

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39th AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
OCTOBER 24, 2016**

AGENDA

1. Call to Order.
2. Roll Call.
3. Consider approval of the September 26, 2016 Plan Commission Meeting minutes.
4. Correspondence.
5. Citizen Comments.
6. New Business.
 - A. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #16-11** for the request of Sabino Rodriguez, on behalf of Rodriguez Enterprise Corporation, owner of the vacant property generally located at the 11700 block of Old Green Bay Road and further identified as Tax Parcel Number 92-4-122-342-0143 as a result of the wetland delineation completed by a Wisconsin Department of Natural Resources assured biologist to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to change the Low Density Residential with an Urban Reserve land use designations to the Park, Recreational and Other Open Space Lands with a Field Verified Wetlands land use designations on the portion of the property identified as wetlands and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan.
 - B. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of Sabino Rodriguez, on behalf of Rodriguez Enterprise Corporation, owner of the vacant property generally located at the 11700 block of Old Green Bay Road and further identified as Tax Parcel Number 92-4-122-342-0143 as a result of the wetland delineation completed by a Wisconsin Department of Natural Resources assured biologist to rezone the portion of the property that was field delineated as wetlands into the C-1, Lowland Resource Conservancy District and the remainder of the property will remain in the R-4 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District.
 - C. Consider request to **Change the Official Addresses** of the property at 8100A Cooper Road (Tax Parcel Number 91-4-122-113-0264 owned by Mario and Angie Castillo to 8100 Cooper Road; and the property at 8100B Cooper Road (Tax Parcel Number 91-4-122-113-0262) owned by Kevin Finley to 8080 Cooper Road.
7. Adjourn.

It is possible that members and possibly a quorum of members of other governmental bodies of the municipality may be in attendance in the above stated meeting to gather information; no action will be taken by any other governmental body except the governing body noticed above.

The Village Hall is handicapped accessible. If you have other special needs, please contact the Village Clerk, 9915 39th Avenue, Pleasant Prairie, WI (262) 694-1400.

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
September 26, 2016**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on September 26, 2016. Those in attendance were Thomas Terwall; Michael Serpe; Wayne Koessler; Jim Bandura; Judy Juliana; Bill Stoebig; John Skalbeck (Alternate #1); and Brock Williamson (Alternate #2). Deb Skarda was excused. Also in attendance were Jean Werbie-Harris, Community Development Director; Peggy Herrick, Assistant Village Planner and Zoning Administrator; and Kristina Tranel, Community Development Department.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER APPROVAL OF THE SEPTEMBER 12, 2016 PLAN COMMISSION MEETING MINUTES.**

Judy Juliana:

Move to approve.

Wayne Koessler:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JUDY JULIANA AND SECONDED BY WAYNE KOESSL TO APPROVE THE MINUTES OF THE SEPTEMBER 12, 2016 PLAN COMMISSION MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- 4. CORRESPONDENCE.**

5. CITIZEN COMMENTS.

Tom Terwall:

If you're here for an item that is not a matter for public hearing now would be your opportunity to step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens' comments? Anybody wishing to speak? Seeing none I'll close citizens' comments.

6. NEW BUSINESS.

Tom Terwall:

Items A through D involve Prairie Village West of which I am a resident. Therefore, on the advice of counsel I'm going to recuse myself and turn this portion of the meeting over to Mike Serpe.

Michael Serpe:

Thank you, Tom. Tom will not be participating in any deliberations nor voting. And we will take Items A, B, C and D together but have individual votes on each item.

- A. Consider the request of John Field, President of the Prairie Village West Condominium Association for approval of an Affidavit of Removal to remove the existing private roadway lands (which are now intended to be dedicated for the 42nd Court and 91st Place public roadways) from the Prairie Village West Addition #1 Condominium via a "removal instrument" per State Statute 703.02 (14g).**
- B. Consider the request of Mark Eberle, P.E. of Nielsen Madsen and Barber S.C, agent on behalf of John Field, President of the Prairie Village West Condominium Association for approval of a Certified Survey Map for the dedication of 40 foot rights-of-way for 91st Place and 42nd Court within Prairie Village West Addition #1 Condominium area.**
- C. Consider the request of John Field, President of the Prairie Village West Condominium Association for approval for the Vacation of certain Sanitary Sewer, Water Main, Storm Water Management Access and Maintenance Easements within the rights-of-way of and the dedication of 91st Place and 42nd Court within Prairie Village West Addition #1 Condominium and the dedication of a 10' Wide Fire Hydrant, Snow Storage, Street Tree, Access And Maintenance Easement adjacent to the 91st Place and 42nd Court rights-of-way within Prairie Village West Addition #1 Condominium area.**
- D. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT to amend the Prairie Village West Addition #1 Planned Unit Development (Chapter 420 Attachment 3 Appendix C Specific Development Plan # 4) as a result of 42nd Court and 91st Place being dedicated to the Village as a public street wherein they were originally platted as a private street within the Prairie**

Village West Addition #1 Condominium development. Specifically the Ordinance is proposed to be amended to reference the dedication and other documents being recorded related to the dedication of the public streets and to allow the existing condominium units be set back 19 feet from the dedicated rights-of-way of 42nd Court and 91st Place.

Jean Werbie-Harris:

Trustee Serpe and members of the Plan Commission, for the record I'll read the items into the record. Item A, consider the request of John Field, President of the Prairie Village West Condominium Association, for approval of an Affidavit of Removal to remove the existing private roadway lands which are now intended to be dedicated for the 42nd Court and 91st Place public roadways from the Prairie Village West Addition #1 Condominium via a removal instrument per State Statute 703.02 (14g).

B, consider the request of Mark Eberle, P.E. of Nielsen Madsen and Barber S.C, agent on behalf of John Field, President of the Prairie Village West Condominium Association, for approval of a Certified Survey Map for the dedication of 40 foot wide rights-of-way for 91st Place and 42nd Court within the Prairie Village West Addition #1 Condominium area.

C, consider the request of John Field, President of the Prairie Village West Condominium Association, for approval for the vacation of certain sanitary sewer, water main, storm water management access and maintenance easements within the rights-of-way of and the dedication of 91st Place and 42nd Court within Prairie Village West Addition #1 Condominium, and the dedication of a ten foot wide fire hydrant, snow storage, street tree, access and maintenance easement adjacent to the 91st Place and 42nd Court rights-of-way within Prairie Village West Addition #1 Condominium area.

And finally Item D, public hearing and consideration of a Zoning Text Amendment to amend the Prairie Village West Addition #1 Planned Unit Development Chapter 420 Attachment 3 Appendix C Specific Development Plan # 4 as a result of 42nd Court and 91st Place being dedicated to the Village as public streets wherein they were originally platted as a private streets within the Prairie Village West Addition #1 Condominium development. Specifically the ordinance is proposed to be amended to reference the dedication and other documents being recorded related to the dedication of the public streets and to allow the existing condominium units to be setback 19 feet from the dedicated rights-of-way of 42nd Court and 91st Place.

These items are related and will be discussed at the same time, however separate action will need to be taken by the Plan Commission.

