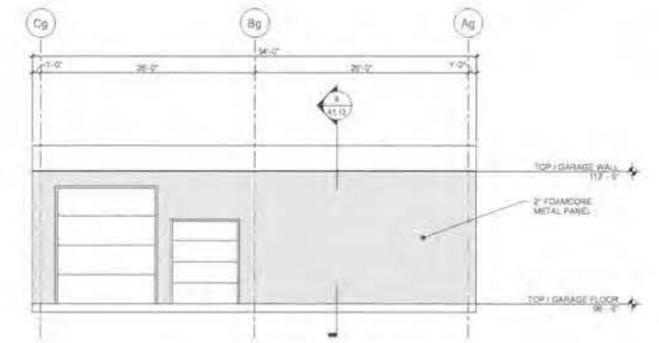
1 EAST ELEVATION GARAGE
A1.12 SCALE: 1/8" = 1'-0"



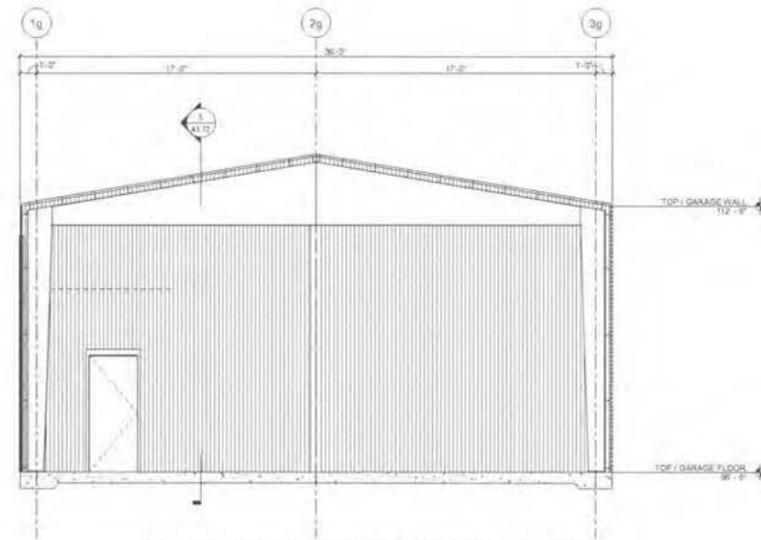
2 NORTH ELEVATION GARAGE
A1.12 SCALE: 1/8" = 1'-0"



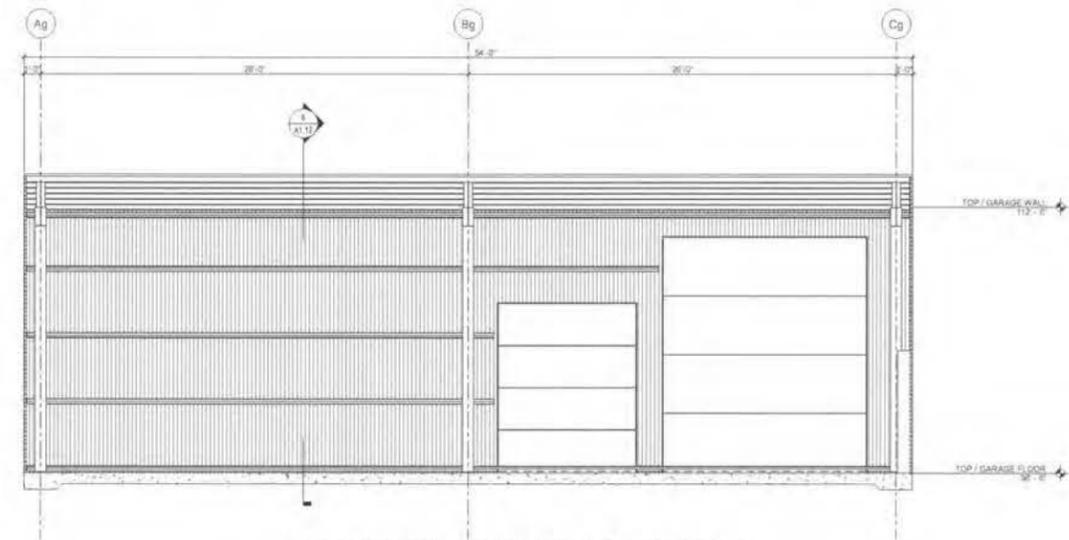
3 WEST ELEVATION GARAGE
A1.12 SCALE: 1/8" = 1'-0"



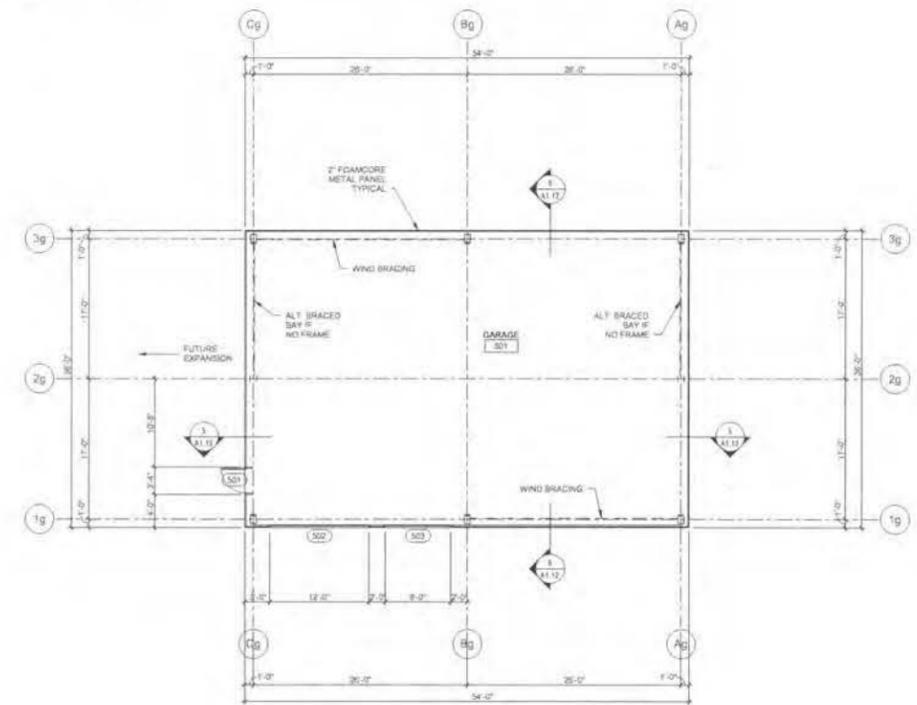
4 SOUTH ELEVATION GARAGE
A1.12 SCALE: 1/8" = 1'-0"



6 GARAGE BUILDING CROSS SECTION
A1.12 SCALE: 1/8" = 1'-0"



5 GARAGE BUILDING CROSS SECTION
A1.12 SCALE: 1/8" = 1'-0"

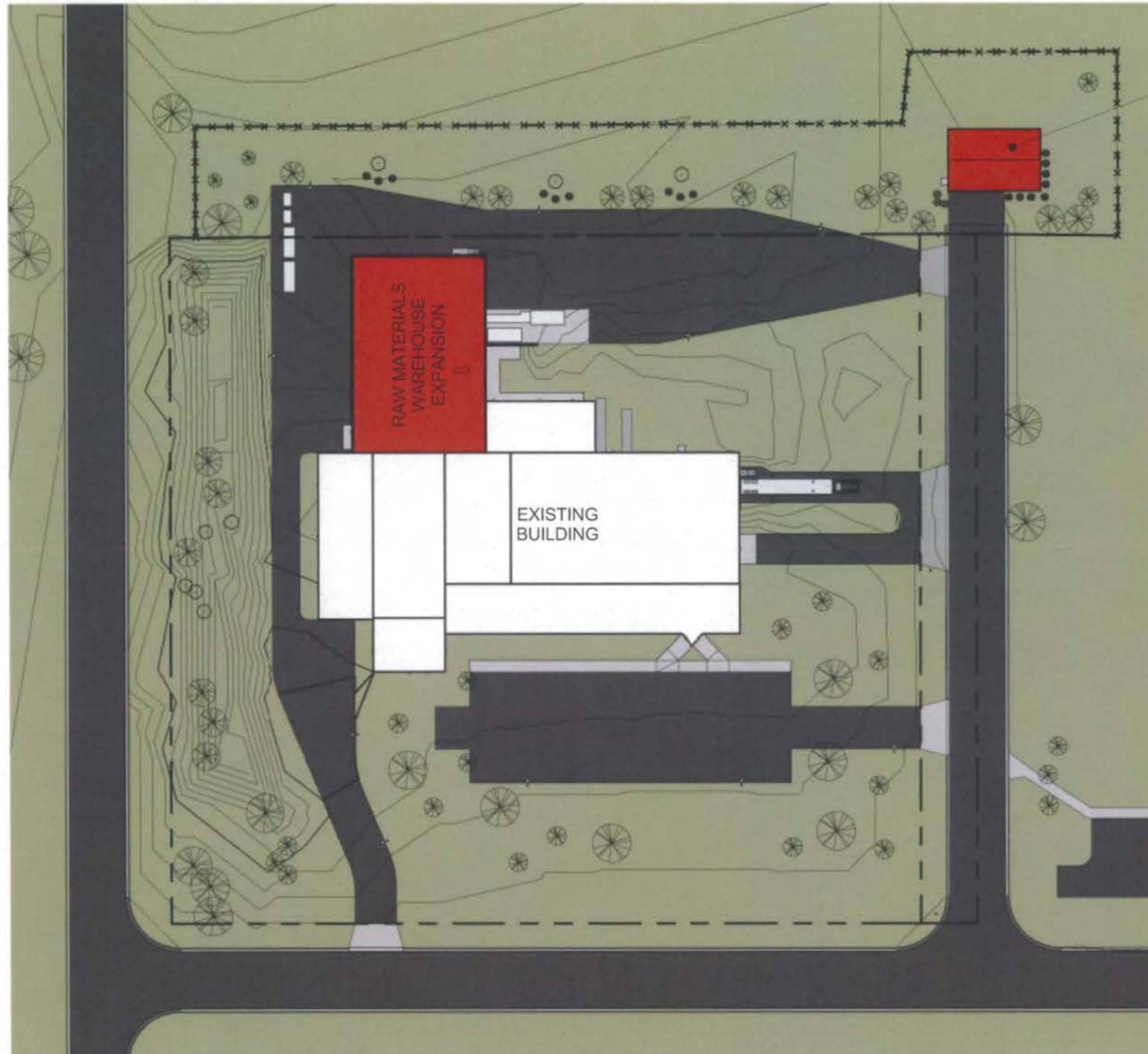


GARAGE FLOOR PLAN ENLARGED
SCALE: 1/8" = 1'-0"

