



PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, SEPTEMBER 9, 2010 – 8:00 A.M.
COURTHOUSE CONFERENCE CENTER - (2nd FL – EAST WING)
ROCK COUNTY COURT HOUSE
JANESVILLE, WI

AGENDA

1. Call to Order
2. Adoption of Agenda
3. Minutes of meetings held Thursday, August 26, 2010
4. Citizen Participation, Communications and Announcements
5. Code Administration & Enforcement
 - A. **Action Item: Action Item:** Public Hearing – Shoreland Conditional Use Permit 2010 014 (Rock Township) – County of Rock
 - B. **Action Item:** Approval of Shoreland Conditional Use Permit 2010 014 – County of Rock
6. Finance
 - A. **Action Item:** Department Bills/Encumbrances/Pre-Approved Encumbrance/Amendments/Transfers
7. Housing & Community Development
 - A. **Action Item:** Lead Hazard Control & CDBG Housing Rehab Project (ID 007036 and 020635) = \$18,266.50
 - B. **Action Item:** Request for Lien Reduction for Housing Rehabilitation Loan (*Short Sale*)
 - C. Potential Conflict of Interest – Yes,
8. Director's Report
9. Division Report: Economic Development
10. Committee Reports
11. Adjournment

Future Meetings/Work Sessions

September 23, 2010 (Time To Be Determined)
October 14, 2010 (8:00 AM)
October 28, 2010 (8:00 AM)



ROCK COUNTY GOVERNMENT
Planning & Development Agency
MEMORANDUM

TO: Rock County Planning and Development Committee

THROUGH: Paul Benjamin Director, Planning & Development Agency

FROM: Planning & Development Agency Staff

SUBJECT: Shoreland Conditional Use Permits:

2010 014 SE1/4 SW1/4 Sec. 15 Rock Township, 3355 S. River Rd.

DATE: September 1, 2010

Summary:

The above property was deemed substantially damaged as a result of the Flood of June/July 2008 (FEMA Disaster 1768A). Rock County will be the owner of this property due to back taxes on September 15. Subsequently, in order to get the best possible price at auction in October, this residence will be demolished within that time frame. A Shoreland Conditional Use Permit is required due to the land disturbance and allows public notice and input. Project specifications were provided for perspective bidders and the selected bid was based on cost. Agency Staff will perform lead and asbestos testing prior to demolition.

Recommendation or Action:

Staff has reviewed the application and recommends approval of the Shoreland Conditional Use Permits 2010 014 subject to the following conditions:

1. Any project modifications or additions shall be submitted to Staff for review and approval.
2. Install and maintain temporary erosion control measures until seeded permanent vegetative cover is established. Ground disturbance shall be kept to a minimum.
3. Obtain all permits or approvals for your project from the US Army Corps of Engineers, Department of Natural Resources, or other local government agencies before starting the project.
4. This permit expires one year from the date of Committee approval, however, all earthwork and grading must be completed and the disturbed areas must be seeded or otherwise stabilized prior to October 15, 2010.



August 20, 2010

LEGAL NOTICE

Notice is hereby given that the Rock County Planning & Development Committee will hear a request by the County of Rock for a Conditional Use Permit for demolition of a residence and accessory structures and site restoration along the Rock River. This request is being made in compliance with Section 16.34(3)(A) of the County Shoreland Zoning Ordinance.

The property is located in the SE1/4 of the SW1/4 of Section 15, Rock Township. More commonly known as 3355 S. River Rd.

The Public Hearing will take place in the Courthouse Conference Center, second floor, east wing of the Rock County Courthouse, 51 S. Main Street, Janesville, WI at 8:00 AM on Thursday, September 9, 2010.

Please contact the Rock County Planning & Development Agency with any questions at 608-757-5587.

Paul Benjamin
Director of Planning, Economic & Community Development

LG2010015

3355

S. River Rd.

Rock
Township



Account Number	Name	Yearly Prct Appropriation Spent	YTD Expenditure	Encumb Amount	Unencumb Balance	Inv/Enc Amount	Total
6464200000-63200	PUBL/SUBCR/DUES	525.00	98.9%	519.67	0.00	5.33	
	P1002999-PO# 09/09/10 -VN#017450					WISCONSIN TAXPAYERS ALLIANCE	29.95
*** OVERDRAFT ***	TRANSFER REQUIRED			CLOSING BALANCE		-24.62	29.95
	ECONOMIC DEVELOP			PROG-TOTAL-PO			29.95

I HAVE EXAMINED THE PRECEDING BILLS AND ENCUMBRANCES IN THE TOTAL AMOUNT OF \$29.95 INCURRED BY ECONOMIC DEVELOPMENT. CLAIMS COVERING THE ITEMS ARE PROPER AND HAVE BEEN PREVIOUSLY FUNDED. THESE ITEMS ARE TO BE TREATED AS FOLLOWS

- A. BILLS AND ENCUMBRANCES OVER \$10,000 REFERRED TO THE COUNTY BOARD.
- B. BILLS UNDER \$10,000 TO BE PAID.
- C. ENCUMBRANCES UNDER \$10,000 TO BE PAID UPON ACCEPTANCE BY THE DEPARTMENT HEAD.