The Prairie Village West Addition #1 Condominium Association is requesting to dedicate 91st Place and 42nd Court, these were roadways that were previously constructed private roadways, within the Prairie Village West Addition #1 Condominium development as public rights-of-way. Several approvals are being considered for this to be allowed.

First, as a Memorandum of Understanding Agreement: On June 6, 2016, the Village approved and entered into a Memorandum of Understanding Agreement with the Condominium

Association as attached in part of your packets regarding the proposed dedication of the existing 42nd Court and 91st Place private roadways and underground infrastructure that's located in the Prairie Village West Addition #1 Condominium to the Village. The owners have agreed to and have provided to the Village, among other things, the following as part of this Memorandum of Understanding:

- The obligation and agreement to make the required private in-pipe storm sewer repairs and storm sewer structure and asphalt pavement repairs pursuant to inspections and field observations completed by the Village's Public Work's Department in 2015-2016 and pursuant to the details set forth in the attached May 26, 2016 letter from Mark Eberle, P.E., Nielsen Madsen & Barber S.C., and that's referenced as Exhibit B.
- The obligation and the agreement to enter into a contractual agreement with Michels Corporation as it pertains to the in-pipe storm sewer repairs identified as Exhibit C and with Reesman's Excavating & Grading, Inc., as it pertains to storm system repairs, pavement and base repairs and storm manhole DH369 adjustment, and that's provided as Exhibit D. These private improvements which are intended to be dedicated, along with others to the Village are described in the contractor's proposals; and
- The obligation and agreement to pay the Village for the Village's or consultant's inspection related to services associated with the in-pipe storm sewer repairs and storm sewer structure and asphalt pavement repairs, which was estimated by the Public Work's Department to be \$3,000.00 as referenced in Exhibit E of this agreement.

All of these improvements as I just discussed have been completed and inspected by the Village. The next step is for the Village to accept the improvements and to accept the items below and approve the other documents as noted in this memorandum.

So the next item is actually the removal instrument. The Unit Owners of Prairie Village West Condominium Association, Inc., have consented to the removal of 91st Place and 42nd Court from the Association to the Village. The removal instrument is required pursuant to Chapter 703 of the statutes which must be recorded to remove the roads affected from the Association from the condominium thereby transferring ownership to the Village. Recording the removal instrument clears the chain of title and effectively takes land out of the condominium property and transfers that land to the Village.

The next item are the vacation of easements. The Petition to Vacate and Release Easements is required because the Village, under the current easements, has right access to portions of the condominium property. However, when the private roads become public roads, the easements are no longer needed since the Village obtains an ownership interest in the lands. Because the real properties affected by the easements are proposed to be dedicated to the Village, the easements are basically unnecessary. Recording the Vacation of Easement document clears the chain of title to the real property.

The following easements are proposed to be vacated as shown in the attached Release of Easement document:

1. Vacation of the dedicated thirty foot wide sanitary sewer, water main, access and maintenance easement. This is Exhibit 1 of said Release document.
2. Vacation of the dedicated twenty foot wide storm water management, access and maintenance easement provided as Exhibit 2 of the Release document.
3. Vacation of the dedicated twenty foot wide water main, access and maintenance easement identified as Exhibit 3 of the Easement document.
4. Vacation of the twenty foot wide storm water management, access and maintenance easement identified as Exhibit 4 of the Release document.
5. Vacation of the twenty foot wide sanitary sewer, access and maintenance easement which is identified as Exhibit 5 of the Release document.

The next item on the agenda is the Certified Survey Map and Dedication of Easement. The Certified Survey Map known as a CSM is being requested to dedicate the 40 foot wide rights-of-way for 91st Place and 42nd Court within the Prairie Village West Addition #1 Condominium area. The CSM shows all of the existing easements that will remain after the aforementioned easements are vacated. In other words, those areas will be dedicated because they'll be underneath the effective right-of-ways that are being dedicated to the Village.

The CSM also shows, though, the additional easements that are being requested. And that first one of the main one is that ten foot wide fire hydrant, snow storage, street tree, access and maintenance easement. Since this easement cannot be dedicated by the CSM, this ten foot wide easement will be recorded prior to the CSM and then shown and referenced on the CSM. Again, there are some fire hydrants, there's street trees, there's areas that are adjacent to that 40 foot wide dedicated area that the Village needs in order to continue to maintain the public related improvements that are being now taken over by the Village and clearly understood by the Village for our maintenance. So as a result we need to make sure that those easements are reflected on either side.

As you know a typical right-of-way is either 66 or 66 feet wide. We're being granted a 40 foot wide easement and then ten feet on either side in order to take care of the public related improvements as may be necessary.

With respect to the variance, on October 3, 2016, the Village Board will conduct a public hearing to consider the request of Prairie Village West Condominium Association for a variance from Section 395-60 (A) of the Village's Land Division and Development Control Ordinance related to the minimum right-of-way width. Specifically, the petitioners are requesting a variance to dedicate 91st Place and 42nd Court as public road rights-of-way that are 40 feet wide in lieu of the 60 minimum required to ensure that the above-referenced roadway dedications are not in conflict with State Statute 236.13 (2).

Again, the State Statutes has very specific requirements as to how narrow a public road can be in order to take care of all of the public related improvements. So we are accepting it with a variance that gets granted by the Board as long as we have that additional easement on either side to take care of the public improvements.

Due to the fact that the existing constructed roadway conditions are within a condominium, which was originally designed with private roadways and with building setbacks as measured from the back of curb in lieu of the right-of-way line, the rights-of-way are only 40 feet in width. This new right-of-way, in consideration with the proposed 10 foot wide fire hydrant, snow storage, street tree access and maintenance easement will serve the public's purpose and serve as a 60 foot wide right-of-way area per the State Statute. This variance shall be approved by the Village Board prior to recording any documents noted.

The next item is the Zoning Text Amendment. The Prairie Village West Addition #1 Planned Unit Development, again Chapter 420 Attachment 3 Appendix C Specific Development Plan # 4, is proposed to be amended as a result of 42nd Court and 91st Place being dedicated to the Village as public streets even though they were originally platted as private streets within the Condominium development. Specifically the ordinance is proposed to be amended to reference the dedication and these other documents being recorded related to the dedication of the public streets and allowing the existing condominium units to be set back 19 feet from the dedicated rights-of-way of 42nd Court and 91st Place. Again, typically that right-of-way would have been either 25 or 30 depending on the PUD.

So although this last item which is the PUD modification is a public hearing, we do need to open the floor for the public hearing discussion on that item. And I'd recommend if there's any other questions on Items A, B or C that they be taken up at this time.

Michael Serpe:

We'll allow that if that's okay with the Commission. Okay. Is that it, Jean? Because Item D is a matter for public hearing, and because A, B and C were taken in conjunction with the public hearing, we'll take comments and questions from the citizens on Items A, B, C or D. Is anybody wishing to speak? Anybody wishing to speak? Anybody? We'll close the public hearing and open it up to comments and questions from the Commission. Jim?

Jim Bandura:

Just a quick one. Jean, in the written ordinance Number 16-, the second page item 3 it says not tool or storage sheds that do not exceed 200 square I think the word feet is missing.