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 01-25-2013 PLAN COMMISSION SUBMITTAL - NOT FOR CONSTRUCTION
 A1.12

PROJECT NO.	01-25-2013
DATE	01-25-2013
PROJECT NAME	RAW MATERIALS WAREHOUSE EXPANSION
OWNER	TROSTEL, LTD.
ARCHITECT	COMPUTERIZED STRUCTURAL DESIGN, S.C.
SCALE	1/8" = 1'-0"
DATE	01-25-2013
PROJECT NO.	01-25-2013
DATE	01-25-2013
PROJECT NAME	RAW MATERIALS WAREHOUSE EXPANSION
OWNER	TROSTEL, LTD.
ARCHITECT	COMPUTERIZED STRUCTURAL DESIGN, S.C.
SCALE	1/8" = 1'-0"
DATE	01-25-2013



NEW ONE STORY METAL STORAGE BUILDING

CS
**COMPUTERIZED
 STRUCTURAL
 DESIGN, S.C.**
 CONSULTING ENGINEERS
 8989 N. Port Washington Rd.
 Milwaukee, WI 53217-1633
 414-351-5588 Fax 414-351-4617

SHEET TITLE:

PRESENTATION SITE PLAN

PROJECT:

RAW MATERIALS WAREHOUSE EXPANSION
 TROSTEL, LTD.
 736 EXECUTIVE DRIVE
 WHITEWATER, WI 53190

JOB NUMBER:
 J100722MTB

DATE:
 01-22-2013

SHEET NO.:

SK1

LUMINAIRE SCHEDULE							
Symbol	Label	Qty	Description	Lamp	Lumens	LLF	Watts
	A	5	Area Luminaire, 150W HPS, R2 Reflector, Sharp Cutoff Lithonia Mounted 30' AFF	ONE 150-WATT CLEAR HIGH PRESSURE SODIUM, HORIZONTAL POSITION.	16000	1.00	189
	B	10	Area Luminaire, 70W HPS, R4 Reflector, Full Sharp Cutoff Lithonia Mounted 14' AFF	ONE 70-WATT CLEAR HIGH PRESSURE SODIUM, HORIZONTAL POSITION.	6300	1.00	94

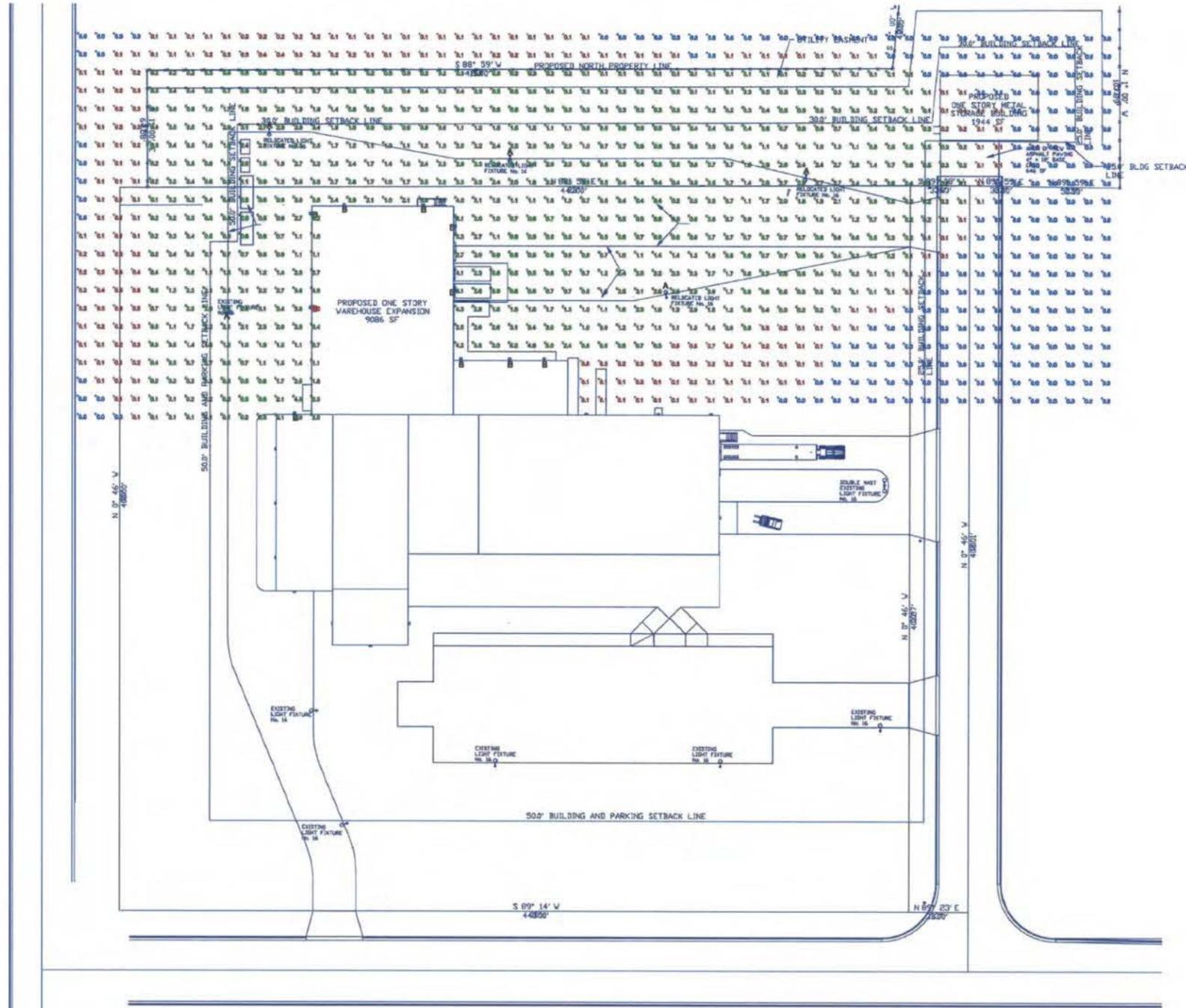
STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Exterior	+	0.7 fc	6.3 fc	0.0 fc	N / A	N / A
Site Lighting Area	⊗	1.2 fc	6.3 fc	0.1 fc	63.0:1	12.0:1



Fixture Type A:
Area Luminaire, 150W
HPS, R2 Reflector,
Sharp Cutoff
Lithonia
Mounted 30' AFF



Fixture Type B:
Area Luminaire, 70W
HPS, R4 Reflector, Full
Sharp Cutoff
Lithonia
Mounted 14' AFF



Scale 1/32" = 10'

Trostel LTD
736 Executive Dr.
Whitewater, WI 53190

Name:
License #:
Signature:
Date:

Firm Name and Address

 PO Box 268
 Johnson Creek WI 53038
 (920) 699-5158

Project Name and Address
 Trostel LTD
 736 Executive Dr.
 Whitewater, WI 53190

Project Trostel	Sheet E1
Date 1/17/13	Site Photometrics Plan
Scale NTS	

**Reciprocal
Access Easement
Agreement**

Document Number

Document Title

Drafted by and Return to:
Bret A. Roge, Esq.
Michael Best & Friedrich
100 East Wisconsin Avenue, Suite
3300
Milwaukee, WI 53202-4108

See attached exhibit

Parcel Identification Number

DOCUMENT NO.

**RECIPROCAL ACCESS
EASEMENT AGREEMENT**

This document drafted by and should be returned to:
Bret A. Roge, Esq.
Michael Best & Friedrich LLP
100 East Wisconsin Avenue, Suite 3300
Milwaukee, WI 53202-4108

A183100001 and
A208900001

(Parcel Identification Numbers)

RECIPROCAL ACCESS EASEMENT AGREEMENT

THIS RECIPROCAL ACCESS EASEMENT AGREEMENT (this "Agreement") is made as of the 1st day of November, 2012 (the "Effective Date"), by and between TROSTEL, LTD., a Wisconsin corporation, with its principal offices at 901 Maxwell Street, Lake Geneva, Wisconsin 53147 (hereinafter referred to as "Trostel"), and GKM2 WHITEWATER LLC, a Wisconsin limited liability company, with its principal offices at 600 S. Jefferson Street, Waterford, Wisconsin 53185 (hereinafter referred to as "GKM2").

RECITALS

A. Trostel is the owner of the real property whose legal description is set forth on Exhibit "A" attached hereto and incorporated herein by this reference (hereinafter referred to as the "Trostel Parcel").

B. GKM2 is the owner of the real property whose legal description is set forth on Exhibit "B" attached hereto and incorporated herein by this reference (hereinafter referred to as the "GKM2 Parcel").

C. A public right-of-way known as "Executive Court" is located between the Trostel Parcel and the GKM2 Parcel, as depicted on the aerial map attached hereto and incorporated herein by this reference as Exhibit "C".

D. Trostel has requested the vacation and discontinuance of the Executive Court right-of-way, and GKM2 has consented to such vacation and discontinuance on the terms and conditions stated herein.

AGREEMENT

NOW, THEREFORE, for and in consideration of the covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby conclusively acknowledged, and intending to be legally bound hereby, Trostel and GKM2 agree as follows:

1. Incorporation of Recitals. The above enumerated recitals are true and correct and are incorporated herein by this reference.

2. Grant of Reciprocal Access Easement. (a) Effective as of the date hereof, Trostel, as its interest appears, hereby grants and conveys to GKM2 and its successors and assigns, a perpetual nonexclusive easement on, over and across that portion of vacated Executive Court legally described on Exhibit "D" attached hereto and incorporated herein by this reference (such area being the "Access Road Easement Area") for the passage and accommodation of pedestrians and vehicles (but not for parking purposes) by GKM2, its partners, officers, agents, employees, customers, contractors, users, lessees, licensees, invitees, guests, tenants, occupants, successors and assigns (collectively, the "GKM2 Beneficiaries"), for purposes of ingress and egress to and from the East Executive Drive right-of-way, to and from the GKM2 Parcel, and for no other purpose.

(b) Effective as of the date hereof, GKM2, as its interests appear, hereby grant and convey to Trostel and its successors and assigns, a perpetual nonexclusive easement on, over and across the Access Road Easement Area for the passage and accommodation of pedestrians and vehicles (but not for parking purposes) by Trostel, its partners, officers, agents, employees, customers, contractors, users, lessees, licensees, invitees, guests, tenants, occupants, successors and assigns (collectively, the "Trostel Beneficiaries"), for purposes of ingress and egress to and from the East Executive Drive right-of-way, to and from the Trostel Parcel, and for no other purpose.

