

VILLAGE OF TWIN LAKES

 105 East Main Street
 P O Box 1024
 Twin Lakes, Wisconsin 53181

 Phone (262) 877-2858
 Fax (262) 877-4019

# **AGENDA** DESIGN REVIEW-PLAN COMMISSION MEETING WEDNESDAY, JUNE 22<sup>ND</sup>, 2022 at 6:30pm VILLAGE HALL

- 1. Call to order
- 2. Pledge of Allegiance
- 3. Roll Call
- 4. Motion to approve Plan Commission minutes from May 4, 2022.
- 5. Review and recommendation to the Village Board a proposed CSM for Cheree Molitor at 2026 360<sup>th</sup> Ave. Parcel #86-4-119-273-3011.
- Review and recommendation to the Village Board a proposed CSM for Larry & Linda Smith at 1231 & 1233 W Main St. – Parcel #86-4-119-292-1111 & 86-4-119-292-1112.
- 7. Review and recommendation to the Village Board a request from PKR Properties to build two storage buildings on commercially zoned property at 000 Lance Dr. Parcel #85-4-119-213-3350.
- 8. Review and recommendation to the Village Board a request from Mike Gartenberg to either approve a CSM to split his lot or allow for two principal structures on one lot at 301 West Park Dr. Parcel #86-4-119-282-3140.
- 9. Review and recommendation to the Village Board a request from Mike Pusateri for an outside patio at 405 N Lake Ave. Parcel #85-4-119-211-1300.
- 10. Adjourn

#### Roll Call:

Destree, Todd Diedrich, Richard Karow, Aaron Perl, Ken Richter, Bran Smith, Carl Skinner, Howard- Chair

LEGAL DISCLAIMER: THE BOARD MAY AT ANY TIME MAKE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO SEC. 19.85(1)(A) AND 19.85(1)(G), WIS. STAT., DELIBERATING CONCERNING A CASE SUBJECT TO A QUASI-JUDICIAL HEARING BEFORE THIS GOVERNMENTAL BODY; AND, CONFERRING WITH LEGAL COUNSEL REGARDING STRATEGY AS TO LIKELY LITIGATION.

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE VILLAGE BOARD AND/OR LAKE PROTECTION AND REHABILITATION DISTRICT BOARD OF COMMISSIONERS OR OTHER RELATED GOVERNMENTAL BODIES MAY BE PRESENT AT THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THEY HAVE DECISION MAKING RESPONSIBILITY. NO ACTION WILL BE TAKEN BY ANY GOVERNMENTAL BODY AT THIS MEETING OTHER THAN THE GOVERNMENTAL BODIES SPECIFICALLY REFERRED TO IN THIS INSTANT NOTICE. THIS CONSTITUTES A MEETING OF THE VILLAGE BOARD PURSUANT TO STAT EX REL BADKE VS. GREENDALE VILLAGE BOARD, 173 WIS 2D 553, 494 NW 2D 408 (1993), AND MUST BE NOTICED AS SUCH. PLAN COMMISSION MEETING MINUTES May 4, 2022 VILLAGE HALL @ 6:00PM

*CALL TO ORDER* – 6:00 PM /PLEDGE OF ALLEGIANCE/ROLL CALL: Destree, Karow, Perl, Smith, and Richter -present, with Skinner presiding. Diedrich- absent. Laura Roesslein, Village Administrator, and Julie Harms, Deputy Clerk also present.

#### MOTION BY SKINNER, SMITH, CARRIED, TO APPROVE PLAN COMMISSION MINUTES FROM MARCH 9, 2022.

MOTION BY SKINNER, SMITH, CARRIED, TO RECOMMEND THE VILLAGE BOARD A PROPOSED CSM FOR CTY ROAD F AND VACATION OF POND ROAD, PARCEL #85-4-119-161-4214, 85-4-119-161-4215, 85-4-119-161-4216. Skinner stated this CSM is being done to clean up the remnant parcels for the Hwy F reconfiguration. Skinner stated Carl Karow, resident on Pond Rd is the only one affected and he is also on board with it. The rest is County Land.

MOTION BY SKINNER, DESTREE, CARRIED, TO RECOMMEND THE VILLAGE BOARD A PROPOSED CHANGE IN FAÇADE FOR 330 MAIN ST- PARCEL #85-4-119-211-4380. John Economou, 330 Main St. Partners LLC, presented to the Commission that they are looking to update the façade to a new more traditional look. Materials used will be lap siding, Nantucket style cedar shingles, black shutters and a concrete baseboard. There would be a 5' overhang over the existing sidewalk. Traditional uniform signage and down lighting will be used. Color scheme will be grays, black, white. Skinner and the commission agreed this will be a welcome change. Karow asked if Kenosha County would have issue with the road right-ofway to which Skinner stated that the Village maintains the parking areas and the businesses shovel in the winter so it would not cause any issues with Kenosha. Economou stated they are also planning to come back to Plan Commission for approval to update the old lumber yard site. No members saw issue with the proposed.

MOTION BY SKINNER, RICHTER, CARRIED, TO RECOMMEND THE VILLAGE BOARD A CONDITIONAL USE PERMIT FOR A DECK AT 160-164 CHAPEL AVE- PARCEL #85-4-119-222-3361 AND #85-4-119-222-3362. Terrance Cooney, 615 W Park St, Arlington Heights, IL, stated he owns several properties in Twin Lakes with the past two years living at 164 Chapel Ave. In February 2022 he sold the other side of the duplex, 160 Chapel Ave. to his brother, Gregory. There are currently two decks, one on each unit, and he would like to make a step down deck between the two, approximately 20x20 to accommodate family gatherings. In speaking with the building inspector he was advised he would need a conditional use permit as it would overlap the lot lines. Skinner stated he didn't see any issues with it. Karow asked for clarification of the lot line shown on the survey. Cooney explained that the lot line splitting the two was not shown on their copy. No members saw issue with the proposed.

MOTION BY SKINNER, SMITH CARRIED, TO ADJOURN AT 6:52PM

DISTRIBUTION Administrator Clerk Treasurer Plan Commission Building Inspector Pres/Trustees



# Department of Building and Zoning Plan Commission / Design Review Application and Checklist

Section 17.42.020 of the Village Code lists all projects that must go before the Plan Commission and undergo a Design Review. Please read this section to determine if your project must go through this process. You may also be required to complete this application if the Building Inspector, upon review of your project, has determined that a Design Review is necessary.

Please Print Clearly: Legal Property Owner:

Ac. 10.		· · · · · · · · · · · · · · · · · · ·	
	Name:	Cheree Molitor	
	Mailing Address;	2026 360th Ave.	an Co
		Twin Lakes WI 53181	den agter so
		City State Zip	
Applicant/	Petitioner:		
	Name:	Cheriee Molitor	
	Mailing Address;	2026 360th Ave	
		Twin Lakes, WI 53181 City State Zip	
	Telephone # :	262-716-6860 (Area Code)	
		(Area Code)	
	Fax Number:		
	E-Mail Address:	cmolitor @ antioch34, com	
Property II	nformation	a second second to be a second s	
		1001 71051	
	Property Address:	2026 360th Ave.	-
		<u>Twin lakes WI 5318/</u> City State Zip	
	Parcel Number:	86-4-119-273-3011	
	General Project Location:		
		her berered	
	Proposed Project Use:	To make 2 seperate parcels	and the second
	Current Use:		
	Existing Zoning:		