Jean Werbie-Harris:

We could add the word feet. That's correct, we can do that.

Jim Bandura:

Okay, that's good.

Michael Serpe:

Anybody else have any questions?

Wayne Koessl:

Mr. Chairman, if there aren't any more questions or comments, for the Affidavit of Removal I recommend that the Plan Commission send a favorable recommendation to the Village Board to approve the removal instrument subject to providing the Village a recorded copy of the document within 30 days of Village Board approval.

Jim Bandura:

Second.

Michael Serpe:

MOTION MADE BY WAYNE KOESSL AND A SECOND BY JIM BANDURA FOR APPROVAL OF THE AFFIDAVIT OF REMOVAL. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Item B, Certified Survey Map. What's your pleasure?

Jim Bandura:

I would recommend approval of it.

Michael Serpe:

Is there a second?

Wayne Koessl:

Second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND A SECOND BY WAYNE KOESSL FOR APPROVAL OF THE CERTIFIED SURVEY MAP. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Item C, vacation of certain sanitary sewer, water main, storm water management access and maintenance easements. What's your pleasure?

Jim Bandura:

Recommend approval.

Michael Serpe:

Is there a second?

Bill Stoebig:

Second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND A SECONDED BY BILL STOEBIG FOR ITEM C, VACATION OF CERTAIN SANITARY SEWER, WATER MAIN, STORM WATER MANAGEMENT ACCESS AND MAINTENANCE EASEMENTS. ALL THOSE IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Item D is the Zoning Text Amendment. Just one question before we get on this. Is there any downside to the Village by approving what we're doing here tonight?

Jean Werbie-Harris:

I don't think so, no.

Michael Serpe:

Matt, you see anything Matt? Thank you. Item D what's your pleasure.

Jim Bandura:

Move for approval.

Wayne Koessl:

Second.

Michael Serpe:

MOTION BY JIM BANDURA AND A SECOND BY WAYNE KOESSL ON THE ZONING TEXT AMENDMENT. ALL THOSE IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

Jean Werbie-Harris:

Trustee Serpe if I could just add. One of the things as we mentioned earlier this summer is that we took great care to have our public works department go out to identify any inconsistencies or any problems or any concerns with respect to that infrastructure. We identified it for them, they contracted to get all those improvements completed. We inspected them, and we are going to go through the process of accepting them. So in this circumstance any deficiencies or corrections that need to be made were made. And so we are taking all of these public improvements with good conscience.

Michael Serpe:

I know there's a lot of work that went into this from the Board and from the residents, and we appreciate all your efforts. And with that I'll turn the meeting over to Tom for Item E. Thank you.

Tom Terwall:

Thank you.

E. Consider the request of Matt Carey, P.E. with Pinnacle Engineering, for approval of the Recession of Trans 233 Restriction from Certified Survey Map 2178 related to the vacant property on the southeast corner of STH 165 and 80th Avenue in LakeView Corporate Park.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, the petitioner is requesting approval of a Correction Instrument to CSM 2178 for the Rescission of the Trans 233 Restriction, that's a Wisconsin DOT restriction, and that's related to the 50 foot highway setback to Highway 165 on

the property located at the southeast corner of Highway 165 and 80th Avenue. That is the proposed Doheny Enterprises property. Any buildings or structures and parking and maneuvering lanes on the site will be required to meet the Village Zoning Ordinance setback requirements. The staff recommends approval of the Recession of Trans 233 Restriction from the CSM 2178 subject to the document being recorded by all parties and a recorded copy being provided to the Register of Deeds office for recording within 30 days of the Village Board's approval.

Michael Serpe:

Move approval.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND A SECONDED BY JIM BANDURA TO GRANT THE RESTRICTION OF TRANS 233 SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

7. ADJOURN.

Wayne Koessl:

So moved.

Jim Bandura:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? We stand adjourned.

Meeting Adjourned: 6:16 p.m.

**THESE ITEMS ARE RELATED AND WILL BE DISCUSSED AT THE SAME TIME
HOWEVER SEPARATE ACTION IS REQUIRED.**

- A. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #16-11** for the request of Sabino Rodriguez, on behalf of Rodriguez Enterprise Corporation, owner of the vacant property generally located at the 11700 block of Old Green Bay Road and further identified as Tax Parcel Number 92-4-122-342-0143 as a result of the wetland delineation completed by a Wisconsin Department of Natural Resources assured biologist to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to change the Low Density Residential with an Urban Reserve land use designations to the Park, Recreational and Other Open Space Lands with a Field Verified Wetlands land use designations on the portion of the property identified as wetlands and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan.

Recommendation: Village staff recommends that the Plan Commission approve **Plan Commission Resolution #16-11** to approve amendments to the Comprehensive Plan as outlined in said Resolution.

- B. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of Sabino Rodriguez, on behalf of Rodriguez Enterprise Corporation, owner of the vacant property generally located at the 11700 block of Old Green Bay Road and further identified as Tax Parcel Number 92-4-122-342-0143 as a result of the wetland delineation completed by a Wisconsin Department of Natural Resources assured biologist to rezone the portion of the property that was field delineated as wetlands into the C-1, Lowland Resource Conservancy District and the remainder of the property will remain in the R-4 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District.

Recommendation: Village staff recommends that the Plan Commission approve the **Zoning Map Amendment** as presented in the October 24, 2016 Village Staff Report.

VILLAGE STAFF REPORT OF OCTOBER 24, 2016

CONSIDERATION OF PLAN COMMISSION RESOLUTION #16-11 for the request of Sabino Rodriguez, on behalf of Rodriguez Enterprise Corporation, owner of the vacant property generally located at the 11700 block of Old Green Bay Road and further identified as Tax Parcel Number 92-4-122-342-0143 as a result of the wetland delineation completed by a Wisconsin Department of Natural Resources assured biologist to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to change the Low Density Residential with an Urban Reserve land use designations to the Park, Recreational and Other Open Space Lands with a Field Verified Wetlands land use designations on the portion of the property identified as wetlands and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan.

CONSIDERATION OF A ZONING MAP AMENDMENT for the request of Sabino Rodriguez, on behalf of Rodriguez Enterprise Corporation, owner of the vacant property generally located at the 11700 block of Old Green Bay Road and further identified as Tax Parcel Number 92-4-122-342-0143 as a result of the wetland delineation completed by a Wisconsin Department of Natural Resources assured biologist to rezone the portion of the property that was field delineated as wetlands into the C-1, Lowland Resource Conservancy District and the remainder of the property will remain in the R-4 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District.

**THESE ITEMS ARE RELATED AND WILL BE DISCUSSED AT THE SAME TIME
HOWEVER SEPARATE ACTION IS REQUIRED.**

*The property owner hired Wetland & Waterway Consulting, LLC, a Wisconsin Department of Natural Resources Assured Biologist, to complete a wetland delineation on the property generally located at the 11700 block of Old Green Bay Road and further identified as Tax Parcel Number 92-4-122-342-0143. The wetland staking was completed on August 16, 2016 and the wetlands area identified is shown on the **attached** plat of survey.*

In accordance with the Village of Pleasant Prairie 2035 Comprehensive Plan, upon completion of a wetland staking the 2035 Land Use Plan Map 9.9 shall be amended to reflect the results of the aforementioned wetland staking. Therefore, the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 is proposed to be corrected to change the Low Density Residential with an Urban Reserve land use designations to the Park, Recreational and Other Open Space Lands with a Field Verified Wetlands land use designations on the portion of the property identified as wetlands and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan.