(c) In the event Trostel, or an affiliate of Trostel, acquires title to any real property contiguous to the Trostel Parcel (a "Trostel Contiguous Parcel"), then the term "Trostel Parcel" as used in this Agreement shall automatically be deemed to include such Trostel Contiguous Parcel.

(d) In the event GKM2, or an affiliate of either of GKM2, acquires title to any real property contiguous to the GKM2 Parcel (a "GKM2 Contiguous Parcel"), then the term

“GKM2 Parcel” as used in this Agreement shall automatically be deemed to include such GKM2 Contiguous Parcel.

3. Maintenance and Repair of the Access Road.

(a) Trostel shall be solely responsible for maintaining the private roadway located within the Access Road Easement Area (the “Access Road”) in good condition and repair, in accordance with all applicable governmental rules, ordinances and regulations, as well as sound engineering practices, including, without limitation, keeping the Access Road reasonably free of snow, mud, ice, refuse, garbage, holes and breaks in pavement and related matters (any such work being the “Access Road Maintenance Work”). All Access Road Maintenance Work shall be done in a good and workmanlike manner, and all subcontractors, suppliers, laborers, mechanics and materialmen for all material and labor supplied for any Access Road Maintenance Work shall be timely paid so as to prevent any liens from being filed against the GKM2 Parcel in connection therewith. With respect to snowfall events, the Access Road Maintenance Work shall include plowing the Access Road as reasonably required by the weather conditions to ensure the Access Road remains passable at all times. Notwithstanding the foregoing, GKM2 shall, at its sole cost and expense, be responsible for any Access Road Maintenance Work necessitated by the negligence or willful misconduct of GKM2 and/or the GKM2 Beneficiaries.

(b) In the event a party fails to perform any Access Road Maintenance Work for which it is responsible pursuant to subparagraph (a) above, which failure continues for more than ten (10) days after the nonperforming party’s receipt of written notice thereof from another party (or for more than three (3) hours after verbal or written notice to Trostel that the Access Road is impassable as a result of snow accumulation) such notifying party shall have the right, but not the obligation, to: (i) perform such obligations as are necessary to restore the Access Road to good condition and repair; (ii) perform any Access Road Maintenance Work; (iii) expend such funds as are reasonably necessary for any Access Road Maintenance Work; and (iv) submit an itemized invoice (an “Invoice”) to the nonperforming party for the cost of the reasonably expended funds in connection with any such Access Road Maintenance Work performed by such party as aforesaid. Any invoiced amount which is not paid within ten (10) days of receipt of such Invoice by the nonperforming party shall accrue interest at the rate of ten percent (10%) per annum, retroactive to the date of the Invoice.

4. Alterations and Improvements. Trostel and GKM2 shall make no alterations to the location or configuration of the Access Road that interfere with or diminish the other parties’ access to and from their respective parcels from and to the East Executive Drive right-of-way without the prior written approval of the parties hereto, which approval shall not be unreasonably withheld.

5. Insurance. Trostel and GKM2 shall each take out and maintain during the term of this Agreement one or more insurance policies written by a reputable insurance company licensed in the State of Wisconsin with the following minimum coverage and limits relative to the use of the Access Road Easement Area by Trostel and the Trostel Beneficiaries and by GKM2 and the GKM2 Beneficiaries, as applicable:

Commercial General Liability	\$2,000,000 per occurrence
(including bodily injury and property damage)	\$4,000,000 aggregate
Automobile Liability	\$1,000,000 per occurrence
	\$2,000,000 aggregate

The parties hereto shall maintain and keep in full force and effect, for the mutual benefit of the parties hereto, the insurance policies referenced above, each party naming the other parties as additional insureds. Each party shall deliver to the other parties a certificate of such insurance and of the renewals thereof from time to time during the term of this Agreement. Such policies shall each contain a provision requiring thirty (30) days' prior written notice be given to each party prior to any cancellation of any insurance required by this Agreement. All such renewal notices shall be delivered to the respective parties at least ten (10) days prior to the expiration of any current policy required by this Agreement.

6. Indemnification.

(a) Except as expressly set forth in subparagraph (b) of this Paragraph 6, and except for any liabilities, losses, damages, costs and expenses arising from (i) the negligence or willful misconduct of GKM2 and/or the GKM2 Beneficiaries, or (ii) GKM2's failure to perform its obligations under Paragraph 3(a), Trostel shall indemnify, defend and hold GKM2 harmless from and against any and all liabilities, losses, damages, costs and expenses (including, without limitation, reasonable attorneys' fees) which GKM2 may hereafter suffer in connection with any claim, action or right of action (at law or in equity) and to the extent of any injury (including death) or damage to person or property which arises out of any Claim (as hereinafter defined) by Trostel or any of the Trostel Beneficiaries relating to any defect or alleged defect in the condition of the Access Road.

(b) Except as expressly set forth in subparagraph (a) of this Paragraph 6, and except for any liabilities, losses, damages, costs and expenses arising from (i) the negligence or willful misconduct of Trostel and/or the Trostel Beneficiaries, or (ii) Trostel's failure to perform its obligations under Paragraph 3(a), GKM2 shall indemnify, defend and hold Trostel harmless from and against any and all liabilities, losses, damages, costs and expenses (including, without limitation, reasonable attorneys' fees) which Trostel may hereafter suffer in connection with any claim, action or right of action (at law or in equity) and to the extent of any injury (including death) or damage to person or property which arises out of any Claim by GKM2 or any of the GKM2 Beneficiaries relating to any defect or alleged defect in the condition of the Access Road.

7. Notice of Claim Procedure. Upon Trostel or GKM2 becoming aware of the occurrence of any event or the existence of any state of facts in respect of which Trostel or GKM2 has a claim for indemnification under Paragraph 6 of this Agreement (a "Claim"), as soon as reasonably practicable thereafter, but in no event later than thirty (30) days thereafter:

(a) Trostel or GKM2, as the case may be (designated as the "Indemnified Party" for purposes of this Paragraph 7), shall provide the other party (designated as the "Responsible Party" for purposes of this Paragraph 7) with written notice of the Claim in

accordance with Paragraph 9 of this Agreement. Notwithstanding anything to the contrary contained herein, failure of the Indemnified Party to timely notify the Responsible Party shall not prevent or in any way impair recovery by the Indemnified Party unless the Responsible Party is materially prejudiced as a direct result of such failure;

(b) The Responsible Party shall, at its own expense, diligently control and be responsible for the defense, negotiation and/or settlement of the Claim with counsel reasonably satisfactory to the Indemnified Party;

(c) The Indemnified Party may, at its own expense, hire counsel to monitor the Claim; and

(d) If the Responsible Party does not timely assume responsibility for any Claim, then, upon ten (10) days' prior written notice to the Responsible Party, the Indemnified Party shall have the right, without prejudice to its right of indemnification hereunder, at the sole cost and expense of the Responsible Party, to assume control of the defense, negotiation and/or settlement of the Claim, and may engage counsel or other agents, consultants and contractors to contest, defend, settle or otherwise dispose of such Claim.

8. Covenants Running with the Land. All of the terms, conditions, covenants and other provisions contained in this Agreement, including the benefits and burdens, shall run with the Trostel Parcel and the GKM2 Parcel and shall be binding upon and inure to the benefit of and be enforceable by Trostel and GKM2 and their respective successors and assigns as owners of the fee interest in the Trostel Parcel and the GKM2 Parcel, respectively.

9. Notices. All notices or other communications received or permitted hereunder shall be in writing and shall be deemed given, delivered and received (a) when delivered, if delivered personally by a commercial messenger delivery service with verification of delivery, (b) when sent by registered or certified mail, return receipt requested and postage prepaid, (c) upon delivery by a private courier service providing documented overnight service, or (d) on the date of delivery if delivered by facsimile and electronically confirmed before 5:00 p.m. (prevailing central time) on any business day, or on the next business day if delivered by facsimile and electronically confirmed either after 5:00 p.m. (prevailing central time) or on a non-business day, in each case addressed as follows (or such other addresses as Grantor, Grantees or their respective successors or assigns may designate by like notice):

If to GKM2:

GKM2 Whitewater LLC
600 S. Jefferson Street
P.O. Box 370
Waterford, Wisconsin 53185
Attn: Mark Schildt
Fax: (262) 534-4151

with a copy to:

Michael Best & Friedrich LLP
100 East Wisconsin Avenue, Suite 3300
Milwaukee, Wisconsin 53202
Attn: Bret A. Roge, Esq.
Fax: (414) 277-0656

If to Trostel:

Trostel, Ltd.
901 Maxwell Street
Lake Geneva, Wisconsin 53147
Attn: Chief Financial Officer
Fax: (262) 249-8102

With a copy to:

Trostel, Ltd.
c/o Everett Smith Group, Ltd.
330 E. Kilbourn Avenue, Suite 750
Milwaukee, Wisconsin 53202
Attn: Chief Legal Officer
Fax: (414) 225-0025

10. Default; Remedies. If any party fails to duly and fully observe or perform any covenant, condition, or agreement on its part to be observed or performed pursuant to this Agreement, and such failure continues for thirty (30) days after notice from any party hereto (or, if such default is of the type that cannot be reasonably cured within thirty (30) days, then for a reasonable period of time thereafter provided the defaulting party proceeds with due diligence to cure such default) the nondefaulting parties may pursue any right, remedy, or benefit available hereunder, at law or in equity against the defaulting party. If a suit is brought to enforce this Agreement, the prevailing party shall be entitled to recover its costs, including reasonable attorneys' fees, from the nonprevailing party.

11. Independent Review. Each party hereto has had the opportunity to consult independent counsel regarding this Agreement.

12. Entire Agreement. This Agreement sets forth the entire understanding among the parties with respect to the subject matter hereof and supersedes all proposals, whether oral or written, and all other communications between the parties regarding the subject matter of this Agreement.

13. Governing Law. This Agreement shall be governed by the laws of the State of Wisconsin and any dispute under this Agreement shall be venued in Wisconsin.

14. Authority to Enter into Agreement. Each party represents and warrants to the other parties that the individual(s) executing this Agreement on behalf of such party has authority to execute this Agreement, and that such individual(s) know the contents hereof and have signed

their names hereto of their own free will. The foregoing representations and warranties shall survive the termination of this Agreement.