Are you requesting zoning changes?** Ye	es No		
If yes, fill in the fields immediately b	below:		
Current Zonlag:	Proposed Zoning:		
** Zoning chan	ige requests are \$325		
Applicant/petitioner is hereby duly advised that the	is to be set up with the Village Treasurer to cover attorney/ engineer and/or attorney or any professional assistance as d atter. Excrow money required from the applicant will be put sed within 45 days after the matter is completed.	eemed necessary by the Village of Twin	
To accompany this application: \$250.00 fee for Plan completed paperwork.	n Commission/Design Review appearance, additional fees a	nd escrow money as noted below, and all	
Owner's Signature:		·	
Applicant/Petitioner's Signature:			
Dato:			
<b>Required Fees</b>			
Plan Commission/Design Review Appearance Fee ()	Villago Cude 3.06.010 (D), 1 & 2):	\$	
Zoning Change Request Fee: \$325 if applicable (Mu	micipal Code 17.44.050 (C)):	\$	
Escrow, as required by Villago Administrator and B	wilding inspector:	\$	
Fotal Amount Due: S			
Developer's Agreement Required?	Yes No		
	E Twin Lakes ** CUSTOMER RECEIPT ***		
DATE: 05/2 DESCRIPTIC		OUNT	

village d	DI TWIN LAKE	es	
Ą	** CUSTOMEF	RECEIPT **	*
DATE: 05/	/20/22 TIM	IE: 08:57:00	
DESCRIPTI	ION	PAY CD	AMOUNT
PLAN COMM	1	СК	250.00
MOLITOR	CSM 273-301	.1 4928	
	TOTAL AMOUN	IT DUE	250.00
	AMOUNT TENI	ERED	250.00
	CHANGE DUE		.00
TRANS #:	2	CASHIER	CODE: JHD
BATCH #:	C220520	REGISTER	ID: 007

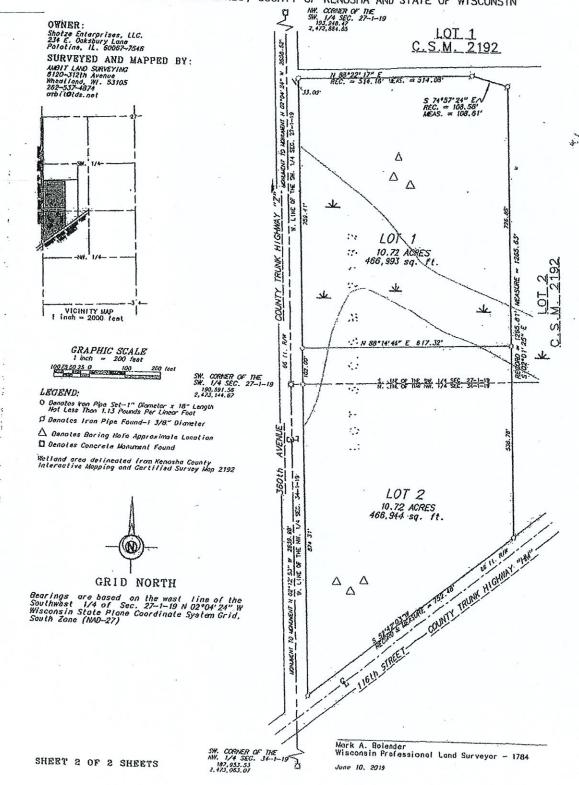
#### EXHIBIT A

ORIGINAL

# KENOSHA COUNTY CERTIFIED SURVEY MAP NO.

# VILLAGE OF TWIN LAKES MAP NO. \_

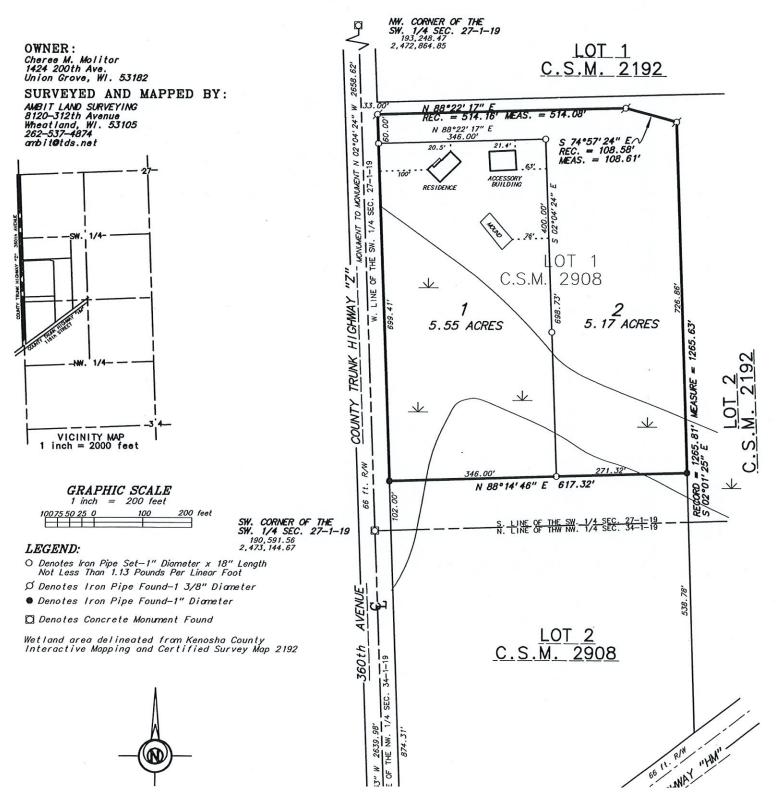
PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, ALL IN TOWN 1 NORTH, RANGE 19 EAST OF THE 4TH PRINCIPAL MERIDIAN, LYING AND BEING IN THE VILLAGE OF TWIN LAKES, COUNTY OF KENOSHA AND STATE OF WISCONSIN



### KENOSHA COUNTY CERTIFIED SURVEY MAP NO. \_ VILLAGE OF TWIN LAKES MAP NO. \_\_\_\_

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWN 1 NORTH, RANGE 19 EAST OF THE 4TH PRINCIPAL MERIDIAN, LYING AND BEING IN THE VILLAGE OF TWIN LAKES, COUNTY OF KENOSHA AND STATE OF WISCONSIN

Proposed



# KENOSHA COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

VILLAGE OF TWIN LAKES MAP NO. \_\_\_\_

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWN 1 NORTH, RANGE 19 EAST OF THE 4TH PRINCIPAL MERIDIAN, LYING AND BEING IN THE VILLAGE OF TWIN LAKES, COUNTY OF KENOSHA AND STATE OF WISCONSIN

#### SURVEYOR'S CERTIFICATE

I, Mark A. Bolender, professional land surveyor hereby certify: That in full compliance with the provisions of Chapter 236.34 of the Wisconsin Statutes and with the Village of Twin Lakes Land Division Ordinance, and under the direction of Cheree M. Molitor, owner of Lot 1 of Kenosha County Certified Survey Map 2908, I have surveyed, divided and mapped this Certified Survey Map; that such plat correctly represents all exterior boundaries and the subdivision of land surveyed; and that this land is located in part of the Northwest Quarter of the Northwest Quarter of Section 34 and in part of the Southwest Quarter of the Southwest Quarter of Section 27, all being in Township 1 North, Range 19 East of the 4th Principal Meridian, Village of Twin Lakes, Kenosha County, Wisconsin, containing 10.72 acres, and described as follows: Lot 1 of KENOSHA COUNTY CERTIFIED SURVEY MAP 2908 according to the recorded plat thereof on file and of record in the officen of the Register of Deeds, Kenosha County, Wisconsin, as Document Number 1846772, and recorded on July 26, 2019.

Dated at Wheatland, Wisconsin, this\_\_\_\_\_day of \_\_\_\_\_, 2021.