PLANNING & DEVELOPMENT COMMITTEE APPROVES THE ABOVE. COM-APPROVAL _____ DEPT-HEAD

SEP 09 2010 DATE _____ CHAIR

Account Number	Name	Yearly Prcnt Appropriation Spent	YTD Expenditure	Encumb Amount	Unencumb Balance	Inv/Enc Amount	Total
6464600000-63116	HA ADMIN.EXPENSE	3,172.00 33 3%	532.25	525.00	2,114.75		
	P1003136-PO# 09/02/10 -VN#031464			STONE HARBOR RESORT		174.00	
			CLOSING BALANCE		1,940.75		174.00
	HG CLRING A/C		PROG-TOTAL-PO			174.00	

I HAVE EXAMINED THE PRECEDING BILLS AND ENCUMBRANCES IN THE TOTAL AMOUNT OF \$174.00 INCURRED BY HOUSING GRANT CLEARING ACCOUNT. CLAIMS COVERING THE ITEMS ARE PROPER AND HAVE BEEN PREVIOUSLY FUNDED THESE ITEMS ARE TO BE TREATED AS FOLLOWS

- A. BILLS AND ENCUMBRANCES OVER \$10,000 REFERRED TO THE COUNTY BOARD.
- B. BILLS UNDER \$10,000 TO BE PAID.
- C. ENCUMBRANCES UNDER \$10,000 TO BE PAID UPON ACCEPTANCE BY THE DEPARTMENT HEAD.

PLANNING & DEVELOPMENT COMMITTEE APPROVES THE ABOVE. COM-APPROVAL _____ DEPT-HEAD

SEP 09 2010 DATE _____ CHAIR



ROCK COUNTY GOVERNMENT

Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning & Development Committee
THROUGH: Paul Benjamin, Director, Planning & Development Agency
FROM: David Somppi, Community Development Manager
SUBJECT: Recommendations – Actions for P&D Agenda
DATE: September 1, 2010

RECOMMENDATION – ACTION:

1. **Action Item:** Lead Hazard Control Grant & CDBG Revolving Fund - #07036 & 20635 - Staff Recommends Approval
2. **Action Item:** Request for Lien Reduction for Housing Rehabilitation Loan (Short Sale) – Staff finds That Standard from Previously-Approved ‘Short Sales’ is not met in this case.

INFORMATIONAL ITEM:

Cc:

**ROCK COUNTY PLANNING & DEVELOPMENT AGENCY
REQUEST FOR COMMITTEE ACTION ON A
HUD LEAD HAZARD CONTROL AND CDBG HOUSING REHAB PROJECT**

Meeting Date: September 9, 2010 Applicants ID numbers: 07036 and 20635
 Household Size: 16 overall
 Number of Children: 4 No. of Children under 6: 3
 Location of House: Town of Beloit Income: All low moderate income

SOURCE OF FUNDING: HUD Lead Hazard Control Grant & CDBG Revolving Funds & Rental Rehab Funds

TYPE OF PROJECT (check one):
 HUD Lead Grant & 0% Deferred Payment Loan
 Owner-Occupied Renter-Occupied
 CDBG RLF Loan: 0% Deferred or 3% Installment

ASSESSED VALUE:
 Land \$ 26,300
 Buildings \$ 89,900
 Total \$ 116,200

VERIFICATIONS MADE:
 Income Title and Taxes
 Insurance Property Ownership
 House Tested, Has elevated levels of lead
 Is there 5% owner equity in the property? Yes No

Appraised Value: \$135,038
 When Done: FMV

MORTGAGES OR LIENS:
 First \$ 0
 Second \$ 0
 Total \$ 0

***** PROPOSED WORK ***** BIDS RECEIVED *****

Lead Hazard Control (Proposals judged for total cost of lead work plus two garage doors)
SIDING,FASCIA,DOOR JAMBS (6): A. Marks Const. - \$10,796.50 B. DBR Builders - \$14,400 C. Rock River Const. - \$9,815 (Note: Owner to pay \$31.50 to select contractor above normal 10% discretionary choice allowed recipients.
GARAGE DOORS (4 of 6): A. Rock Valley Doors - \$1,860 B. DBR Builders I - \$1,600 (Contractor declined garage door only work)
 C. Marks Const. - \$2,200