15. Successor and Assigns. This Agreement shall bind Trostel and GKM2, and their respective successors and assigns as owners of the fee interests in the Trostel Parcel and GKM2 Parcel, respectively; provided, however, this Agreement is not otherwise assignable by any party hereto without the prior written consent of the other party.

16. Amendments. This Agreement may not be amended, changed, altered or modified except in writing signed by all of the parties hereto.

17. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which taken together shall constitute but one and the same instrument.

18. Titles and Headings. Titles and headings of sections of this Agreement are for convenience of reference only and shall not affect the construction of any provision of this Agreement.

19. Signatures. Facsimile signatures shall be acceptable as originals. However, a fully-executed original (with original signatures) is needed, and will be provided, for purposes of recording this Agreement in the office of the Register of Deeds for Walworth County, Wisconsin.

20. Estoppel Certificate. Each party hereto agrees that, within ten (10) days of written request from time to time by any other party, said party shall execute, acknowledge and deliver to the requesting party, for the benefit of said requesting party and any mortgagee, prospective mortgagee or prospective purchaser of the requesting party's property, an estoppel certificate stating that the requesting party is not in default hereunder, that this Agreement remains in full force and effect and containing such other information as may be reasonably requested by the requesting party, or, if such statements are not accurate, then as modified so such statements are accurate.

21. No Merger. The rights and interests created hereunder, including the easements created hereby, shall remain in full force and effect, notwithstanding the fact that the same party may now or hereafter own and possess all of the real property interests associated therewith.

22. Not a Public Dedication. Nothing herein contained shall be deemed a gift or dedication of any portion of the Access Road Easement Area to the general public, or for any public use or purpose whatsoever. Except as herein specifically provided, no rights, privileges or immunities hereunder shall inure to the benefit of any third-party, nor shall any third-party be deemed to be a beneficiary of any of the provisions contained herein.

23. Severability. If any term or provision of this Agreement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of the

Agreement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by law.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the undersigned has caused this Agreement to be duly executed and delivered on the date first set forth above.

GKM2 WHITEWATER LLC

By: Mark Schildt
Name: Mark O. Schildt
Title: Manager

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
COUNTY OF RACINE)

Personally came before me this 30th day of October, 2012, Mark O. Schildt, known to me to be the Manager of GKM2 Whitewater LLC, a Wisconsin limited liability company, who executed the above instrument and acknowledged the same.



Robert Ludwig Jr.
Name: Robert Ludwig Jr.
Notary Public, State of Wisconsin
My Commission: 3/23/2014

EXHIBIT "A"

Legal Description of the Trostel Parcel

Lot One (1) of CERTIFIED SURVEY MAP NO. 2089, recorded in Volume 10 of Certified Survey Maps on Page 69, located in the Northwest 1/4 of the Northwest 1/4 of Section Three (3), in Township Four (4) North, Range Fifteen (15) East, in the City of Whitewater, County of Walworth, State of Wisconsin. Together with the West One-half (1/2) of vacated Executive Court abutting said parcel on the East.

Tax Key No.: A208900001

EXHIBIT "B"

Legal Description of the GKM2 Parcel

Lot One (1) of CERTIFIED SURVEY MAP NO. 1831, being all of Block Two (2) of the Plat of Whitewater Business Park, located in the Northwest 1/4 of the Northwest 1/4 of Section Three (3), in Township Four (4) North, Range Fifteen (15) East, in the City of Whitewater, County of Walworth, State of Wisconsin, recorded in the Office of the Register of Deeds for Walworth County on June 21, 1989 in Volume 8 of Certified Survey Maps on Pages 326 to 328 inclusive, as Document No. 179533. Together with the East On-half (1/2) of vacated Executive Court abutting said parcel on the West.

Tax Key No: A183100001

EXHIBIT "C"

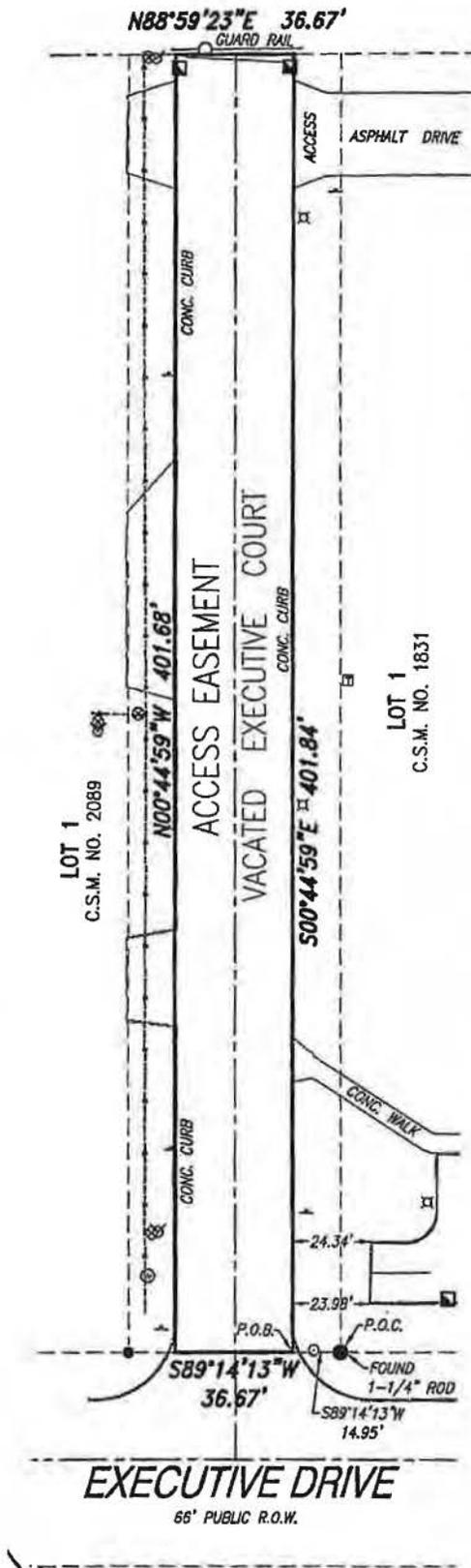
Aerial Map

[see attached]

EXHIBIT "D"

Legal Description of the Access Road Easement Area

[see attached]



LEGAL DESCRIPTION

That part of vacated Executive Court in the Northwest One Quarter (1/4) of the Northwest One-quarter (1/4) of Section Three (3), in Township Four (4) North, Range Fifteen (15) East, in the City of Whitewater, County of Walworth, State of Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of Lot 1 of Certified Survey Map No. 1831; thence South $89^{\circ}14'13''$ West 14.95 feet along the North line of Executive Drive to the point of beginning; thence South $89^{\circ}14'13''$ West 36.67 feet to a point; thence North $00^{\circ}44'59''$ West 401.68 feet to a point; thence North $88^{\circ}59'23''$ East along the North line of vacated Executive Court 36.67 feet to a point; thence South $00^{\circ}44'59''$ East 401.84 feet to the point of beginning.

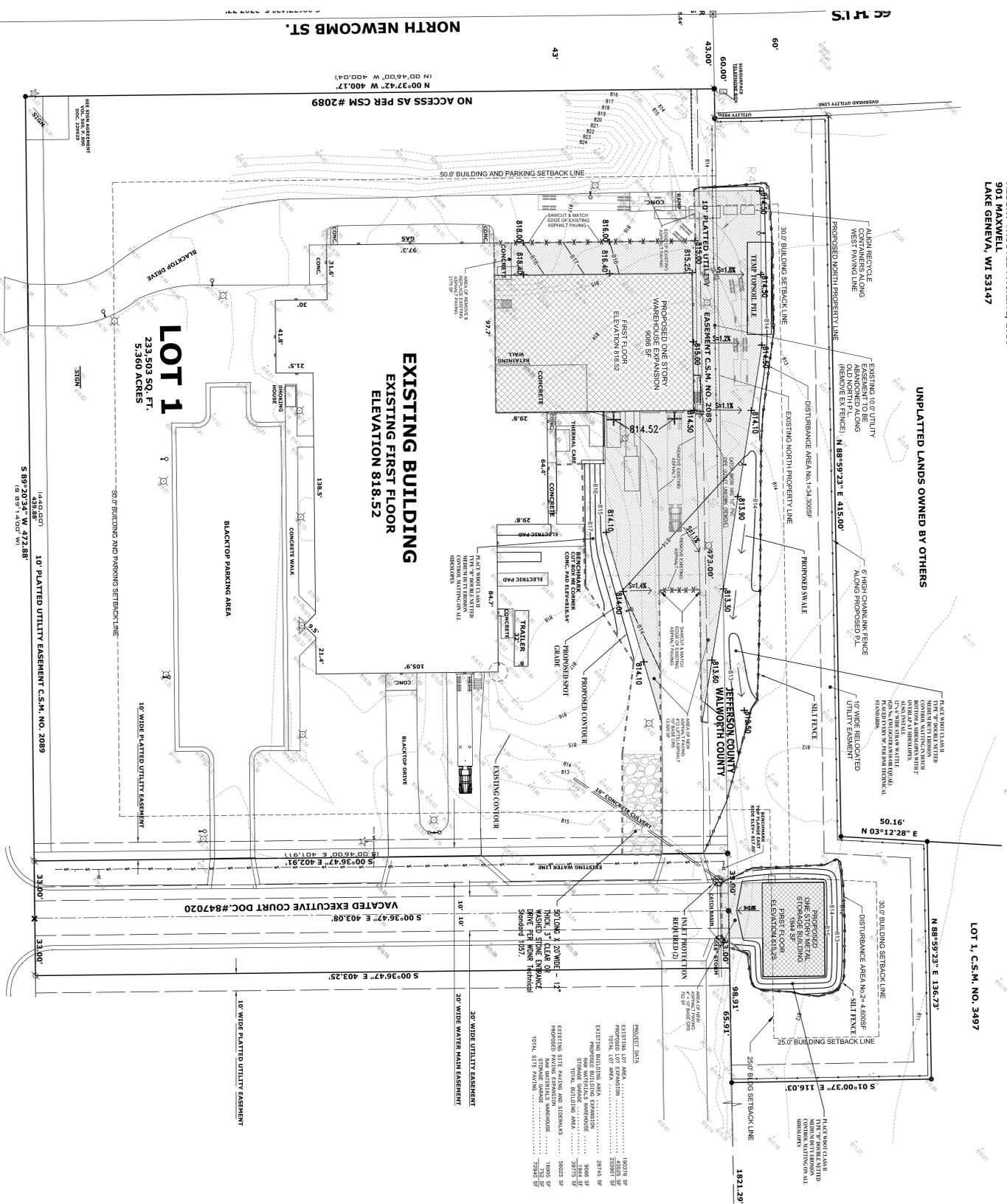


CHAPUT LAND SURVEYS LLC
 23+ W. FLORIDA STREET
 MILWAUKEE, WI 53204
 414-224-8068
 www.chaputlandsurveys.com