Mark A. Bolender – Wisconsin Professional Land Surveyor S – 1784 AMBIT LAND SURVEYING \* 8120–312th Avenue \* Wheatland \* Wisconsin 53105

VILLAGE OF TWIN LAKES APPROVAL

This Certified Survey Map approved by the Village of Twin Lakes on this \_\_\_\_\_day of \_\_\_\_\_

Jared Shortess-Village of Twin Lakes Building and Zoning Official



**Department of Building and Zoning** Plan Commission / Design Review **Application and Checklist** 

Section 17.42.020 of the Village Code lists all projects that must go before the Plan Commission and undergo a Design Review. Please read this section to determine if your project must go through this process. You may also be required to complete this application if the Building Inspector, upon review of your project, has determined that a Design Review is necessary.

#### Please Print Clearly: Legal Property Owner:

LINDAJ Smith AND EUGCAL Name: TRUST Mailing Address: City State **Applicant/Petitioner:** 1006 Name: Mailing Address: City State Telephone # : Fax Number: grand view arabian com a E-Mail Address: **Property Information** MAIL STREET 12 Property Address: 2 531 Zip State 1233 123 · . Parcel Number: General 0 0) Ø Project Location: mi Proposed INDIVIDU e.hc.p 29 WO Project Use: AKEVIEWC + NONDOMIN Current Use: Regi E 0 **Existing Zoning:** 

Are you requesting zoning changes?\*\* Yes\_\_\_\_

If yes, fill in the fields immediately below:

Current Zoning:\_\_\_\_\_ Proposed Zoning:\_\_\_\_

\*\* Zoning change requests are \$325

Village staff may determine that an escrow account is to be set up with the Village Treasurer to cover attorney/engineer and/or Village Planner fees. Applicant/petitioner is hereby duly advised that the engineer and/or attorney or any professional assistance as deemed necessary by the Village of Twin Lakes may be employed for this project, issue, or matter. Escrow money required from the applicant will be put into an account for use in the payment of any professional fees and any balance will be returned within 45 days after the matter is completed.

 $N_0 X$ 

To accompany this application: \$250.00 fee for Plan Commission/Design Review appearance, additional fees and escrow money as noted below, and all completed paperwork.

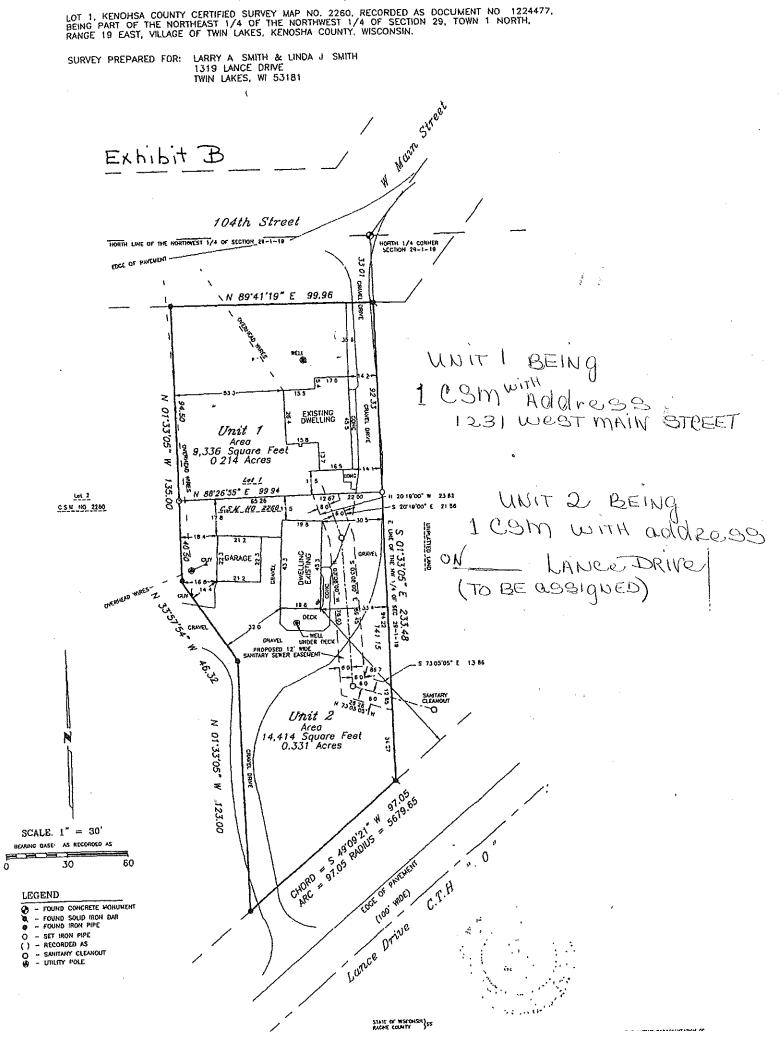
Owner's Signature: Carry Smith Justee Sindol. Smith, Prestee
Applicant/Petitioner's Signature: Land A Smith Turstee Unda f. Dmith, Meuslee
Date: JUNE 7TH 2020

# **Required Fees**

Plan Commission/Design Review Appearan	ce Fee (Village Code 3.06.010 (D), 1 & 2):	\$50
Zoning Change Request Fee: \$325 if applica	ble (Municipal Code 17.44.050 (C)):	S
Escrow, as required by Village Administrate	r and Building Inspector:	\$
Total Amount Due:		\$
Developer's Agreement Required?	Yes No	

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#### KENOSHA COUNTY, WISCONSIN



Village of Twin Lak	es	
*** CUSTOME	R RECEIPT	* * *
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PLAN COMM	СК	250.00
LINDA SMITH	76:	LO
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## Department of Building and Zoning Plan Commission / Design Review Application and Checklist

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#### Please Print Clearly: Legal Property Owner:

	Name:	PKR Properties LLC
	Mailing Address:	Po Box 789
		Twin Lakes WI 53181 City State Zip
Applicant/	Petitioner:	
	Name:	Todd & Renn
	Mailing Address:	147 W. Main St
		Twin Lakes WI 53181 City State Zip
	Telephone # :	(Area Code) 206-8670
	Fax Number:	(262) 877-9789
	E-Mail Address:	todd @ twin lakes marine. com
Property I	nformation	
	Property Address:	Lot 1 CSM 2043 Lance Prive
		Twin Lakes WJ 5318/ City State Zip
	Parcel Number:	85-4-119-213-3350
	General Project Location:	Lance PR.
	Proposed Project Use:	Storage Buildings
	Current Use:	empty Lot
	Existing Zoning:	3 Commercial

Are you requesting zoning changes?**	Yes 🏃	No
If yes, fill in the fields immediat	ely below:	
Current Zoning: ?		Proposed Zoning: Commerci'

\*\* Zoning change requests are \$325

Village staff may determine that an escrow account is to be set up with the Village Treasurer to cover attorney/engineer and/or Village Planner fees. Applicant/petitioner is hereby duly advised that the engineer and/or attorney or any professional assistance as deemed necessary by the Village of Twin Lakes may be employed for this project, issue, or matter. Escrow money required from the applicant will be put into an account for use in the payment of any professional fees and any balance will be returned within 45 days after the matter is completed.