Rehabilitation Tasks

GARAGE DOORS (2 of 6 not lead): A. Rock Valley Doors - \$930 B. DBR Builders I - \$800 (Contractor declined garage door only work)
 C. Marks Const. - \$1,100
CDBG Loan Processing Fee: A. Rock County Planning and Development - \$375

LHC Total Cost: A. Marks Construction. - \$10,765 B. Rock Valley Doors - \$1,860

Contractors: A. Marks Construction - \$ 10,765 B. Rock Valley Doors - \$2,790 Planning and Development - \$375

Comments: The seven rental houses are 1-story small homes without basements but with garages for storage, etc. about 65 years old. Above listed rehab areas were found defective. Lead testing found lead in above listed areas. This project and the proposed terms are in conformance with the approved HUD Grant and the 'Housing Procedures Manual'. Project will remove identified lead hazards and correct the deficiencies from these residences. The portion of the LHC project from the CDBG Revolving fund will be a 0% interest loan and would not require repayment until the owners sell the houses. This portion of the LHC work will be a 0% loan contingent on the owner renting to low-to-moderate income (LMI) families. Rental rehabilitation garage doors will be a 3% installment loan.

Disclosure of Conflict of Interest: Yes No

Recommended By: Neale Thompson

Recommend Lowest Qualified Bid/Total Project Cost of \$ 18,266.50

Project Financing: \$13,117.67 – HUD Lead Control Grant
\$4,218.83 – LHC CDBG 0% Revolving Fund
\$930.00 –Rental REHAB 3% Revolving Fund

***** COMMITTEE ACTION *****

DENY _____ APPROVE _____ Accepted Bid(s) Total \$ 930.00 3% Rental Rehab Loan
\$ 13,117.67 LHC grant
\$ 4,218.83 LHC 0% Deferred Loan

Signature of Planning & Development Committee Chair

Date (planning/dave/lead/loan-pap/com-acta)



Rock County Planning & Development Agency
51 S. Main Street
Janesville, WI 53545
(608) 757-5587
www.co.rock.wi.us

DATE: September 1, 2010
TO: Rock County Planning & Development Committee
FROM: David Somppi, Community Development Manager
RE: Request For Lien Reduction for Housing Rehabilitation Loan (Short Sale)

Address: 2249 N. Cainville Rd., Evansville, WI
Loan No.: 94406D-1
Type: CDBG 0% Owner Rehab. Loan
Amount / Date of 1st Mortgage: \$ 82,000 / January 13, 1995
Amount / Date of Rock County Owner Rehab. Loan: \$ 15,000 / April 12, 1995.

Amount of Subordinated Mortgage:	\$ 85,700
Date of Subordination:	February 18, 2002
Amount Bank says is owed on property at time that property was quit claim deeded:	\$ 145,089
Real Estate Taxes:	\$ 6,631
Remaining Loan Balance Written off:	\$ 22,808
Other Expenses – Property Maintenance & Repairs	\$ 22,958
Other Expenses – Utilities	\$ 2,783
TOTAL	\$ 200,268
PROPOSED SALE PRICE:	\$ 152,000

Assessed Value: \$ 113,500 – 2007

Quit Claim Deed / Affidavit of Fair Dealing: May 13, 2008

Reason for request: Under the provisions of the Rock County Housing Procedures Manual, requests to alter or reduce the amount of an existing Rock County Community Development mortgage can only be approved by the Rock County Planning & Development Committee.

The original owners of the property quit claimed the property to the 1st mortgagor on April 29, 2008. The 1st mortgagor was aware of the Rock County mortgage at the time of this affidavit.

The Rock County mortgage is dated April 12, 1995, and was recorded April 18, 1995. The owners qualified as a low income household.

A proposal had been made by Bank of Monticello (the 1st Mortgagor) to a buyer of the property for \$152,000. Part of this agreement involved Rock County approving settlement of the loan with the owner for \$2,500.

The owner's agent requests that the Rock County loan be paid in full for \$2,500. They have stated that approving this request would allow for the property sale.

The alternatives:

1. Accept the request for payment in full of the loan for \$2,500, provided that the property is sold as part of the above-mentioned agreement for \$152,000.
2. Request a settlement for an amount other than \$2,500.
3. Reject the offer – accept no less than the full amount.

Analysis: A quit claim deed is a legal document in which a grantor disclaims any property interest they may have in, and passes their property interest to another party. However, this type of deed does not claim to address other property ownership interests.

Rock County – Community Development has not received a request to 'short sale' a property from a party that received ownership interests on the property through a quit claim deed.

Since May, 2000, the Planning Agency has received 7 requests to settle a payoff / mortgage satisfaction requests for less than the amount owed (a 'short sale'). The standard that has been previously used for short sales is that Rock County is in imminent peril of losing all or a great portion of its funds from a foreclosure

It does not appear that the standard in which Rock County has in the past allowed for accepting an amount less than the face value has been met.