Date: June 15, 2012
 Drawing No. 1305-tjn

Exhibit D

OWNER:
ALBERT TROSTEL PACKING, LTD.
901 MAXWELL
LAKE GENEVA, WI 53147



GENERAL CONSTRUCTION NOTES:

1. All work shall be in accordance with the Standard Specifications for Highway and Structure Construction, State of Wisconsin, Latest Edition, the State of Wisconsin Plumbing Code and the Wisconsin Electrical Code. The contractor shall be responsible for obtaining all necessary permits from the local authority having jurisdiction. The contractor shall be responsible for obtaining all necessary permits from the local authority having jurisdiction.
2. All erosion control measures specified on this plan shall be installed and maintained throughout the construction period. The contractor shall be responsible for obtaining all necessary permits from the local authority having jurisdiction.
3. All erosion control devices (i.e., silt fence, gravel entrance, etc.) shall be installed prior to commencing mass grading or utility construction. The site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.
4. The general contractor will provide all surveying and construction staking for this contract. The contractor shall exercise care and diligence in protecting the same. Any contractor's neglect may be charged to the contractor and deducted from the sums due him under this contract.
5. The contractor shall notify Diggers Hotline, all utilities City Departments, and government units whose property may be affected by the contractor's operations at least 48 (48) hours before breaking ground. Diggers Hotline number is 811.
6. Public roads shall not be closed to traffic at any time. All ingress and egress traffic to the project shall be limited to the TRACKING PAD entrance to the property.
7. The contractor shall be responsible for maintaining the public roads. Public roadways shall be kept free of silt or dirt tracked from areas under construction by sweeping within 24 hours of completion of any construction activity. The contractor shall be responsible for maintaining the public roads.
8. If applicable, construction scheduling or other appropriate methods, such as a Type III erosion barrier until the site is vegetated. The contractor shall be responsible for maintaining the public roads.
9. Upon completion of any maintenance, the contractor shall provide seed, fertilizer and mulch per the Standard Specifications.
10. All disturbed areas that remain inactive for more than 7 days shall be stabilized with a minimum of 4.0 lbs/1000 sq. ft. seeding with an application rate of 4.0 lbs/1000 sq. ft. The general contractor every seven days or within 24 hours of a rainfall greater than 0.25 inches.
11. This is not stabilized by September a winter stabilization plan will be required to continue construction.

CONSTRUCTION PHASING SEQUENCING:

- THE GRADING AND UTILITY CONTRACTORS MUST FOLLOW THE FOLLOWING CONSTRUCTION SEQUENCE AS REQUIRED BY THE CITY OF WHITEWATER:
1. INSTALL GRAVEL CONSTRUCTION ENTRANCE AS SHOWN ON THE PLAN (TRACKING PAD).
 2. STRIP AREAS IN THE PROPOSED BUILDING, DRIVE & OTHER GRASS AREAS, HAIL OFF SOIL ASPHALT, STOCK PILE EXCESS TOPSOIL WITH EROSION CONTROL PROTECTION IN THE LOCATION SHOWN ON THE PLAN.
 3. PLACE & COMPACT GRAVEL IN ALL DRIVE AREAS AND COMPLETE PAVING.
 4. TOPSOIL, REVEGETATE AND STABILIZE ALL REMAINING DISTURBED AREAS PER PLAN.
 5. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. ALL TEMPORARY EROSION CONTROL MEASURES, INCLUDING THE TRACKING PAD.

NOTE:

THE PROPOSED TOTAL SITE DISTURBANCE IS 38,800 SF WHICH WE BELIEVE MEETS THE SITE EROSION CONTROL STANDARDS. GENERAL CONTRACTOR TO DISCUSS CITY AND/OR WORK PRIOR TO COMMENCING ANY WORK ON THE PROJECT.

NOTE:

EROSION CONTROL MEASURES SHOULD BE SURROUNDING BY SILT FENCE & STABILIZED IF NOT TO BE USED WITHIN 30 DAYS. ANY DISTURBED AREAS SHALL BE STABILIZED WITHIN 30 DAYS. ANY DISTURBED AREAS SHALL BE STABILIZED WITHIN 30 DAYS.

SCALE: 1"=30'



THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED ON PLAN INFORMATION. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL AUTHORITY HAVING JURISDICTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL AUTHORITY HAVING JURISDICTION.

REVISIONS	DATE	DESC.

	GRADING, PAVING & DRAINAGE PLAN (INCLUDING EROSION CONTROL)
SCALE: 1"=30' JOB NO.: DATE: 01-30-12 CHECKED BY: C1	TROSTEL BUILDING EXPANSION Whitewater, Wisconsin ELIENA ENGINEERING CONSULTANTS, LLC 700 Pilsbury Parkway, Suite 1100 • Elm Grove, WI 53122 Phone: 262-719-9183 • Fax: 262-719-9184 • Email: info@eliena.com



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
Meeting Date: February 11, 2012
Re: Request a conditional use permit for the construction of a 1560 square foot detached garage with porch to be located at 826 W. Walworth Ave.

Summary of Request

Requested Approvals: The applicant, Craig Pope, is requesting a conditional use permit to construct a 1560 square foot, three-stall detached garage with a porch. This is 760 square feet more than the maximum size (800 sq. ft.) allowed for a detached accessory structure.

Location: 826 W. Walworth Ave

Current Land Use: Single Family

Proposed Use: No change proposed

Current Zoning: R-2 One and Two Family Residential

Proposed Zoning: No change proposed

Comprehensive Plan's Future Land Use Designation: Single Family Residential

Surrounding Zoning and Land Use:

North, East and West: R-2 One and Two Family Residential; Land Use- Residential

South: B-1 Community Business District; Land Use – Residential

Description

Mr. Craig Pope is requesting a conditional use permit to construct a 1560 square foot, three-stall garage with a porch. (1448 square feet for the garage and 112 square feet for the porch. The plans state 1,468 square feet for the garage, but the actual calculation is 1448 square feet). Mr. Pope has submitted a letter stating the purpose and need for this garage is for personal use to store vehicles and other items.

The City Code Section 19.06.120 (F): *Detached accessory structures are permitted in side and rear yards only. They shall not be closer than ten feet to the principal structure, shall not exceed fifteen feet in height, shall not be larger than ten percent of the side and rear yard lot area (open space) and in no case shall exceed eight hundred square feet in size. Detached accessory structures shall not be closer than five feet to any lot line nor ten feet to any alley line. Any proposed detached accessory structure which is larger than the requirements of this section may be allowed but shall require a conditional use permit.*

Setbacks and general information

The plans show that the proposed garage will meet the required five (5) foot setback from the side property line and 10 feet from the alley.

The existing garage and driveway on W. Walworth Ave will be removed. A new curb and gutter will be installed. The proposed color of the lap siding will be either Biscuit, Tan or Sand. Please see attached information.

“Building Height” means the vertical distance measured from the main elevation of the finished lot grade along the street yard face of the structure to the highest level between the eaves and ridges of gable, gambrel, hip and pitch roofs: or to the deck line of mansard roofs. The building inspector, Greg Noll, has reviewed the plans for this project and given general approvals, but a building permit would still be needed.

Percentage of lot

Accessory structures are to be no larger than 10% of the rear and side lot area. The total lot area (open space) is 11,490 square feet; a detached garage should be no larger than 1,149 square feet. The proposed structure is 1,448 square feet which is 299 square feet larger than the maximum allowable for the open space requirement.

Trees and fencing

Additional landscaping and fencing is not required when applying for a condition use permit, but Mr. Pope has included these items for the Plan and Architectural Commission to review. A four-foot high picket fence for the front yard and a six foot high side and rear yard cedar or composite fence has been proposed. Please see attached photos. A singular color for the fence may be recommended.

Four evergreen trees will be added close to the west property line. This will buffer the garage from the street view. Existing trees along the east property line shall remain. Mr. Pope intends to remove the brush under the trees.

Recommendation on Conditional Use Permit

Staff review and general approvals have been given from Greg Noll, Building Inspector.

I do not recommend approval if the current code is not addressed because the proposed structure has greatly exceeded the square footage and lot coverage requirement. If this code is the current intent of the Plan Commission for the design of the community, then the requirements should stand and approval not given.

If the Plan and Architectural Commission recommends approval of this structure, I recommend that the Code for detached accessory structure is reviewed.

The Plan and Architectural Review Commission has reviewed another Conditional Use Permit for a large detached accessory structure within the past year. The approval was given for an accessory structure to be 64 square feet larger than the 800 square feet allowed. Mr. Pope’s proposed detached structure is slightly less than double the limit per the City Code.

Should the Code be looked at to see if there are some changes needed? Is 800 square feet too large or too small? Should larger lots be allowed larger accessory structures, such as a tiered method? Are there guiding principles that could be added/changed to the current wording for garages in general?

Pending comments received at the public hearing, if the Plan and Architectural Review Commission recommends approval of the conditional use permit for Mr. Pope to construct a 1,560 square foot detached garage with porch to be located at 826 W. Walworth Ave, the following conditions should apply:

1. The applicant shall apply for a building permit and comply with all required building Codes.
2. The applicant shall comply with all City Codes.
3. Fencing and landscaping shall be required as indicated on the plan.

Analysis of Proposed Project

Standard	Evaluation	Comments
Conditional Use Permit Standards (see section 19.66.050 of zoning ordinance)		
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.	No	The proposed garage exceeds the 800 square foot maximum requirement by 760 square feet. a large structure may create a nuisance to neighboring property owners. Structures that large are not typically found in rear yards.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	Access would come off the alley. All items have 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	This structure exceeds the lot percentage and the total square footage allowed for a detached accessory structure. A Conditional Use Permit may be granted to allow exceptions to both of these rules. No variance is needed.
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 one and two family residential use. The use of the property is not changing. Detached accessory structures are not specifically identified in the Comprehensive Plan.
The conditional use and structures are consistent with sound planning and zoning principles.	Yes and no	Detached accessory structures are allowed within the Code in R- 2 medium density residential areas. Large detached accessory structures that exceed the maximum requirement should be looked at for neighborhood continuity and within the planning scope in general.