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Owner's Signature:	will at	
Applicant/Petitioner's Signature:	Tal it	

Date:

**Required Fees** 

06-08-2022

Plan Commission/Design Review Appearance Fee (Village Code 3.06.010 (D), 1 & 2):	<u>s</u>	250
Zoning Change Request Fee: \$325 if applicable (Municipal Code 17.44.050 (C)):	s_	325-
Escrow, as required by Village Administrator and Building Inspector:	s_	
Total Amount Due:	s_	<u>.</u>
Developer's Agreement Required? Yes No		

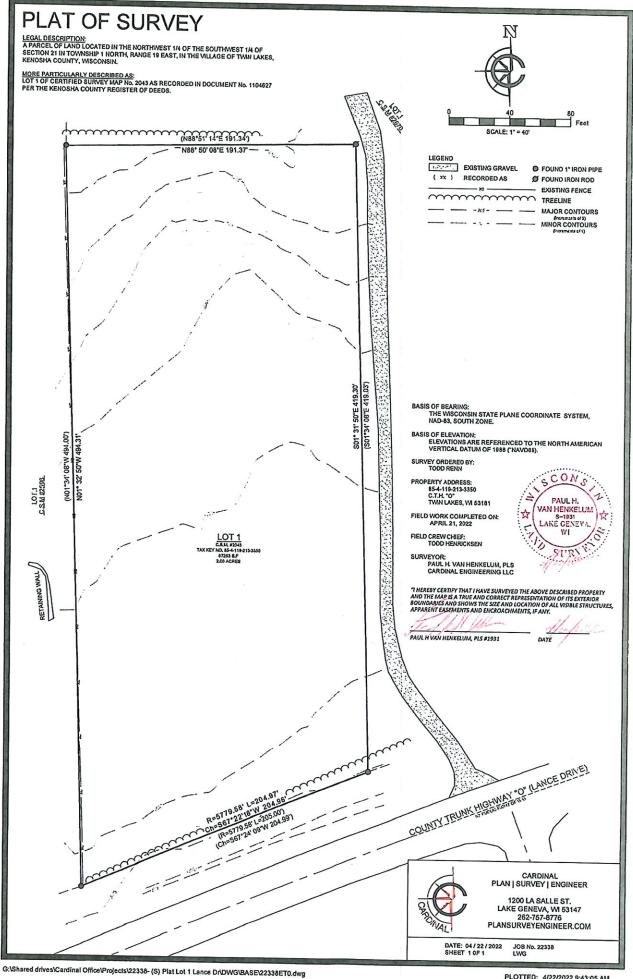
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CH TRANS #:	IANGE DUE 3	CASHIER (	
		CASHIER ( REGISTER	CODE: JHD

PKR Properties LLC building projects

Developer Overbuilt LLC Jeff Alheit 1865 Highway H Lake Geneva, WI 53147 (815) 347-2944 <u>Alheitj@MSN.COM</u>

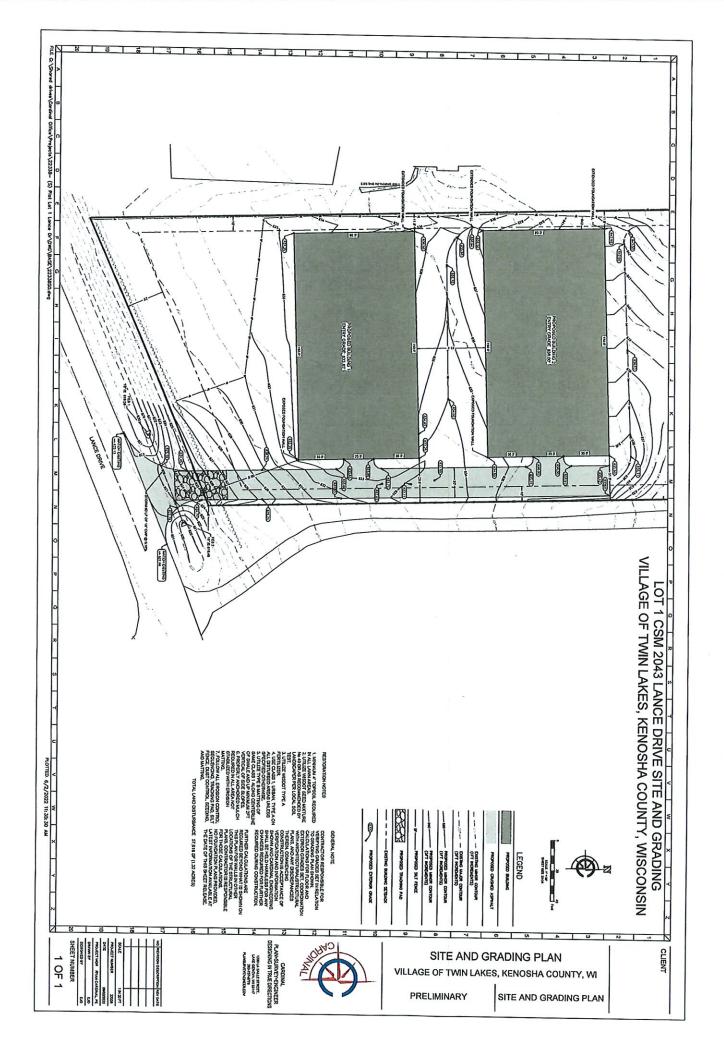
Plat of Survey

Cardinal Plan/Survey/Engineer 1200 LA Salle ST Lake Geneva, WI 53147 (262) 757-8776

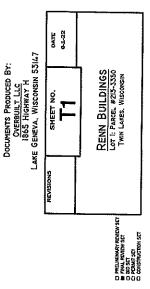




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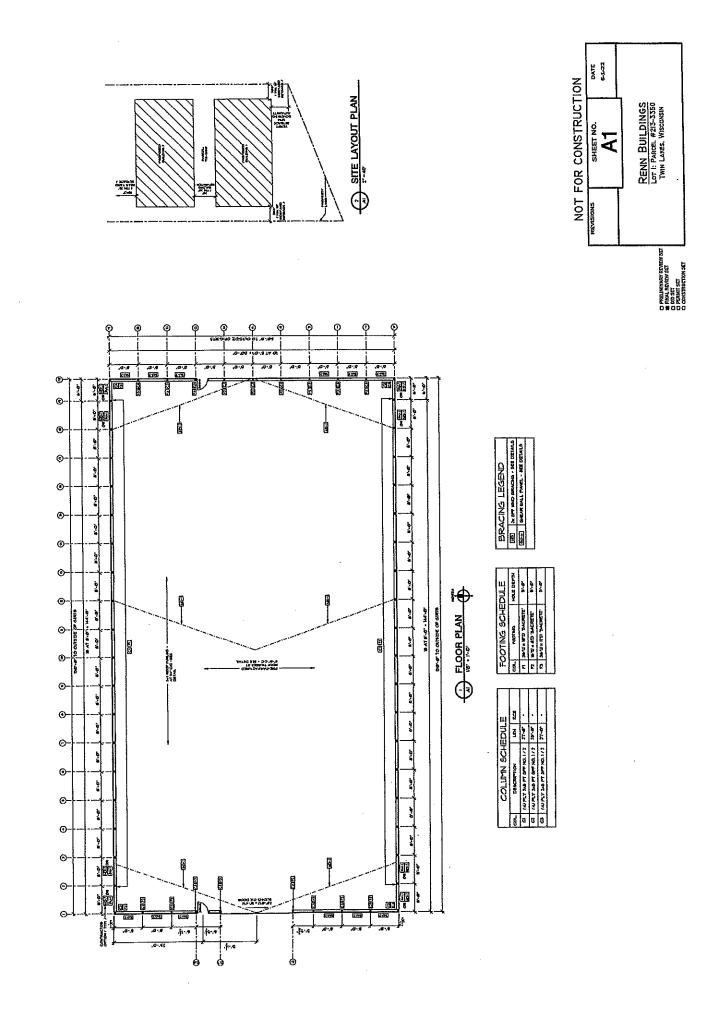
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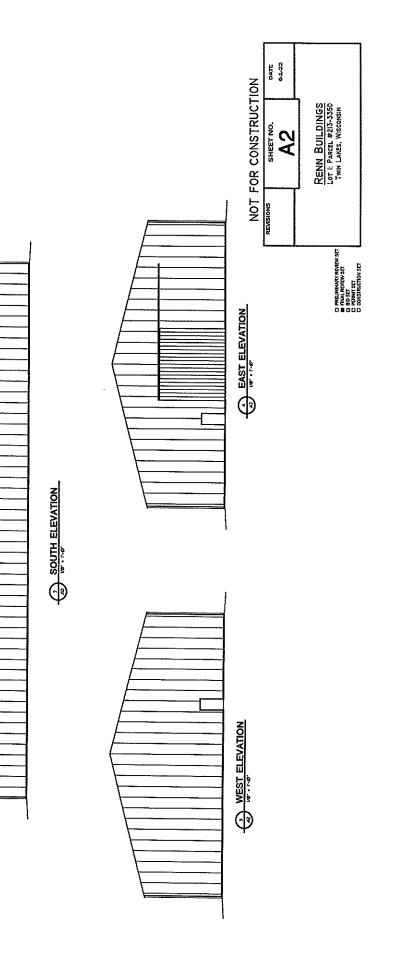
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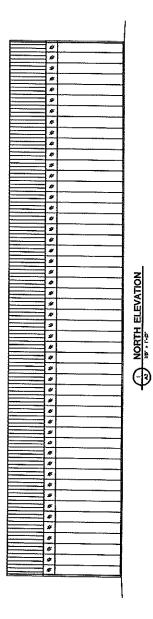
LOCATION MAP