Furthermore, in accordance with the Village Zoning Ordinance, upon completion of a wetland staking the Zoning Map shall be corrected to reflect the results of the staking. Specifically, the request is to rezone the portion of the property that was field delineated as wetlands into the C-1, Lowland Resource Conservancy District and the remainder of the property will remain in the R-4 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District.

Village staff recommends that the Plan Commission approve Plan Commission Resolution #16-11 and send a favorable recommendation to the Village Board to approve the Comprehensive Plan Amendments as presented.

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the Zoning Map Amendment as presented.

**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION
RESOLUTION #16-11
TO AMEND THE VILLAGE OF PLEASANT PRAIRIE, WISCONSIN
2035 COMPREHENSIVE PLAN**

WHEREAS, on December 19, 2009 the Village Board of Trustees adopted the *Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan* (Comprehensive Plan); and

WHEREAS, Sabino Rodriguez, on behalf of Rodriguez Enterprise Corporation, *the property owner had hired Wetland & Waterway Consulting, LLC, a Wisconsin Department of Natural Resources Assured Biologist, to complete a wetland delineation on the property generally located a the 11700 block of Old Green Bay Road and further identified as Tax Parcel Number 92-4-122-342-0143; and*

WHEREAS, *the wetland staking was completed on August 16, 2016 and the wetlands area identified is shown on the plat of survey shown on **Exhibit 1**.*

WHEREAS, the following amendments to the Village Comprehensive Plan are proposed:

1. to amend the Village 2035 Land Use Plan Map 9.9 to change the Low Density Residential with an Urban Reserve land use designations to the Park, Recreational and Other Open Space Lands with a Field Verified Wetlands land use designations on the portion of the property identified as wetlands as shown on **Exhibit 1** and
2. to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

WHEREAS, on October 24, 2016 the Village Plan Commission held a public hearing to discuss the proposed amendments.

NOW THEREFORE, BE IT RESOLVED, that pursuant to Sections 62.23 (3) (b) and 66.1001 (4) (b) of the Wisconsin Statutes, the Village of Pleasant Prairie Plan Commission hereby approves the aforementioned amendments to the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan as presented at the October 25, 2016 public hearing.

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Village Board enact an Ordinance adopting the amendments, as referenced above, to the *Village of Pleasant Prairie 2035 Comprehensive Plan*.

Adopted this 24th day of October 2016.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

Thomas W. Terwall
Plan Commission Chairman

Michael J. Serpe
Vice Chairman

Date Posted: _____
11-Comp Plan Amend Rodriguez-wetland LU
CODE1609-002

Exhibit 1

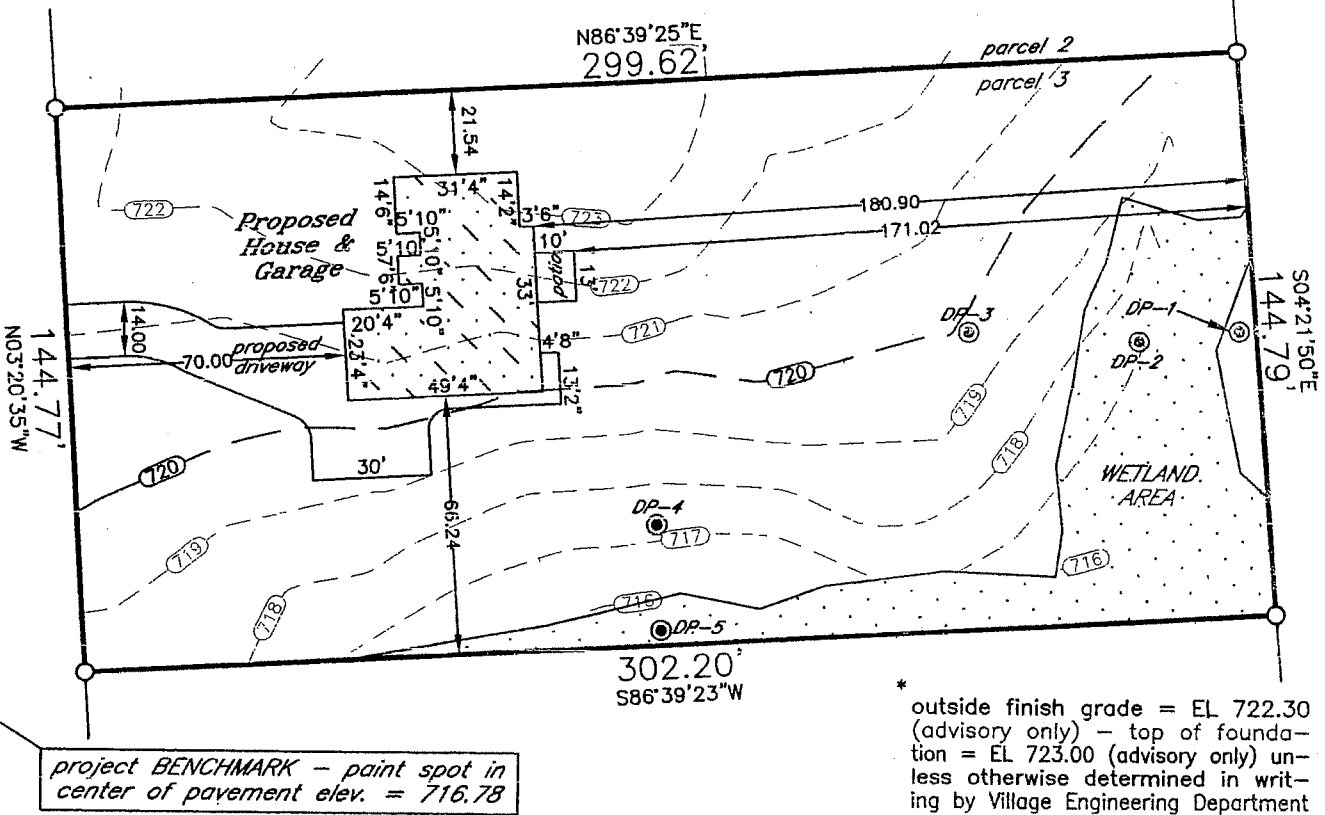
tax key no.: 92-4-122-342-0143

lot area = 43,563 S.F.