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

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

NOTICE OF PUBLIC HEARING

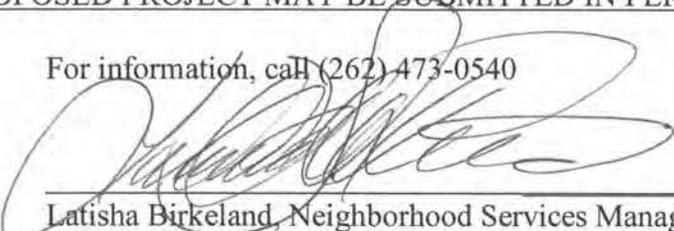
TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 11th day of February, 2013 at 6:00 p.m. to hold a public hearing for the consideration of conditional use permit for the construction of a 1560 sq. ft. detached garage with porch to be located at 826 W. Walworth Ave. for C. A. Pope. (This is 760 sq. ft. more than the maximum size (800 sq. ft.) allowed for a detached accessory structure).

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

CRAIG A POPE
P. O. BOX 2473
JANESVILLE WI, 53547

CRAIG A POPE
PO BOX 2473
JANESVILLE WI, 53547

CRAIG A POPE
PO BOX 2473
JANESVILLE WI, 53547

D&L TRIEBOLD TRUST
N7618 ENGEL RD
WHITEWATER WI, 53190

CRAIG L STAUFFER
SHARON M STAUFFER
437 S WHITON ST
WHITEWATER WI, 53190

ARTHUR GRAHAM
429 S WHITON ST
WHITEWATER WI, 53190

TIMOTHY L BUTCHER
PATRICE A BUTCHER
421 S WHITON ST
WHITEWATER WI, 53190

TIMOTHY J FREDRICKSON
JOYCE ROGAN
W3246 LAKE FOREST LN
LAKE GENEVA WI, 53147

ARTHUR M COLEMAN
403 S WHITON ST
WHITEWATER WI, 53190

EILEEN MEYER
N1010 PECHOUS LN
WHITEWATER WI, 53190

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

RODNEY D & DONNA M BERG TRUST
1716 TURTLE MOUND LN
WHITEWATER WI, 53190

JEFFREY S MILES
INGER J MILES
958 W. CHARLES ST
WHITEWATER WI, 53190

ROBERT L GAVERS
LUCILLE A GAVERS
13211 CHARLES RD
WOODSTOCK IL, 60098

STEVEN R SMITH
JANNA D SMITH
919 W. CHARLES ST
WHITEWATER WI, 53190

ANNE M DENNIS
404 S. WHITON ST
WHITEWATER WI, 53190

GREGORY A ADKINSON
DIANA L ROGERS-ADKINSON
418 S. WHITON ST
WHITEWATER WI, 53190

SUSAN M SWOBODA
426 S. WHITON ST
WHITEWATER WI, 53190

JUAN M GOMEZ
MARIA D GOMEZ
MARTIN GOMEZ
410 WHITON ST
WHITEWATER WI, 53190

THOMAS FAMILY TRUST
910 W. WALWORTH AVE
WHITEWATER WI, 53190

LAURIE K MURPHY
438 S. WHITON ST
WHITEWATER WI, 53190

TIMOTHY A KLINGMAN
RHONDA J KLINGMAN
430 S. WHITON ST
WHITEWATER WI, 53190

TAMMY L STEVENSON
904 W. WALWORTH AVE
WHITEWATER WI, 53190

KICH PROPERTIES LLC
N6927 GREENLEAF CT
ELKHORN WI, 53121

THOMAS H PAULL
MARGARET H PAULL
420 JANESVILLE ST
WHITEWATER WI, 53190

DEAN STEARNS
MARY STEARNS
917 W. WALWORTH AVE
WHITEWATER WI, 53190

JAROD J GOEHL
AMANDA M GOEHL
909 W WALWORTH ST
WHITEWATER WI, 53190

LADWIG & VOS INC
140 LONG MEADOW DR
BURLINGTON WI, 53105

ROBERT R ARDELT, SR
CONNIE A RIDGE
835 WALWORTH AVE
WHITEWATER WI, 53190

CRAIG A POPE
PO BOX 2473
JANESVILLE WI, 53547

VICTOR T BELLRICHARD
ANEASA M BELLRICHARD
825 W WALWORTH AVE
WHITEWATER WI, 53190

RAYMOND STRITZEL TRUST
530 SOUTH JANESVILLE AVE
WHITEWATER WI, 53190

ELIZABETH L MEYER REVOC TRUST
STANLEY C MEYER FAMILY TRUST
645 W HARPER
WHITEWATER WI, 53190-1100

WW VETERINARY BUILDING, LLC
527 S. JANESVILLE ST
WHITEWATER WI, 53190

ELIZABETH L MEYER REVOC TRUST
STANLEY C MEYER FAMILY TRUST
645 W HARPER
WHITEWATER WI, 53190-1100



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

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

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 826 W. WALWORTH AVE

Owner's Name: C A POPE

Applicant's Name: C.A. POPE

Mailing Address: P.O. B 2467

Phone #: 414-217-9953 Email: capopeinc@yahoo.com

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

BIR 00016

Existing and Proposed Uses:

Current Use of Property: RESIDENTIAL

Zoning District: R-2

Proposed Use: 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.	YES
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	YES
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	YES
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	YES

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

Applicant's Signature: Craig A. Pope

Date: 1/14/2013

Printed: Craig A. Pope

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 1/14/13. Received by: J. Wegner Receipt #: 6.010229
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 1-31-13.
- 3) Notices of the Public Hearing mailed to property owners on 1-28-13.
- 4) Plan Commission holds the PUBLIC HEARING on 2-11-13. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

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

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Purpose and need of proposed garage 826 West Walworth Avenue

The purpose of this statement is to give an explanation of our need for the garage at 826 West Walworth Ave per the request of Latisha C.D.A.

The submittal shows the size of the 3plus car garage, not exceeding the city of Whitewater's building code requirements. The existing site is the summation of the 2 homes to the west. I plan to move my family from our home in Janesville to this residence. The home is small for a family of five. I wish to maintain the integrity of this civil war era home therefore I'm choosing not to add on to it. Homes of this period did not have attached garages that are commonly built today.

We will need additional storage for a variety of items including my grandfathers 49 GMC. I will utilize a portion of the garage to finalize the restoration of this vehicle/family heirloom. We have three plus vehicles for personal use and yard maintenance equipment we will store in the garage. Seasonal usage items such as bicycles, baby pools, patio furniture ect. will be stored in this garage.

Relocating to Whitewater will allow me to focus my efforts on the redevelopment of Five Points BP at 804/808/818 West Walworth Ave. My wife Cathleen has been heading up the effort on development of the building at 514 South Janesville. She is currently exploring an exciting business opportunity for this location. Residing in Whitewater offers my family the convenience needed to undertake these projects.

The proposed garage will also create an attractive buffer to the Five Points BP redevelopment for the neighbors to the west.

Thank you for your consideration and time.

Craig Pope



(2) Examples of 6' side yard fence
to be either cedar or composite



Old World Restoration & Picket Fences
140 Mason Street, Newport, Victoria, Australia, 3015
Phone: +61 (03) 9399 1900 | Fax: +61 (03) 9399 1800



About Old World

Our business has been established over 20 years and is one of the leading feature fence companies in Australia. We are one of the very few companies that still mortice all the joints on our fencing; this and our great workmanship have helped make our company into one of the leaders in the industry. Old World offer a free, no obligation measure and quote onsite, or you can come into our showroom at 140 Mason Street, Newport, and speak to one of our friendly staff.

Our Products

We offer fences in two timber products - cypress pine and hardwood. All of our morticing, pickets and even our steel frame gates are constructed in our factory at Mason Street, so you are dealing directly with the manufacturer. Although the picket fence remains one of the most popular styles of fencing, we also offer Emu woven wire, fretwork features and ripple iron which are becoming increasingly popular and suit a diverse range of homes... [Read more](#)

Latest News

At Old World we have a long standing business relationship with **Emu Wire Industries**. Emu Wire are a wholly Australian company that supply quality woven wire fencing and ornamental gates. Gates can be made to your specifications and their colour range is vast. You can see all of their products at emuwireindustries.com.au

1 2 3

FRONT + SIDE YARD FENCE 4'

Bing



Distinctively Different In Every Way

The LP SmartSide product line features a variety of Lap Siding Solutions, all available in 16-foot lengths for fewer seams and faster installation.

Lap offerings are available in three of our product collections.

Each grouping offers a variety of unique styles and profiles.



Cedar Shakes

The Luxurious Look
Of Real Cedar Shakes

- The affordable way to deliver the look of real cedar
- Easy installation of lap siding
- Staggered or straight edge options in one versatile piece
- Staggered edges create a lively, textured effect
- An eye-catching alternative to the linear uniformity of conventional siding
- Suitable for an entire house or as a decorative accent with any siding
- Pre-primed for exceptional paint adhesion
- Treated with our proprietary SmartGuard® process to help prevent fungal decay and termite damage
- Works and cuts like traditional wood, no special tools required
- Reduced maintenance over time versus actual cedar
- Available in fiber substrate

Available as part of Architectural Collection



Colonial Beaded

Classic American Style
Meets Modern American Ingenuity

- Classic American style in smooth or cedar finishes
- Drip lines cast crisp shadows for maximum curb appeal
- Pre-primed for exceptional paint adhesion
- 16' length for faster installation and fewer seams
- Treated with our proprietary SmartGuard® process to help prevent fungal decay and termite damage
- Works and cuts like traditional wood, no special tools required
- Available in fiber substrate

Available as part of Architectural Collection



12" Bold Profiles

Striking Profiles, Remarkable Detail

- Distinctive double 5" and triple 4" profiles
- Shiplap edges make product easier to level and apply
- Pre-primed for exceptional paint adhesion
- Resistant to twisting, splitting, cracking and delaminating
- 16' length for faster installation and fewer seams
- Manufactured with our proprietary SmartGuard® process to help prevent fungal decay and termite damage
- Works and cuts like traditional wood, no special tools required
- Available in fiber substrate

Available as part of Architectural Collection

16" Bold Profiles

Distinctive Width, Rich Textures

- Distinctive extra-wide siding in quad 4", triple 5" and double 8" profiles
- Shiplap edges make product easier to level and apply
- Pre-primed for exceptional paint adhesion
- Resistant to twisting, splitting, cracking and delaminating
- 16' length for faster installation and fewer seams
- Manufactured with our proprietary SmartGuard® process to help prevent fungal decay and termite damage
- Works and cuts like traditional wood, no special tools required
- Available in fiber substrate

Available as part of Architectural Collection

Color Chart

Diamond Kote™

Standard Colors



WHITE



BEIGE



BISCUIT



TAN



SAND



FRENCH GRAY



PEWTER GREEN



OYSTER SHELL



CLAY



PELICAN



PLATINUM



SEAL



BUNGALOW



CINNABAR

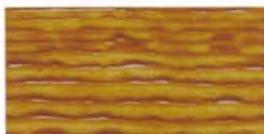


OLIVE



Diamond-Kote™
has the ability to
create custom colors
to suit any project.

Premium Colors



CEDAR



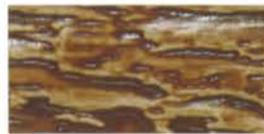
REDWOOD



MAPLE



MAHOGANY



CHESTNUT



WEATHERED WOOD

Available Soffit Colors



FOREST GREEN



CHOCOLATE



WHITE



BISCUIT



TERRA BRONZE



COFFEE



PEWTER GREEN



OYSTER SHELL

Colors May Vary Slightly from the Actual Color.

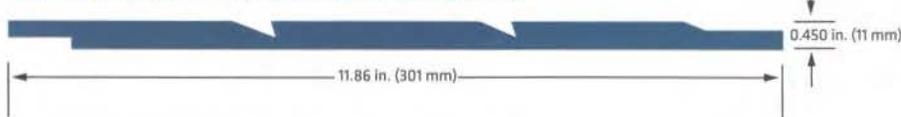
12" Bold Profiles

Genuine Detail

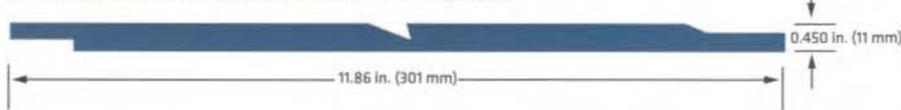
- Distinctive Triple 4" and Double 5" profiles
- Shiplap edges make it easier to level and apply
- Pre-primed for exceptional paint adhesion
- 16' length results in faster installation
- Available in fiber substrate

Available as part of Architectural Collection

LP SMARTSIDE® TRIPLE 4" BOLD PROFILES LAP SIDING (CEDAR)



LP SMARTSIDE DOUBLE 5" BOLD PROFILES LAP SIDING (CEDAR)



TEXTURE	LENGTH	ACTUAL WIDTH	ACTUAL THICKNESS
CEDAR	16 FT. (192 IN.) (4877 MM)	11.86 IN. (301 MM)	0.450 IN. (11 MM)



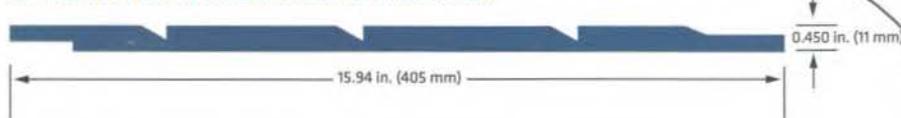
16" Bold Profiles

Choices That Make A Statement

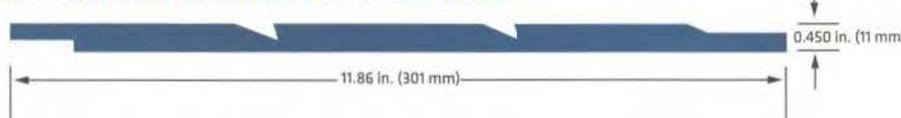
- This extra-wide 16" siding comes in three profiles: Quad 4", Triple 5" and Double 8"
- Pre-primed for exceptional paint adhesion
- 16' length results in faster installation
- Available in fiber substrate

Available as part of Architectural Collection

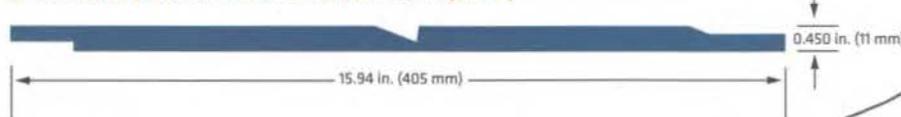
LP SMARTSIDE QUAD 4" BOLD PROFILES LAP SIDING (CEDAR)



LP SMARTSIDE TRIPLE 5" BOLD PROFILES LAP SIDING (CEDAR)



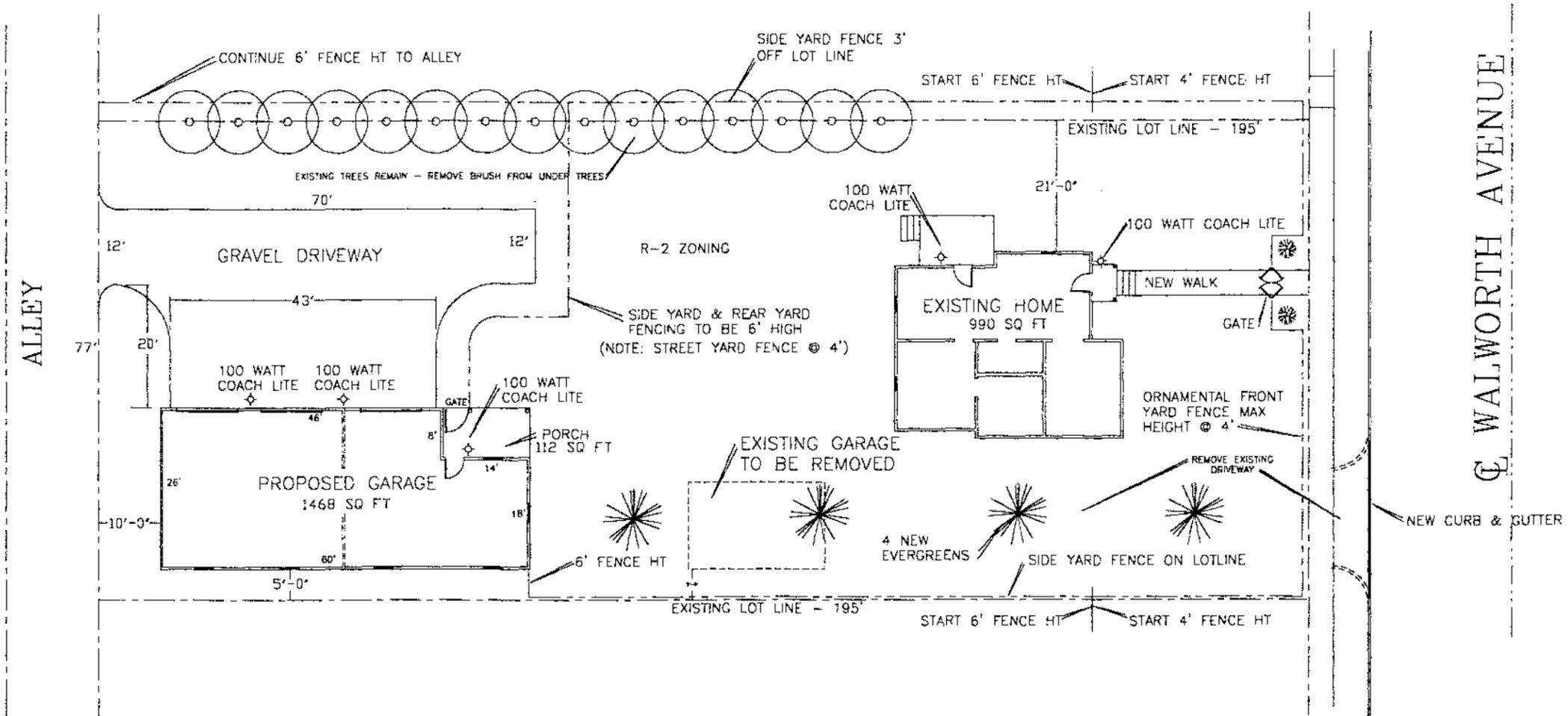
LP SMARTSIDE DOUBLE 8" BOLD PROFILES LAP SIDING (CEDAR)



TEXTURE	LENGTH	ACTUAL WIDTH	ACTUAL THICKNESS
CEDAR	16 FT. (192 IN.) (4877 MM)	15.94 IN. (405 MM)	0.450 IN. (11 MM)



Metric units are rounded to the nearest millimeter. *Special order items require minimum quantity and extended lead time 103



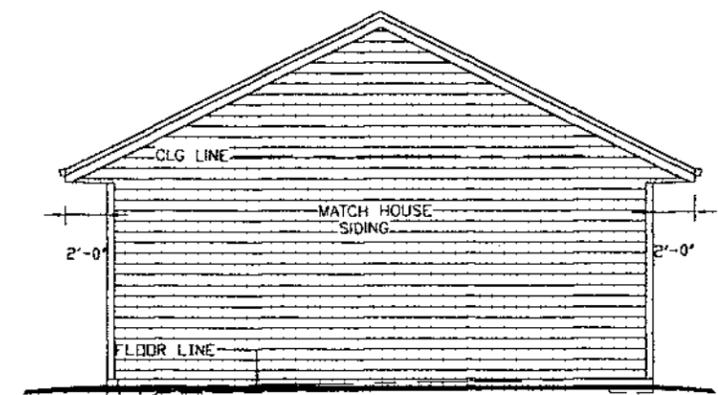
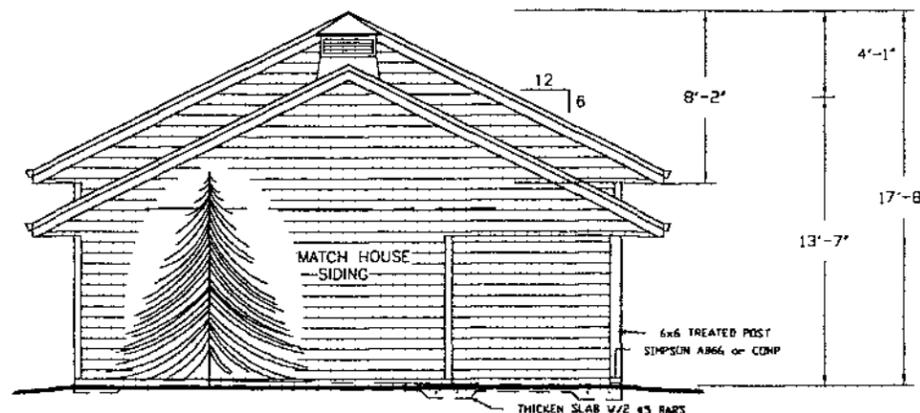
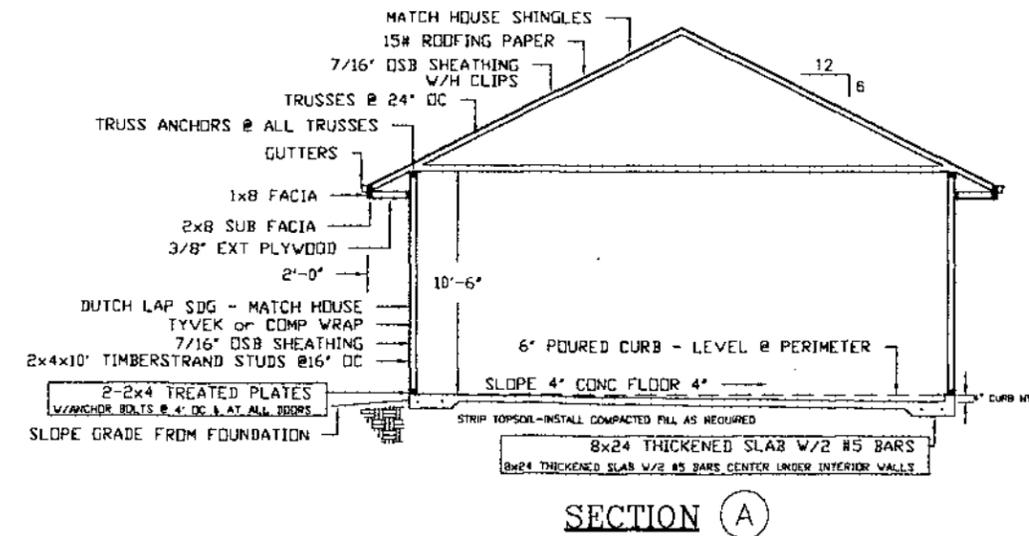
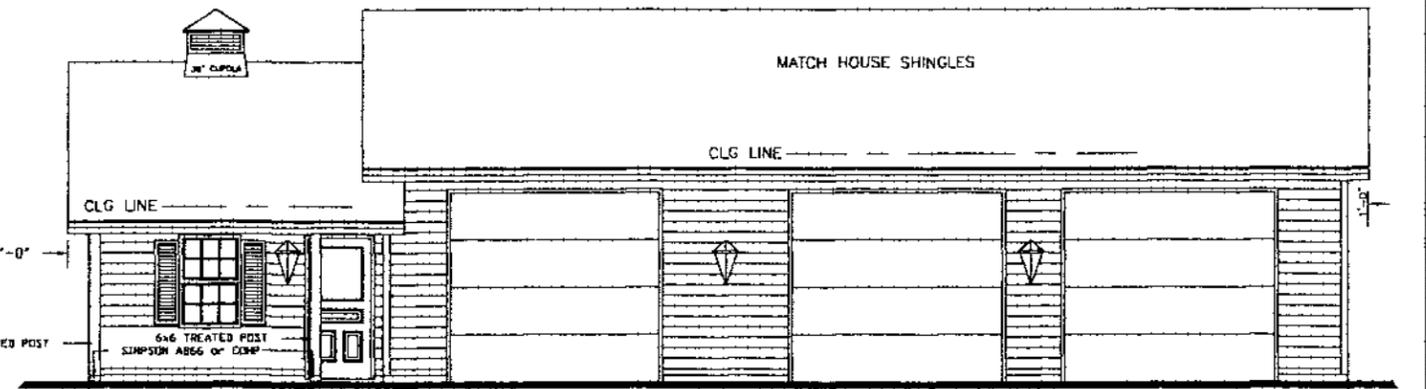
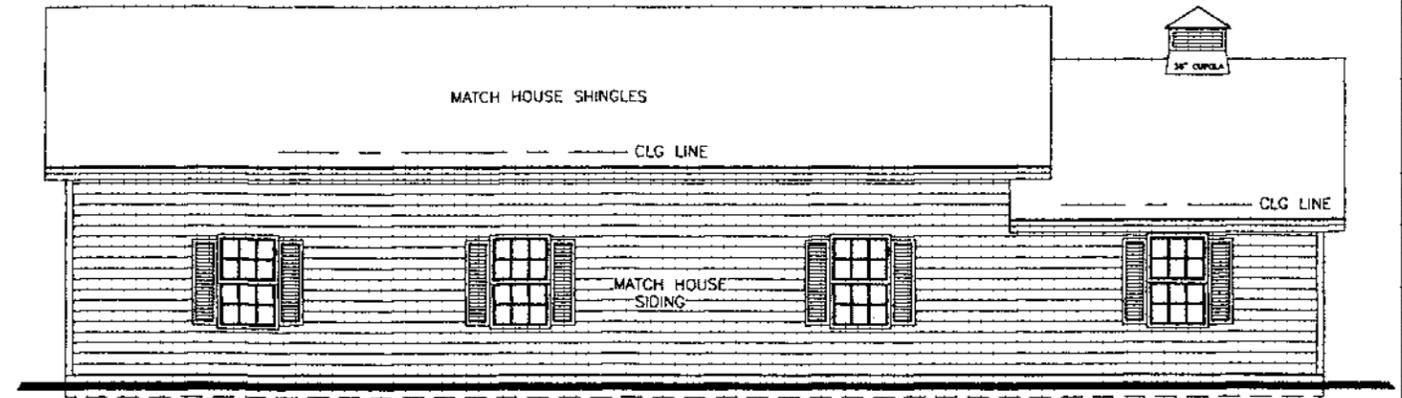
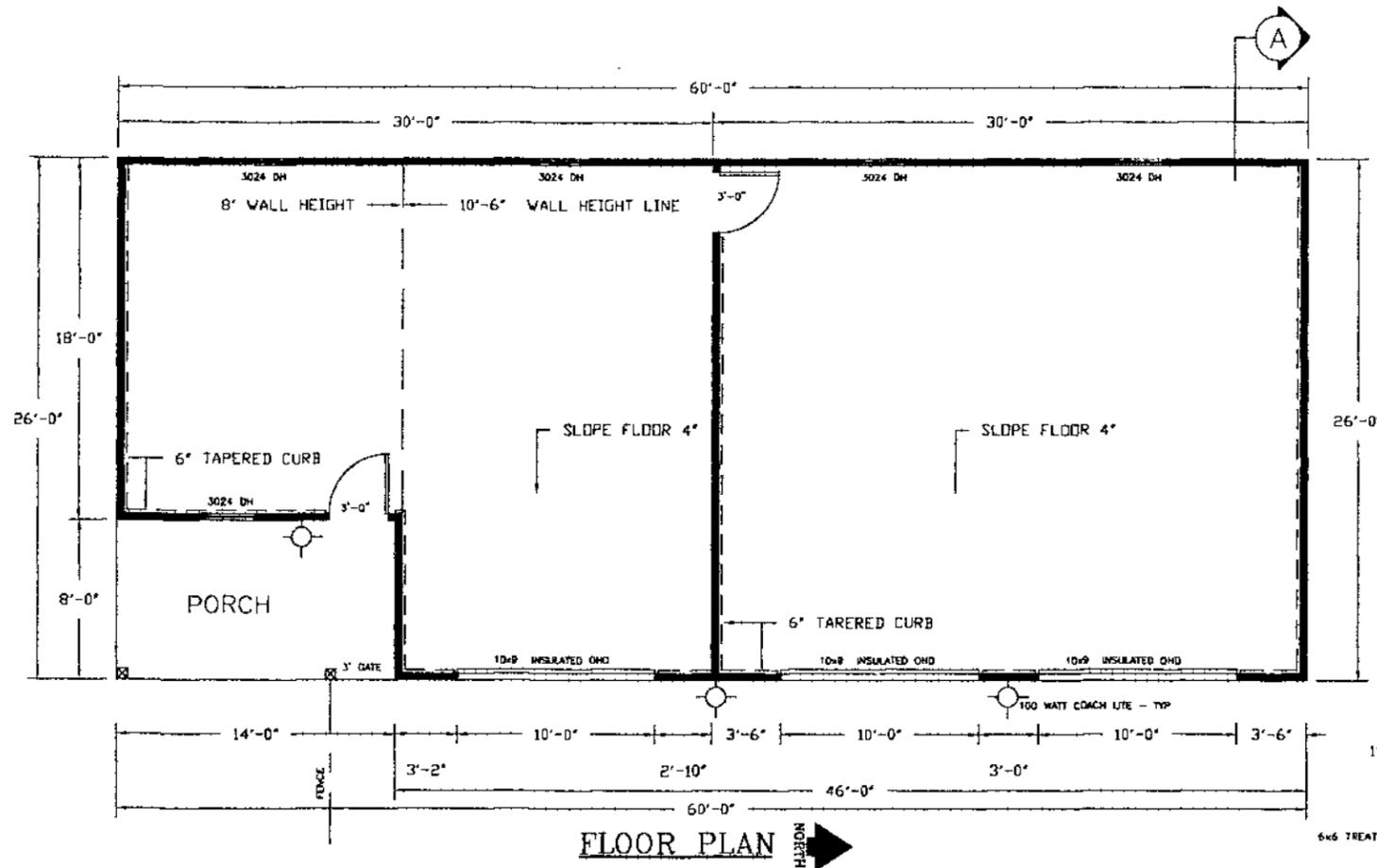
826 W. WALWORTH AVE. WHITEWATER, WI

THIS IS NOT A SURVEY BUT A
DRAWING PREPARED FROM MEASUREMENTS
TAKEN ON SITE

 NORTH
 SCALE: 1" = 10'

R-2 ZONING DISTRICT
 LOT AREA = 15,062 sq ft
 FOOTPRINT
 Home: 990 sq ft
 Porch/Deck = 187 sq ft
 Garage w/porch: 1,560 sq ft
 LOT COVERAGE: 2,737 sq ft
 Coverage Percentage: 18.2%

REVISED: JANUARY 21, 2013
 REVISED: JANUARY 12, 2013
CRAIG POPE RESIDENCE CELL # (414) 217-9953
 826 W. WALWORTH AVE. WHITEWATER, WI 53190
 DATE NOV2012
 ID # 12-11-13A PAGE 1/2 SCALE 1/8"=1'-0" PLAN # 12-11-13



DETACHED GARAGE PLAN

REVISED: JANUARY 21, 2013
 REVISED: JANUARY 12, 2013
CRAIG POPE RESIDENCE CELL # (414) 217-9953
 826 W. WALWORTH AVE. WHITEWATER, WI 53190