# SHEET INDEX

- TITLE SHEET / CODE ANALYSIS / GENERAL NOTES FIRST FLOOR PLANS / SITE LAYOUT PLAN EXTERIOR ELEVATIONS WALL SECTION & DETAILS DETAILS DETAILS DETAILS
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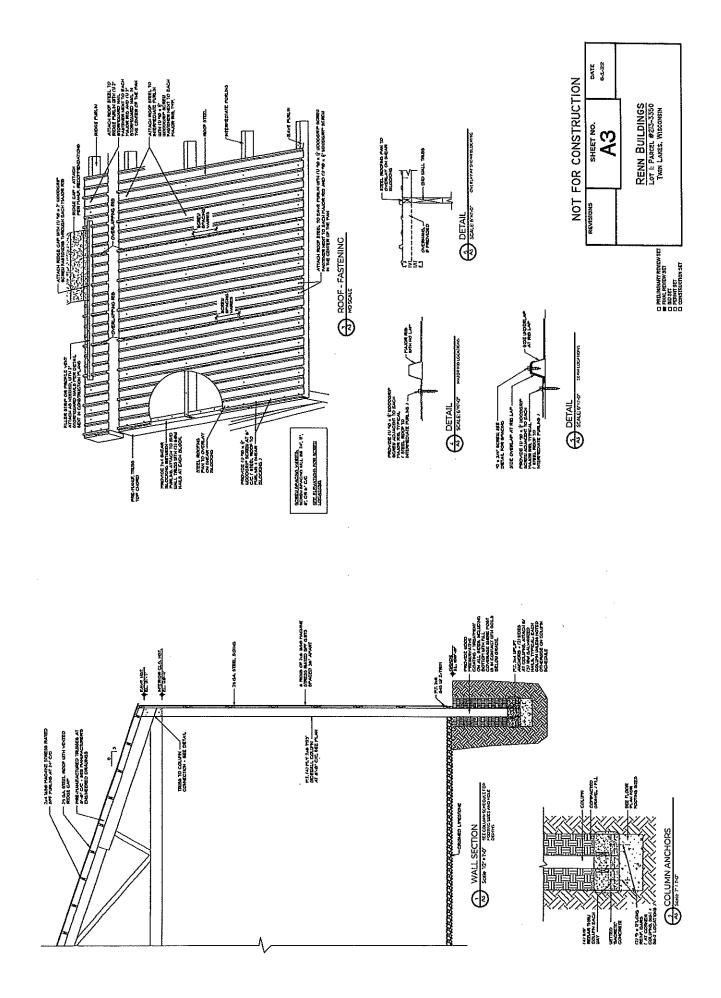
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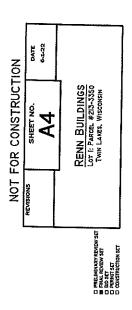
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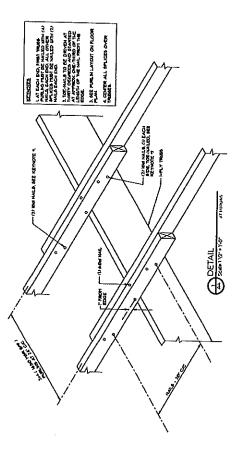
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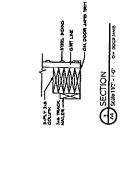
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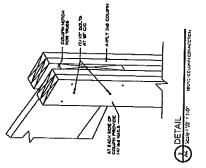
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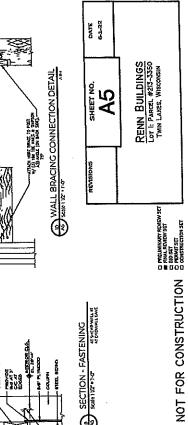