*
Verify exact number with
Village Engineering Department

denotes iron
pipe found

Old Green Bay Road
(St. Tr. Hwy. 31)



LEGAL DESCRIPTION OF WETLAND AREA: Part of Lot 3 of Certified Survey Map No. 1761, a plat on file and of record in the Kenosha County Land Registry, as Document No. 966869, being in part of the Northwest Quarter of Section 34, Town 1 North, Range 22 East of the Fourth Principal Meridian; lying and being in the Village of Pleasant Prairie, Kenosha County, Wisconsin and being more particularly described as: Commencing at the southwest corner of said lot; thence N86°39'23"E along the south line of said lot 66.14 feet to the point of beginning; thence N79°16'16"E 28.05 feet; thence N79°30'13"E 24.06 feet; thence N75°47'27"E 34.72 feet; thence S78°59'35"E 20.33 feet thence N69°53'31"E 17.65 feet; thence N82°25'53"E 30.49 feet; thence S87°36'50"E 28.04 feet; thence N07°50'52"E 11.85 feet; thence N06°13'10"W 16.44 feet; thence N10°53'08"E 22.69 feet; thence N08°44'31"E 18.27 feet; thence N23°38'16"E 13.29 feet; thence N12°51'34"E 17.65 feet; thence S72°58'10"E 19.98 feet; thence N85°15'28"E 10.91 feet; thence N33°57'02"E 3.32 feet; thence S04°21'50"E 13.19 feet; thence S19°28'27"W 25.89 feet; thence S10°57'12"E 14.21 feet; thence S11°21'57"E 17.48 feet; thence S47°15'05"E 9.85 feet; thence S04°21'50"E 29.75 feet to the southeast corner of said lot; thence S86°39'23"W along the south line of said lot 236.06 feet to the point of beginning; containing 6,311 square feet, 0.14 acre, more or less.

Scale
1" = 50'



Proposed building field staked true size. Contractor to verify all dimensions before building by same.

Refer to a current title report for easements or restrictions which may affect the use of this site that are not shown on the recorded certified survey map.

J.K.R. SURVEYING, INC.
8121 22ND AVENUE
KENOSHA, WI 53143

I hereby certify that this property was surveyed under my direction and this plat is a true representation thereof.


Reg. Land Surveyor

November 17, 2015
Revised 5/17/16
Revised 5/26/16
Revised 8/10/16
Revised 9/14/16

Plat of Survey of
PARCEL 3 OF
CERTIFIED SURVEY MAP NO. 1761

in NW1/4 Section 34-1-22

VILLAGE OF PLEASANT PRAIRIE
KENOSHA COUNTY, WIS.

-for-
Rodriguez Enterprise Corp.



ORD. # 16-

**ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF PLEASANT PRAIRIE,
KENOSHA COUNTY, WISCONSIN
PURSUANT TO CHAPTER 420-13 OF THE VILLAGE ZONING ORDINANCE**

**BE IT ORDAINED by the Village of Pleasant Prairie Board of Trustees,
Kenosha County, Wisconsin, that the Official Village Zoning Map is hereby amended
as follows:**

A portion of the property located at 11701 Old Green Bay Road and known as Lot 3 of CSM 1761 located in U.S. Public Land Survey Section 34, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-342-0143 that was field delineated as wetlands is hereby rezoned into the C-1, Lowland Resource Conservancy District as shown and legally described on **Exhibit 1**. The non-wetland portions of the property will remain in the R-4 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District will remain unchanged.

The Village Zoning Administrator is hereby directed to record this Zoning Map Amendment on the appropriate sheet of the Official Village Zoning Map and Appendix B in Chapter 420 of the Village Municipal Code shall be updated to include said amendment.

Adopted this ___ day of _____, 2016.

VILLAGE BOARD OF TRUSTEES

John P. Steinbrink
Village President

ATTEST:

Jane M. Romanowski
Village Clerk

Posted:_____

_____-Rodriguez wetland
CODE1609-003

Exhibit 1

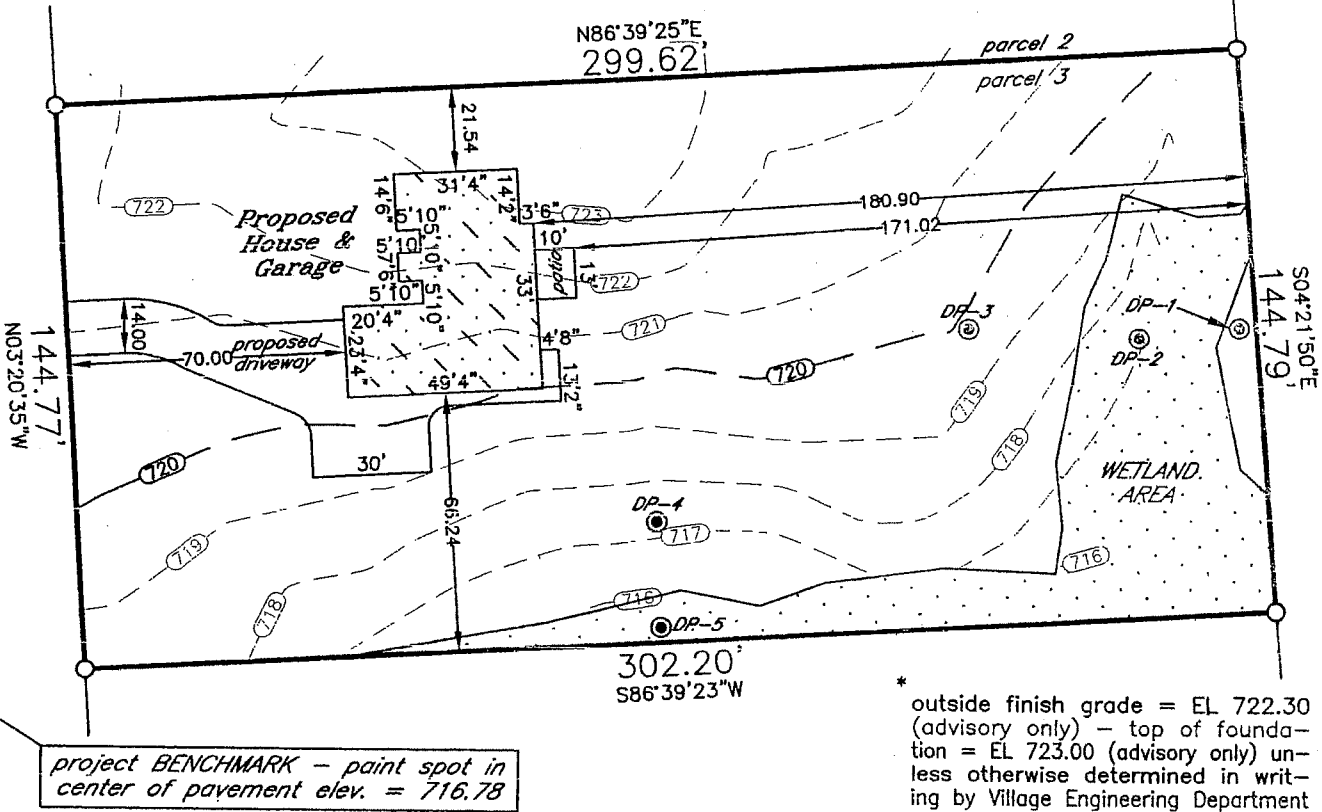
tax key no.: 92-4-122-342-0143

lot area = 43,563 S.F.

*
Verify exact number with
Village Engineering Department

denotes iron
pipe found

Old Green Bay Road
 (St. Tr. Hwy. 31)



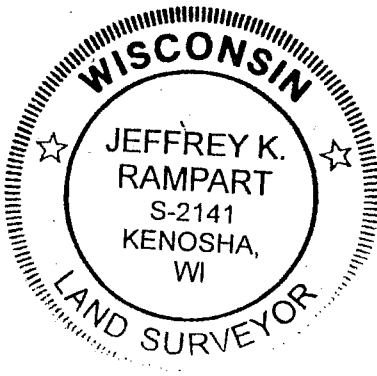
LEGAL DESCRIPTION OF WETLAND AREA: Part of Lot 3 of Certified Survey Map No. 1761, a plat on file and of record in the Kenosha County Land Registry, as Document No. 966869, being in part of the Northwest Quarter of Section 34, Town 1 North, Range 22 East of the Fourth Principal Meridian; lying and being in the Village of Pleasant Prairie, Kenosha County, Wisconsin and being more particularly described as: Commencing at the southwest corner of said lot; thence N86°39'23"E along the south line of said lot 66.14 feet to the point of beginning; thence N79°16'16"E 28.05 feet; thence N79°30'13"E 24.06 feet; thence N75°47'27"E 34.72 feet; thence S78°59'35"E 20.33 feet thence N69°53'31"E 17.65 feet; thence N82°25'53"E 30.49 feet; thence S87°36'50"E 28.04 feet; thence N07°50'52"E 11.85 feet; thence N06°13'10"W 16.44 feet; thence N10°53'08"E 22.69 feet; thence N08°44'31"E 18.27 feet; thence N23°38'16"E 13.29 feet; thence N12°51'34"E 17.65 feet; thence S72°58'10"E 19.98 feet; thence N85°15'28"E 10.91 feet; thence N33°57'02"E 3.32 feet; thence S04°21'50"E 13.19 feet; thence S19°28'27"W 25.89 feet; thence S10°57'12"E 14.21 feet; thence S11°21'57"E 17.48 feet; thence S47°15'05"E 9.85 feet; thence S04°21'50"E 29.75 feet to the southeast corner of said lot; thence S86°39'23"W along the south line of said lot 236.06 feet to the point of beginning; containing 6,311 square feet, 0.14 acre, more or less.

Scale
1" = 50'

Proposed building field staked true size. Contractor to verify all dimensions before building by same.

Refer to a current title report for easements or restrictions which may affect the use of this site that are not shown on the recorded certified survey map.

J.K.R. SURVEYING, INC.
8121 22ND AVENUE
KENOSHA, WI 53143

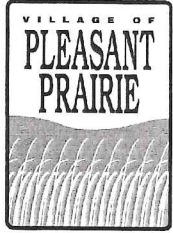


I hereby certify that this property was surveyed under my direction and this plat is a true representation thereof.

[Signature]
Reg. Land Surveyor
November 17, 2015
Revised 5/17/16
Revised 5/26/16
Revised 8/10/16
Revised 9/14/16

Plat of Survey of
PARCEL 3 OF
CERTIFIED SURVEY MAP NO. 1761
in NW1/4 Section 34-1-22
VILLAGE OF PLEASANT PRAIRIE
KENOSHA COUNTY, WIS.
-for-
Rodriguez Enterprise Corp.

\$ 225



Filed 9/16 2016 Published _____ 20____
Public Hearing _____ 20____
Fee Paid _____ 20____ Approved _____ 20____
Notices Mailed _____ 20____ Denied _____ 20____

**VILLAGE OF PLEASANT PRAIRIE, WISCONSIN
COMPREHENSIVE PLAN AMENDMENT APPLICATION**

To: Village Plan Commission & Village Board of Trustees of the Village of Pleasant Prairie:

I, (We), the undersigned owner(s)/agent do hereby petition the Village Board to amend the Village of Pleasant Prairie Comprehensive Plan as hereinafter requested and affecting the property located at

old greenbush road 92 and
Tax Parcel Number 92-4-122-342-0143

Check all that apply

Land Use Plan Amendment: To change the land use designation from the residential designation to wetland designation (staked wetlands) and use designation to the _____ land use designation.

Neighborhood Plan Amendment for the _____ Neighborhood

Other Amendment to the Comprehensive Plan (specify) _____

Petitioner's interest in the requested amendment: owner - correcting map based on wetland staking completed

I (We), have contacted the Community Development Department to arrange a pre-application meeting to discuss the proposed request to determine additional information that may be needed for this request.

I, (We), hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge.

PROPERTY OWNER:

Print Name: Rodriguez Enterprise Corp
Signature: Sabina Carreras president
Address: P O Box 1163
North Chicago Ill. 60064
(City) (State) (Zip)
Phone: 1-847-406-6014
Fax: _____
Email: SavvyCarrera@gmail.com
Date: 9-16-16

OWNER'S AGENT:

Print Name: _____
Signature: _____
Address: _____
(City) (State) (Zip)
Phone: _____
Fax: _____
Email: _____
Date: _____

CODE 1609-002

Peggy Herrick

From: Sabino Carrera <savvycarrera@gmail.com>
Sent: Monday, September 19, 2016 11:53 AM
To: Peggy Herrick
Subject: Fwd: FW: Emailing: 1761L3wetlands
Attachments: 1761L3wetlands.pdf

----- Forwarded message -----

From: "Dave Meyer" <dave@wetlandwi.com>
Date: Sep 16, 2016 5:00 PM
Subject: FW: Emailing: 1761L3wetlands
To: "Sabino Carrera" <savvycarrera@gmail.com>
Cc:

Sabino—

The attached map is an accurate assessment of the wetlands on this site. I conducted a wetland delineation on this parcel on 8-16-16 and flagged the complex that is shown.

Tom Nedland, WIDNR Assured Delineator Coordinator has indicated that any map produced as a result of an Assured Delineator's work may be used for permit applications and other purposes without the accompanying report. The report will ultimately be produced, but the map may be used immediately for official purposes in a stand-alone capacity.

You may forward this map to the Village of Pleasant Prairie for their review and us. They can call me with any questions.

Dave

-Dave Meyer

Wetland & Waterway Consulting, LLC

S83 W23915 Artesian Ave

Big Bend, WI 53103

Phone - [262-719-4286](tel:262-719-4286)