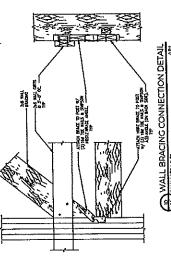


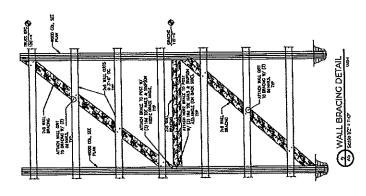




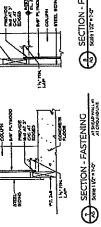








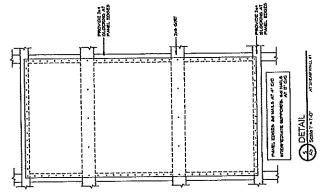


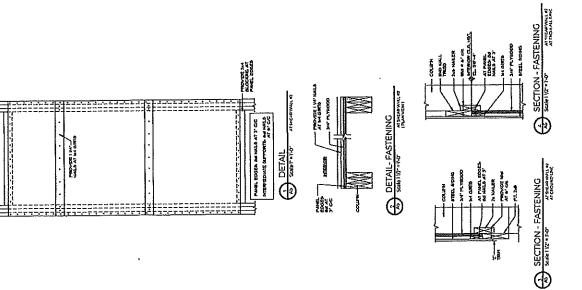


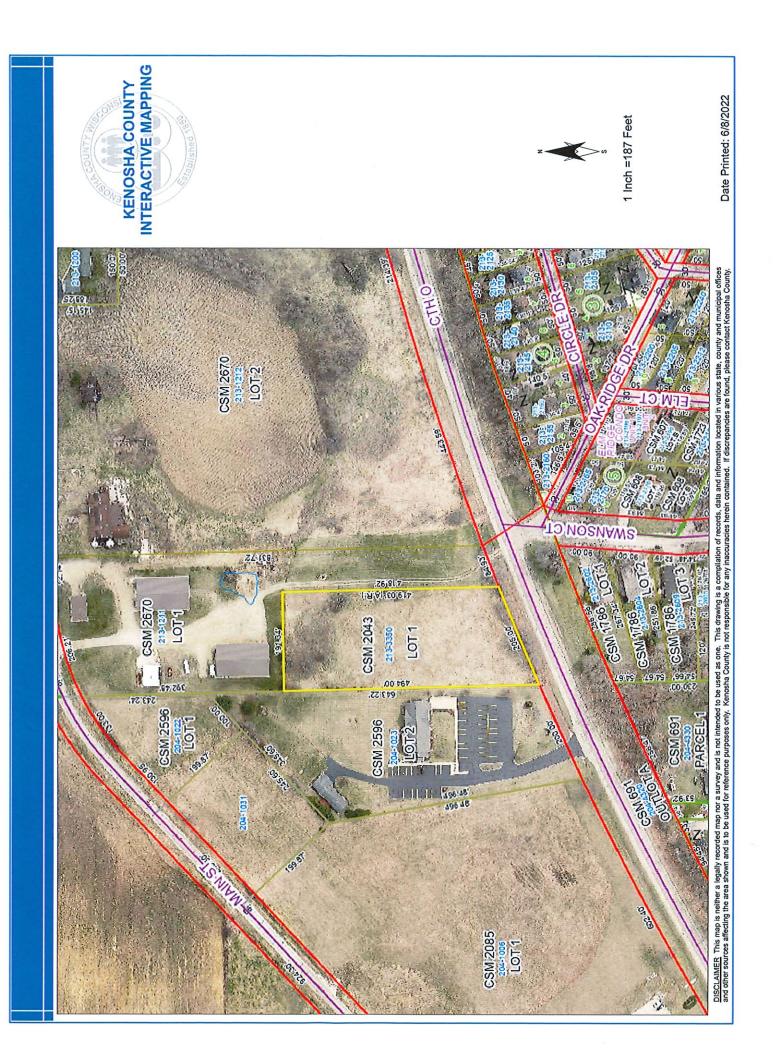
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# Department of Building and Zoning Plan Commission / Design Review Application and Checklist

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#### Please Print Clearly: Legal Property Owner:

Name:	
	Faye Gartenberg
Mailing Address:	1112 N. Dearborn St. #5
	_hicago, IL 60610

#### Applicant/Petitioner:

Name:	Michael Gartenberg
righte,	1112 N. Dearborn St. #5
Mailing Address:	Chicago, IL 60610

847-751-6800

Fax Number:

E-Mail Address:

Mike@Gartenbergs.com

#### **Property Information**

Property Address:	301 West Park Drive
	Twin Lakes, WI 53181
Parcel Numer	86-4-119-282-31.40
General Project Location:	Across the street from 301 West Park Drive currently on the same parcel
Proposed Project Use:	In order to build a new living structure to be used as further living space due to the inability of building an addition as a road bisects the property.
Curront Use:	Currently is empty space, with only a parking pad.
Existing Zoning:	Currently zoned residential

# Next Steps:

Before submitting materials to the Plan Commission/Design Review Board, please follow the steps below:

1.) You may schedule a meeting with the Building Inspector to review your proposed project plans: 262.877.3700 Tuesdays and Thursdays, 12:30pm-2:00pm.

2.) Submit required plans and monies 30 days prior to the next scheduled Plan Commission/Design Review meeting. Plan Commission/Design Review meets the fourth Wednesday of each month at 6:30PM at the Village Hall, 108 B. Main Street, unless rescheduling is needed due to availability. All required paperwork must be submitted before the project will be placed on the agenda.

3.) Submit 19 copies of the plans. Anything larger than letter-sized paper will need to be folded for mailing purposes.

Plan Commission / Design Review Checklist The design review plan must include the following information. For more detailed specifications for the different aspects of your project, it is important that you review 17.42.040 of the Village Code available at www.villageoflwinlakes.net/documents/village-code/\_

Drawing of the site plan and/or survey. Must be drawn to a recognized engineering scale, with graphic scale and north arrow
Nome, address, e-mail, and telephone number of the developer, engineer, or architect
Environmental features of the property
Artist renderings of structures, signs, clevations of all 4 sides, and photos
Floor plans
Examples of possible building materials
Location of utilities, gas meter, electric transformer, HVAC equipment, dumpsters, etc.
Landscaping
Pire protection
Storage and screening of garbage and refuse
Snow removal areas and procedures
Sign rendering including the following:
Height . Location
Light wattage
Humination
Proposed techniques for on-site stormwater retention / detention
Parking lot layout
The type, size, and location of existing and proposed buildings and their uses
Written and signed statement by the legal owner authorizing the agent to act on their behalf
Any other information helpful in reviewing the Design Review Plan

Are you requesting zoning changes?\*\* Yes X

If yes, fill in the fields immediately below:

Current Zoning: Residentic

Proposed Zoning: Residential / split Lot

\*\* Zoning change requests are \$325

Village staff may determine that an oscrow account is to be set up with the Village Treasurer to cover attorney/engineer and/or Village Planner fees. Applicant/petitionor is hereby duly advised that the engineer and/or attorney or any professional assistance as deemed necessary by the Village of Typin Lakes may be employed for this project, issue, or matter. Escrow money required from the applicant will be put into an account for use in the payment of any professional fees and any balance will be returned within 45 days after the matter is completed.

No

To accompany this application: \$280.00 fee for Plan Commission/Design Review appearance, additional fees and escrow money as noted below, and all completed paperwork.

Owner's Signature: Applicant/Petitioner's Signature: 5/28/22 Dato:

# **Required Fees**

Plan Commission/Design Review Appearance Fee (Village Code 3.06.010 (D), 1 & 2):

Zoning Change Request Fee: \$325 if applicable (Municipal Code 17.44.050 (C)):

Escrow, as required by Villago Administrator and Building Inspector:

Total Amount Duc:

Developer's Agreement Required?

No X Yes



Department of Building and Zoning Plan Commission/Design Review Twin Lakes, WI

From: Michael Gartenberg & Faye 301 West Park Drive Twin Lakes, WI 53181

Mailing Address: Michael & Faye Gartenberg 1112 N. Dearborn St. #5 Chicago, IL 60610

In November of 2021, we submitted an application, and were turned down for a building permit to split our property into two parcels in order so that we could build a second building structure on our property. The denial was based on village code 17.20.060, stating that the new parcel would need to be not less than 8000 square feet. Based on the proposed CSM, the new lot would fall short as it would be 6633 square feet.

Based on this denial, we were advised that we would need to apply for a variance. In December, we applied for this variance and were later scheduled for a May 25<sup>th</sup>, 2022 variance meeting. At this meeting, the village attorney advised the board that they did not have the proper authority to grant or deny the application. He further advised them that based on village code 17.12.040, the proper avenue would be to appeal to the Plan Commission, who would then make its recommendation to the Village Board. Based on this direction from the village attorney, we are respectfully submitting this new application.

Since this application is not a simple zoning change etc. we were advised by Julie Harms, that it might be best that we submit this application, along with this letter in order to best explain the reason for the application, as well as the current and proposed use of the property in question.

Our family has grown since we purchased this home in 2003. We now have married children as well as grandchildren, and hopefully more to come. Because of this, we find ourselves in need of more space. We love our neighborhood, the lakes, and the Village. In the 19 years since we purchased our home, we have immersed ourselves into the community, made many friends, and have created a true home for our family. It is our intention to be in Twin Lakes for many years to come, as well as eventually become permanent residents.

Our property is located at 301 West Park Drive in the Twin Lakes Park subdivision. The property is extremely unique. It is located on the isthmus that separates Lake Mary from Lake Elizabeth. It is one of only 6 properties with frontage on both lakes, and on two sides of the road. Of these 6 properties, our property is currently the only one without a structure on both sides of the road.

To:

If our property did not have a road separating it into essentially two lots, we would be simply applying for a permit to put an addition on our home. With the road in the way, in order to add more space, we would need to build across the street, where we currently have a pad for parking and open space with no structure whatsoever. Although our property is currently considered one lot, with the road bisecting it, it is essentially already 2 lots.