FAX - [262-364-2197](tel:262-364-2197)

e-mail – dave@wetlandwi.com

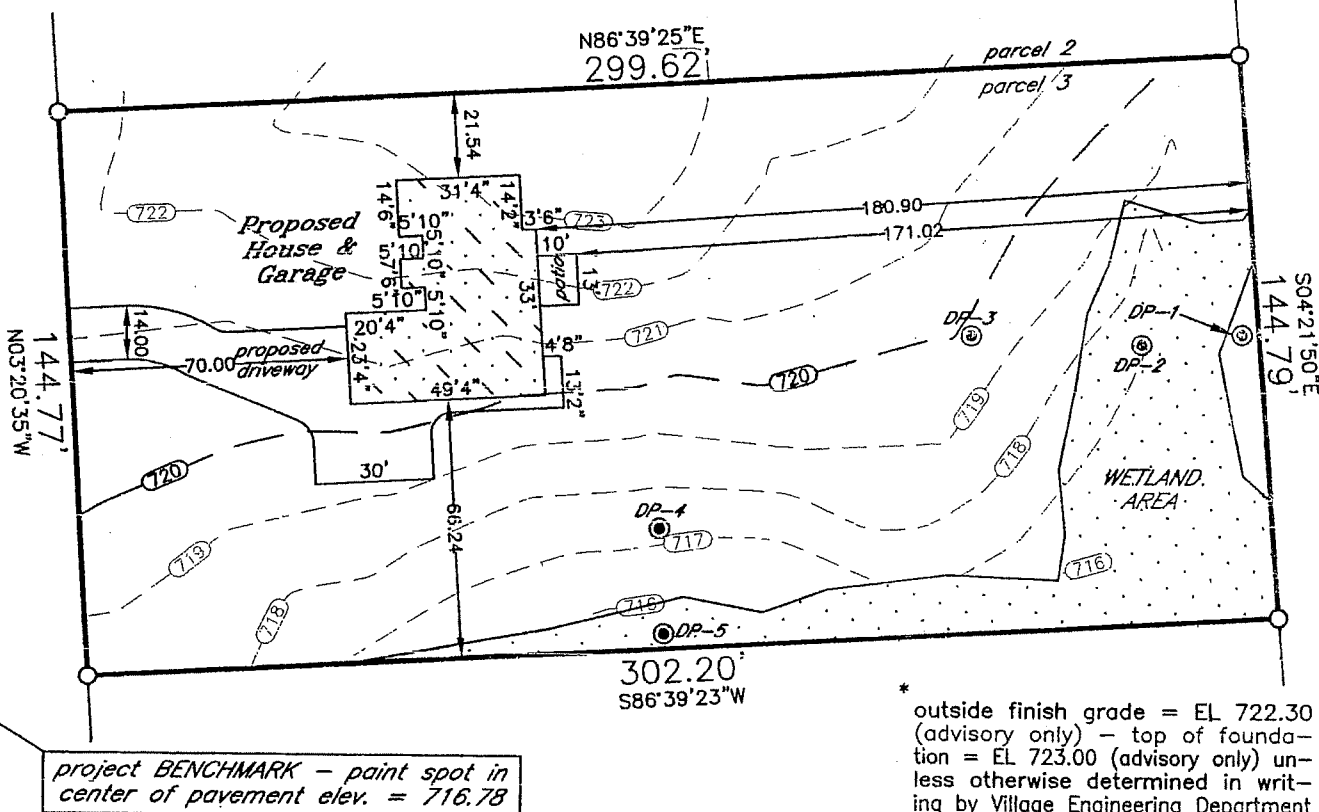
tax key no.: 92-4-122-342-0143

lot area = 43,563 S.F.

* Verify exact number with Village Engineering Department

denotes iron pipe found

Old Green Bay Road
(St. Tr. Hwy. 31)



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J.K.R. SURVEYING, INC.
8121 22ND AVENUE
KENOSHA, WI 53143

I hereby certify that this property was surveyed under my direction and this plat is a true representation thereof.

Reg. Land Surveyor

November 17, 2015

Revised 5/17/16

Revised 5/26/16

Revised 8/10/16

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Plat of Survey of

PARCEL 3 OF

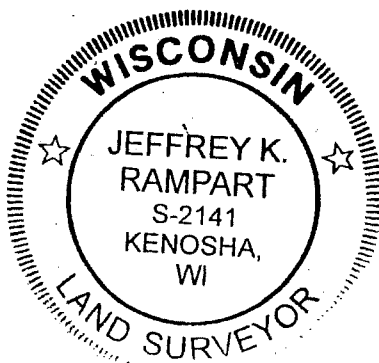
CERTIFIED SURVEY MAP NO. 1761

in NW1/4 Section 34-1-22

VILLAGE OF PLEASANT PRAIRIE
KENOSHA COUNTY, WIS.

-for-

Rodriguez Enterprise Corp.



\$ 225



Filed 9/16 2016 Published _____ 20____
 Public Hearing _____ 20____ 20____
 Fee Paid _____ 20____ Approved _____ 20____
 Notices Mailed _____ 20____ Denied _____ 20____

**VILLAGE OF PLEASANT PRAIRIE, WISCONSIN
 ZONING MAP AND TEXT AMENDMENT APPLICATION**

To: Village Plan Commission & Village Board of Trustees of the Village of Pleasant Prairie:

I, (We), the undersigned owner(s)/agent do hereby petition the Village Board to amend the Village of Pleasant Prairie Zoning Map as hereinafter requested.

It is petitioned that the following described property be rezoned from the present R-4
 _____ District(s) to C-1 (wetland area only) District(s). The property petitioned
 to be rezoned is located at: old Green Bay Rd. and is legally described
 as follows: see attached survey

Tax Parcel Number(s): 92-4-122-342-0143

The proposed use for this property is: to build a new single family home on non-wetland area

Petitioner's interest in the requested rezoning: owner

Compatibility with adjacent land uses: yes

I (We) are also requesting a Zoning Text Amendment to amend Section N/A of the Village Zoning Ordinance.

I (We), have contacted the Community Development Department to arrange a pre-application meeting to discuss the proposed request to determine additional information that may be needed for this request.

I, (We), hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge.

PROPERTY OWNER:
 Print Name: Rodriguez Enterprise Corp
 Signature: [Signature] president
 Address: P O Box 1163
North Chicago IL. 60064
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 Phone: 1-847-406-6614
 Fax: _____
 Email: SavvyCarver@gmail.com
 Date: 9-16-16