When researching how to go about doing this, I spoke to Ellis, who advised me that the best way might be to get a CSM, in order to separate the properties on each side of the street into their own parcels. We commissioned a surveyor who prepared a new survey. In doing so, we found that the property on the north side of the street would be roughly 6633 square feet, and less than the 8000 square feet required by the village to build a new living structure.

We are requesting either an exception to the 8000 square foot minimum requirement needed for the CSM, or a variance allowing us to keep the property as one lot, with the commission's approval to build a second living structure.

In addition, if either of these two options were granted, we would need a further 6-foot setback variance. Per Ellis's calculation, based on the distance from the channel of our home on the south side of the street, we would typically need an 18.5-foot setback. In order to build a 24-foot-wide structure, we would require a 12.5-foot setback. Due to the odd shape of our lot created by the meandering nature of the channel, this variance **would only be needed for only one corner of the structure**, not the running length. This is illustrated in the plat survey supplied. At the variance meeting the village attorney stated that the planning commission could grant this, in order to avoid the need for an additional variance meeting after the approval of the planning commission/village board of the request to build a new living structure.

The current plan for the new living structure is for a 24 wide structure. Should the plan commission/village board grant the approval for the new living structure but not the 6 foot variance, we would need to redesign the proposed structure. If required to do so we would redesign the new structure however its design would be less traditional.

All other setbacks from the road to the south, from Lake Mary on the north, and our neighbors to the west would all be in compliance to the current setback requirements and have been reviewed with Ellis.

It is important to note that in Twin Lakes Park, there are quite a few lots that are less than the required 8000 square feet. Some of these properties are actually less than 4800 square feet. In addition, due to the unique nature of our subdivision, there are a great many homes with setbacks way under the current requirements. We realize that these properties are grandfathered in, and do not truly pertain to our request, however we believe that this is notable as that if granted, our new structure would be in keeping with the integrity of the homes in Twin Lakes Park, and would not look out of place.

It is also important to note that of the 6 lots with property on both sides of the road, there are currently a few with living space on both sides. Again, we realize they are grandfathered in, but believe this is notable.

We also realize that with some of the homes built over the past few years, there have been issues regarding drainage etc. We are very cognizant of this issue and have previously added additional drainage to aid in water removal to the channel, as well as graded this area in order to pitch away from our neighbors to mitigate any issues. If this project is approved, we would gladly install any and all additional drainage required by the village, as well as any other barriers the village requests as to not cause any issues with the adjacent property. This would include, but is not limited to grading, addition of drain tile, retaining walls, as well as gutters tied into drainage to the lake. I am confident that once the project is complete, these additions would further improve the drainage not hinder it.

We understand that in order for you to grant us the permission needed to move forward with our proposed project, we need to show why hardship would result from strict application of the zoning ordinances, as well as how the unique features of our property create this hardship.

Our property is extremely unique due to a road bisecting it that essentially creates two lots. In addition the meandering nature of the channel shoreline creates a very odd shaped property rendering the property line very difficult to build on within the ordinances. Because of this uniqueness, following the strict application of the villages zoning ordinance, would render this property virtually unbuildable.

In addition, we know that the granting of this variance would not be contrary to the public interest. We see no negative impact to the public as we agree to do everything required to prevent any impact such as runoff etc. In addition, we would use all of the same materials and paint colors, that our existing home uses, in order to ensure that it would be in keeping with the character of the neighborhood.

We do want you to feel comfortable with the quality of the work that we would have done. As with other projects we have completed on our property, we will meet or exceed any and all requirements. As in the past, we would use all local contractors.

In addition, we believe we have been extremely good stewards of our property. Over the 19 plus years we have done the following:

- Removed a noncompliant/unpermitted shed from the north side of the property that was less than 1 foot from the channel
- Performed repairs to the channel shoreline, including the removal of evasive species, and the planting of native plants.
- Allowed a temporary road to be built across our property in order to replace the bridge over the channel.
- Did a major shoreline DNR approved, renovation to the Lake Elizabeth shoreline. This project required the removal of cement and other debris from the lake and returning it to a natural shoreline, including the addition of native plants. In doing so, we were recognized by the Kenosha News, and featured in the paper.

Overall, we believe all of the work we have done to our property has only been to improve it aesthetically and structurally, as well as to bring it in line with the village's and DNRs requirements.

It is also important to note, that it is not our intention to ever separate the two properties in order that they could be sold individually. Should the board decide that the best option is to grant the CSM as opposed to keeping the property as one lot, we would gladly agree to a deed restriction stating that the two properties could never be sold separately.

We look forward to the opportunity to come before the Planning Commission to further explain the details of our plans, as well as answer any questions that may aid in the approval process.

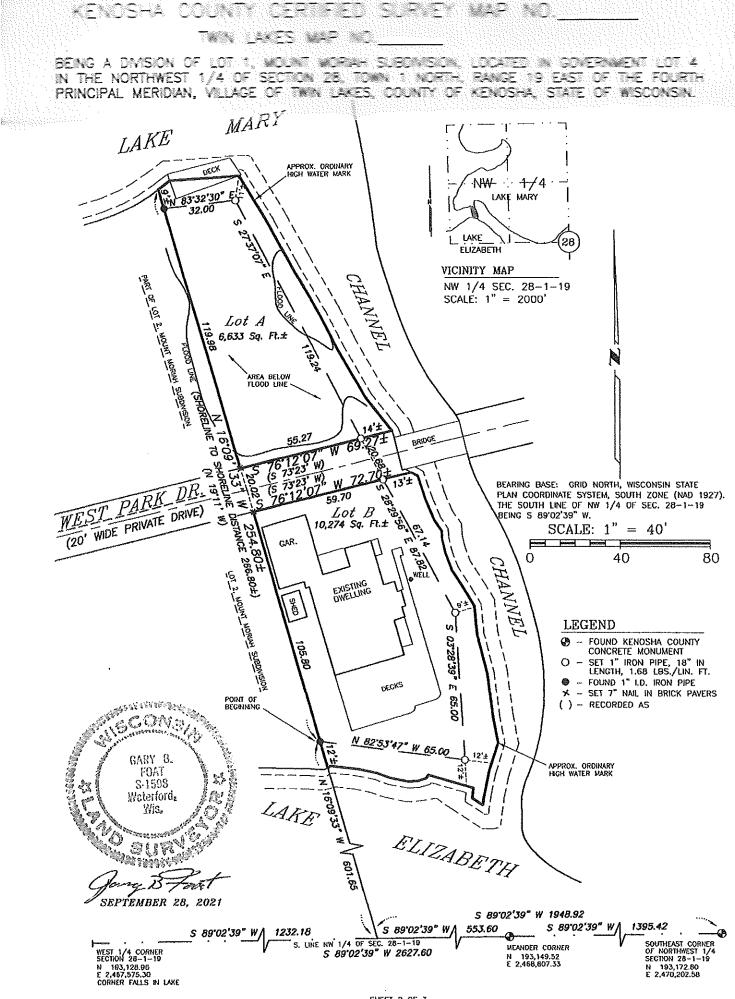
Respectfully submitted,

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Michael Gartenberg & Faye Gartenberg

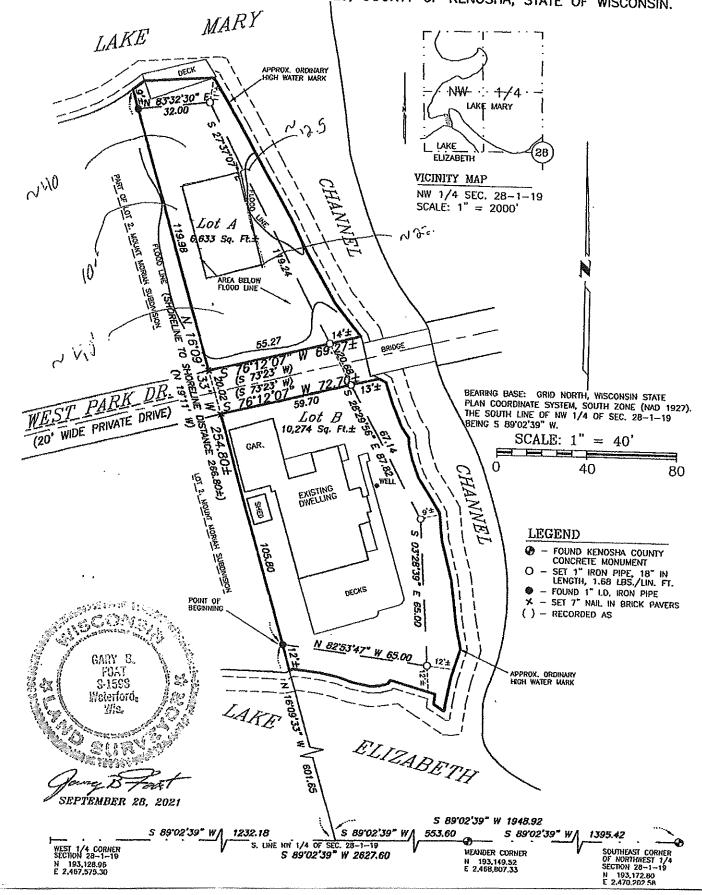
301 West Park Drive Twin Lakes, WI 53181

847-751-6800 Mike@Gartenbergs.com



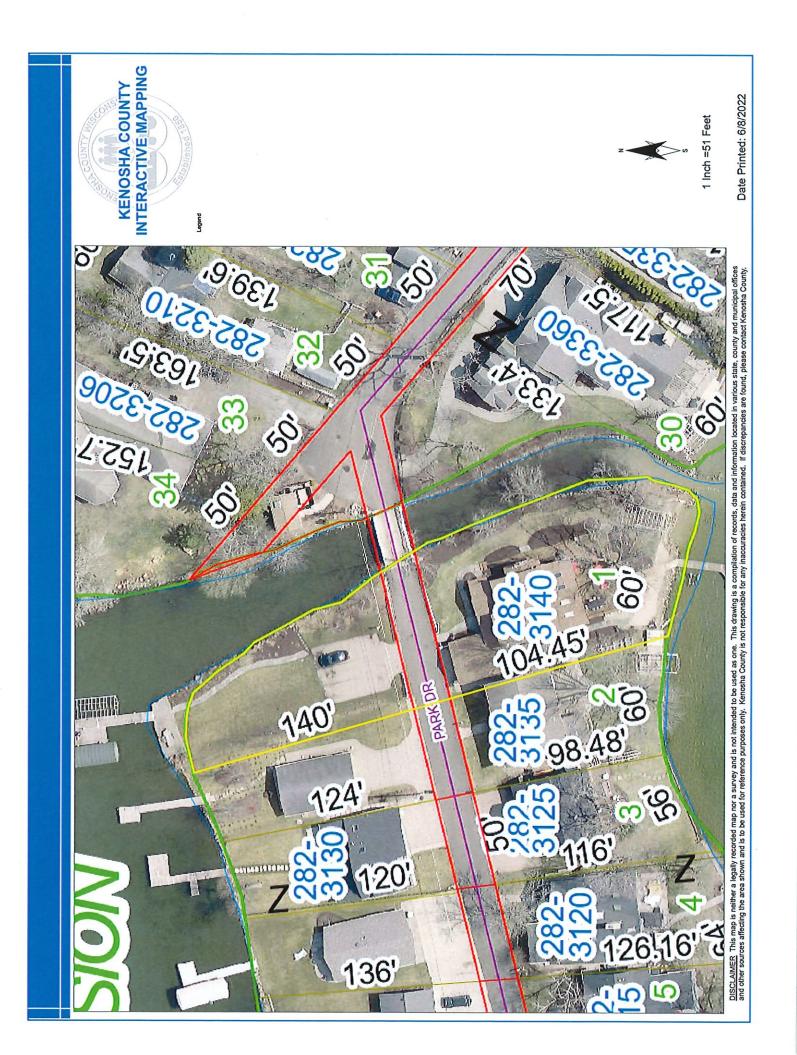
TWIN LAKES MAP NO.\_\_\_\_

BEING A DIVISION OF LOT 1, MOUNT MORIAH SUBDIVISION, LOCATED IN GOVERNMENT LOT 4 IN THE NORTHWEST 1/4 OF SECTION 28, TOWN 1 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, VILLAGE OF TWIN LAKES, COUNTY OF KENOSHA, STATE OF WISCONSIN.



Village of Twin I *** CUSTC	Jakes MER RECEIPT * <sup>,</sup>	**
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# Department of Building and Zoning Plan Commission / Design Review Application and Checklist

Section 17.42.020 of the Village Code lists all projects that must go before the Plan Commission and undergo a Design Review. Please read this section to determine if your project must go through this process. You may also be required to complete this application if the Building Inspector, upon review of your project, has determined that a Design Review is necessary.

#### Please Print Clearly: Legal Property Owner:

Name:	Michael Pusateri	en de la companya de
Mailing Address:	P.O. Box 711	11
	Twin Lakes WI 53181 City State Zip	kan serang ang bertakan serang se Serang serang
	City State Zip	n peri
Applicant/Petitioner:		
Name:	Michael Pusateri	
Mailing Address:	PO BOX 711	to ran any more d
	Thrin Lakes wi 53181 City State Zip	e Aussen e tradition
Telephone # :		
relephone # .	(Area Code)	
Fax Number:	262 448 1525	name a constant de la constante
E-Mail Address:	mike @, trader brothers uc.com	
Property Information		
-		
Property Address:	405 N. Lake Ave	
	<u>Twin Lakes W1 53181</u> City State Zip	
Parcel Number:	<u>85-4-119-211-1300</u>	
General Project Location:	Front of building	tina marina di Lina Lina 🔤
Proposed Project Use:	outside food + drinks	
	<ul> <li>K. A. S. M. M.</li></ul>	
Current Use:	Parking	
Existing Zoning:	Commercial	

Are you requesting zoning changes?\*\* Yes

No V

If yes, fill in the fields immediately below:

Current Zoning:\_\_\_\_\_

Proposed Zoning:

\*\* Zoning change requests are \$325

Village staff may determine that an escrow account is to be set up with the Village Treasurer to cover attorney/engineer and/or Village Planner fees. Applicant/petitioner is hereby duly advised that the engineer and/or attorney or any professional assistance as deemed necessary by the Village of Twin Lakes may be employed for this project, issue, or matter. Escrow money required from the applicant will be put into an account for use in the payment of any professional fees and any balance will be returned within 45 days after the matter is completed.

To accompany this application: 250.00 fee for Plan Commission/Design Review appearance, additional fees and escrow money as noted below, and all completed paperwork.

Owner's Signature:	mile Rules	
Applicant/Petitioner's Signature	mbe Rut	

Date:

5-12-22

# **Required Fees**

Plan Commission/Design Review Appearance Fee (Village Code 3.06.010 (D), 1 & 2):

Zoning Change Request Fee: \$325 if applicable (Municipal Code 17.44.050 (C)):

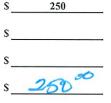
Escrow, as required by Village Administrator and Building Inspector:

**Total Amount Due:** 

Developer's Agreement Required?

Yes





Village of Twin La		
*** CUSTOM	ER RECEIPT *	* *
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BATCH #: C220516	REGISTE	R ID: 007

ZAA ENTERPRISES LLC DBA DUE LAGHI PIZZA	
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