OWNER'S AGENT:
 Print Name: _____
 Signature: _____
 Address: _____
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 Phone: _____
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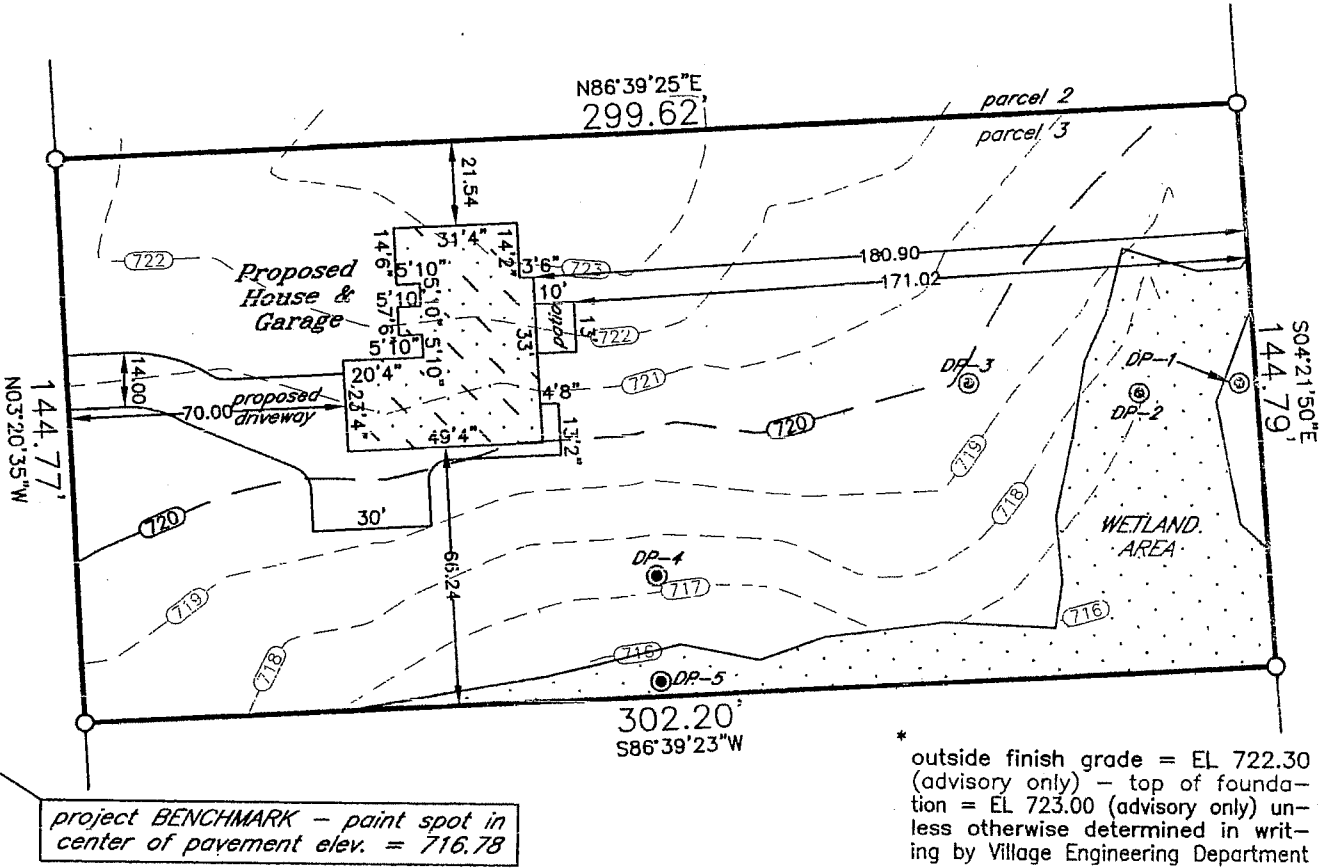
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J.K.R. SURVEYING, INC. 8121 22ND AVENUE KENOSHA, WI 53143

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[Signature] Reg. Land Surveyor

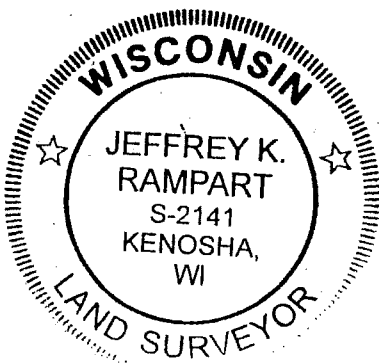
November 17, 2015 Revised 5/17/16 Revised 5/26/16 Revised 8/10/16 Revised 9/14/16

Plat of Survey of PARCEL 3 OF CERTIFIED SURVEY MAP NO. 1761

in NW1/4 Section 34-1-22

VILLAGE OF PLEASANT PRAIRIE KENOSHA COUNTY, WIS.

-for- Rodriguez Enterprise Corp.



- C. Consider request to **Change the Official Addresses** of the property at 8100A Cooper Road (Tax Parcel Number 91-4-122-113-0264 owned by Mario and Angie Castillo to 8100 Cooper Road; and the property at 8100B Cooper Road (Tax Parcel Number 91-4-122-113-0262) owned by Kevin Finley to 8080 Cooper Road.

Recommendation: Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **address changes** as presented in the Village Staff Report of October 24, 2016.

VILLAGE STAFF REPORT OF OCTOBER 24, 2016

Consider request to **Change the Official Addresses** of the property at 8100A Cooper Road (Tax Parcel Number 91-4-122-113-0264 owned by Mario and Angie Castillo to 8100 Cooper Road; and the property at 8100B Cooper Road (Tax Parcel Number 91-4-122-113-0262) owned by Kevin Finley to 8080 Cooper Road.

On October 17, 2016, the Village Board adopted Resolution #16-37 to initiate the change of the official addresses of 8100A Cooper Road (Tax Parcel Number 91-4-122-113-0264) owned by Mario and Angie Castillo and 8100B Cooper Road (Tax Parcel Number 91-4-122-113-0262) owned by Kevin Finley.

The addresses assigned could create problems for emergency response personnel, deliveries and other persons trying to locate the properties since the homes are located now located on separate parcels.

On October 19, 2016 the Village sent a notice to the property owners related to the proposed changes noting that a public hearing will be held by the Village Board on November 21, 2016 to discuss said changes. The address of 8100 A Cooper Road is proposed to be changed to 8100 Cooper Road and the address of 8100B Cooper Road is proposed to be changed to 8080 Cooper Road. If the address change is approved by the Village Board it is recommended that the address changes be effective December 1, 2016.

The owners will be responsible for contacting their financial institutions, family, friends and other interested parties of their new address. In addition, the address on the mail box or house must be changed as well. The Village will notify the Kenosha County Land Records Office, the U.S. Post Office and the 911 emergency services office.

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the address changes as requested.

Kevin Finley, owner, 8100B Cooper Rd

8100B Cooper Rd, Kenosha, WI 53142
218-639-6923
Kmfinley93@gmail.com

9/27/2016

Village of Pleasant Prairie,

I, Kevin M Finley, and Mario Castillo,
Angie Castillo, owners of the properties located at 8100B Cooper Rd and 8100A Cooper Rd, respectively, would like to ask The Village of Pleasant Prairie to grant a change of address for these two properties.

8056 Cooper Rd and 8100A Cooper Rd are located on the West Side of Cooper Rd and south of 81st St. Two properties, 8058 Cooper Rd, and 8100B Cooper Rd, lie behind the two aforementioned properties away from the road. 8058 Cooper Rd was formerly known as 8056B, but has already been changed. The graphic on the following page shows an aerial view of the current layout as well as the proposed changes.

Currently, having two separate properties with addresses of 8100A and 8100B is confusing and troublesome because the two houses are not located in the same unit, and do not even share a driveway. They are two completely separate properties and dwellings. It is quite difficult to direct visitors, mail, and parcel service to either of the properties.

I, Kevin M Finley, owner of 8100B Cooper Rd, and Mario Castillo,
Angie Castillo, owner(s) of 8100A Cooper Rd, would like to propose that 8100A Cooper Rd be reassigned a mailing address of 8100 Cooper Rd, and that 8100B Cooper Rd be reassigned an even house number between 8058 and 8100.

We, the owners of the aforementioned properties, would like to ask that this change take place as soon as possible to quickly alleviate the inconvenience this is currently causing.

Thank you for your consideration,

Kevin M Finley
Kevin M Finley
Owner, 8100B Cooper Rd

Mario Castillo
Angie Castillo
Mario Castillo, Angie Castillo
Owner(s), 8100A Cooper Rd

Current:



Proposed:

