



PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, OCTOBER 28, 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 meeting held Thursday, October 14, 2010
4. Citizen Participation, Communications and Announcements
5. Code Administration & Enforcement
 - A. **Action Item:** Approval of Land Divisions
 - Land Division 2010 047 (Turtle Township) – Eugene Clark
 - Land Division 2010-048 (Porter Township) – Viney Farms, Inc.
 - B. **Action Item:** Removal of Conservation Easement for Steep Slopes on Lot 7, Pinewood Estates, First Edition – Steve Tupper
 - C. **Action Item:** Approval of Change of Use for Controlled Access on CTH N – Don Van Altena
 - D. **Action Item:** Approval of Shoreland Conditional Use Permit 2010 017 – Bass Creek Dam Association (Tabled 10/14/10)
 - E. Information Item: Administrative Quarterly Report
6. Finance
 - A. **Action Item:** Department Bills/Encumbrances/Pre-Approved Encumbrance/Amendments/Transfers
 - B. Information Item: 2011 Budget Review
 - Surveyor
 - Real Property
 - Planning & Development

7. Housing & Community Development

- A. **Action Item:** Resolution Authorizing 2010 – 2012 Community Development Block Grant – Small Cities Contract
- B. **Action Item:** CDBG Revolving Loan Project (ID 020578) = \$15,013
- C. **Action Item:** Request to Review Staff Decision Concerning a Subordination Request
- D. Information Item: Housing Specialist Report – Neale Thompson
- E. Potential Conflict of Interest – Yes,
- F. Information Verification Statement

8. Director's Report - Planning

9. Committee Reports

10. Division Report – County Engineer: Rich Cannon (Access Control Ordinance Update)

11. Adjournment

Future Meetings/Work Sessions

November 11, 2010 (8:00 AM)
December Meeting(s) (TBD)

Non-Committee Future Meetings

November 10, 2010 – (8:00 AM) PACE Ad Hoc Committee Meeting –
Land Conservation, 440 N. US Hwy 14, Janesville



ROCK COUNTY GOVERNMENT

Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning and Development Committee

THROUGH: Paul Benjamin, Director, Planning & Development Agency

FROM: Planning & Development Agency Staff

SUBJECT: Preliminary Approval of Land Division

DATE: October 21, 2010

Summary:

The following Land Divisions are seeking Preliminary approval from the P&D Committee:

- LD 2010 047 (Turtle Township) – Eugene Clark
- LD 2010 048 (Porter Township) – Viney Farms

Recommendation:

P&D Agency Staff recommends Preliminary Approval of Land Divisions 2010 047 and 2010 048 with conditions as presented.

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION
CONDITIONS OF APPROVAL

| | | | |
|------------------------|--|--------------------------------|--------------------------|
| OWNER: | Eugene Clark 1718 N. Sumac Street Janesville, WI 53545 | LAND DIVISION NO: | LD#2010 047 |
| | | DATE SUBMITTED: | September 29, 2010 |
| LOCATION: | SW ¼ SW ¼ Section 1 | E.T. JURISDICTION: | City of Beloit |
| | | SURVEYOR: | Combs & Associates, Inc. |
| ORIGINAL AREA: | 83 Acres ± | TOWNSHIP: | Turtle |
| FINAL AREA: | 12 Acres ± | NUMBER OF LOTS: | 1 |
| PRESENT ZONING: | A-1 | PROPOSED FUTURE ZONING: | A-2 |

A copy of these recommendations is sent to the surveyor and to the owner.

NOTE: The owner/developer and agent shall read and fully understand these conditions of approval prior to being acted upon by the Planning and Development Committee. Any questions or comments on these conditions shall be addressed to the P&D Committee/Staff prior to or while the Land Division is on the table for discussion.

NOTE: Reason for dividing land: Splitting off existing building

NOTE: Not Consistent with the Rock County Agricultural Preservation Plan.

RECOMMEND

APPROVAL

CONDITIONAL APPROVAL

DENIAL

LOCATION: 6700 Block E. Buss Rd.

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. Existing structures shall meet setback regulations.
2. 33-foot 1/2 ROW to be dedicated along E. Buss Rd.
3. Following notation on final map: "Since Lot 1 contains existing buildings which utilize an existing private sewage system no soil evaluation on the lot was required at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing system." Also proposed lot lines must include the system area with the building that utilizes the system.
4. Show septic system and well locations for existing structures on final CSM.
5. 70-foot wide Drainage Easement to be located on Lot 1 in natural drainage swale.
6. Drainage Easement to be located on Lot 1 for the drainage swale to handle a 25 year design storm.

7. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before October 28, 2011.
8. As per Section 15.23(8) of The Rock County Land Division Regulations "any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval. Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur". Extension requests must be made in writing prior to the expiration date listed above.
9. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

Signed Colin M. Byrnes DATE: 10/11/10
Dept. of Planning, Economic & Community Development

NOTE: THIS PROPOSED LAND DIVISION WILL BE REVIEWED BY THE PLANNING AND DEVELOPMENT COMMITTEE **ON OCTOBER 28, 2010 AT 8:00 A.M.** AT THE ROCK COUNTY COURTHOUSE.

NOTE: FINAL SURVEY SHALL COMPLY WITH ALL STATE, COUNTY, & LOCAL REGULATIONS.

| | | | |
|-----------------------------------|---|---------------------------------|---------------------------------|
| <u>COMMITTEE ACTION</u> | | | |
| <input type="checkbox"/> APPROVAL | <input type="checkbox"/> CONDITIONAL APPROVAL | <input type="checkbox"/> DENIAL | <input type="checkbox"/> TABLED |
| Initials _____ | | Date _____ | |

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION
CONDITIONS OF APPROVAL

| | | | |
|------------------------|---|--------------------------------|--------------------------|
| OWNER: | Viney Farms, Inc. 10100 W. State Road "59" Evansville, WI 53536 | LAND DIVISION NO: | LD#2010 048 |
| LOCATION: | SW ¼ SE ¼ Section 4 | DATE SUBMITTED: | October 7, 2010 |
| ORIGINAL AREA: | 147 Acres ± | E.T. JURISDICTION: | N/A |
| FINAL AREA: | 3 Acres ± | SURVEYOR: | Combs & Associates, Inc. |
| PRESENT ZONING: | A-1 | TOWNSHIP: | Porter |
| | | NUMBER OF LOTS: | 1 |
| | | PROPOSED FUTURE ZONING: | A-1 CUP |

A copy of these recommendations is sent to the surveyor and to the owner.

NOTE: The owner/developer and agent shall read and fully understand these conditions of approval prior to being acted upon by the Planning and Development Committee. Any questions or comments on these conditions shall be addressed to the P&D Committee/Staff prior to or while the Land Division is on the table for discussion.

NOTE: Reason for dividing land: Create lot for landowner to build house.

NOTE: Consistent with the Rock County Agricultural Preservation Plan.

RECOMMEND

APPROVAL

CONDITIONAL APPROVAL

DENIAL

LOCATION: 9800 Block W. STH 59

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. Acceptable soil and site evaluation report received on Lot 1.
2. Show the location of the on-site soil test on the preplanned lot map.
3. Utility easements put on lot as requested by utility companies.
4. Require a Rock County Land Division Conservation Easement. In addition, prior to any land disturbing activity on the parcel, the Conservation Easement boundaries shall be marked with highly visible flagging tape. Erosion control measures are also required if the Conservation Easement is down slope from disturbance.
5. Copy of letter to guarantee State Highway Access Permit from District I, Wisconsin Department of Transportation received before final approval of CSM.
6. Lot 1 to be pre-planned due to being in an environmentally significant area. Lot drawing to include slopes over 12%, hydric soils, floodplain, conservation easement, utility easements, lot access location, soil test area and building envelope. No Conservation Easement Area shall be contained within the Building Envelope as depicted on the pre-planned lot. A copy

of the lot layout to be placed on file with the committee designee. Submit for approval ten (10) days prior to submitting final map.

- 7. 1% Annual Chance floodplain line on Final Land Division as per Official Floodplain Zoning Map.
- 8. Land division abutting a state trunk highway or connecting highway to comply with DOT Trans. 233.
- 9. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before October 28, 2011.
- 10. As per Section 15.23(8) of The Rock County Land Division Regulations "any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval. Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur". Extension requests must be made in writing prior to the expiration date listed above.
- 11. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

Signed Colin M. Byrne DATE: 10/18/10
 Dept. of Planning, Economic & Community Development

NOTE: THIS PROPOSED LAND DIVISION WILL BE REVIEWED BY THE PLANNING AND DEVELOPMENT COMMITTEE **ON OCTOBER 28, 2010 AT 8:00 A.M.** AT THE ROCK COUNTY COURTHOUSE.

NOTE: FINAL SURVEY SHALL COMPLY WITH ALL STATE, COUNTY, & LOCAL REGULATIONS.

| | | | |
|-----------------------------------|---|---------------------------------|---------------------------------|
| <u>COMMITTEE ACTION</u> | | | |
| <input type="checkbox"/> APPROVAL | <input type="checkbox"/> CONDITIONAL APPROVAL | <input type="checkbox"/> DENIAL | <input type="checkbox"/> TABLED |
| Initials _____ | | Date _____ | |



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: Request for removal of Conservation Easement for Steep Slopes on Lot 7 Pinewood Estates 1st Addition.

DATE: October 22, 2010

Summary:

An area on Lot 7 of Pinewood Estates 1st Addition was designated as a Conservation Easement (CE) for Steep Slopes at the time of platting. At that time the criteria for Steep Slopes was 12% or greater grade. Today, via Committee action, the requirement is 16% or greater. The slope as determined by Staff to be 15.3% slope using Rock County's 2-foot topography. The owners of the property are requesting that the area be removed from designation as a Conservation Easement. This may be accomplished via a recorded Affidavit signed by Rock County.

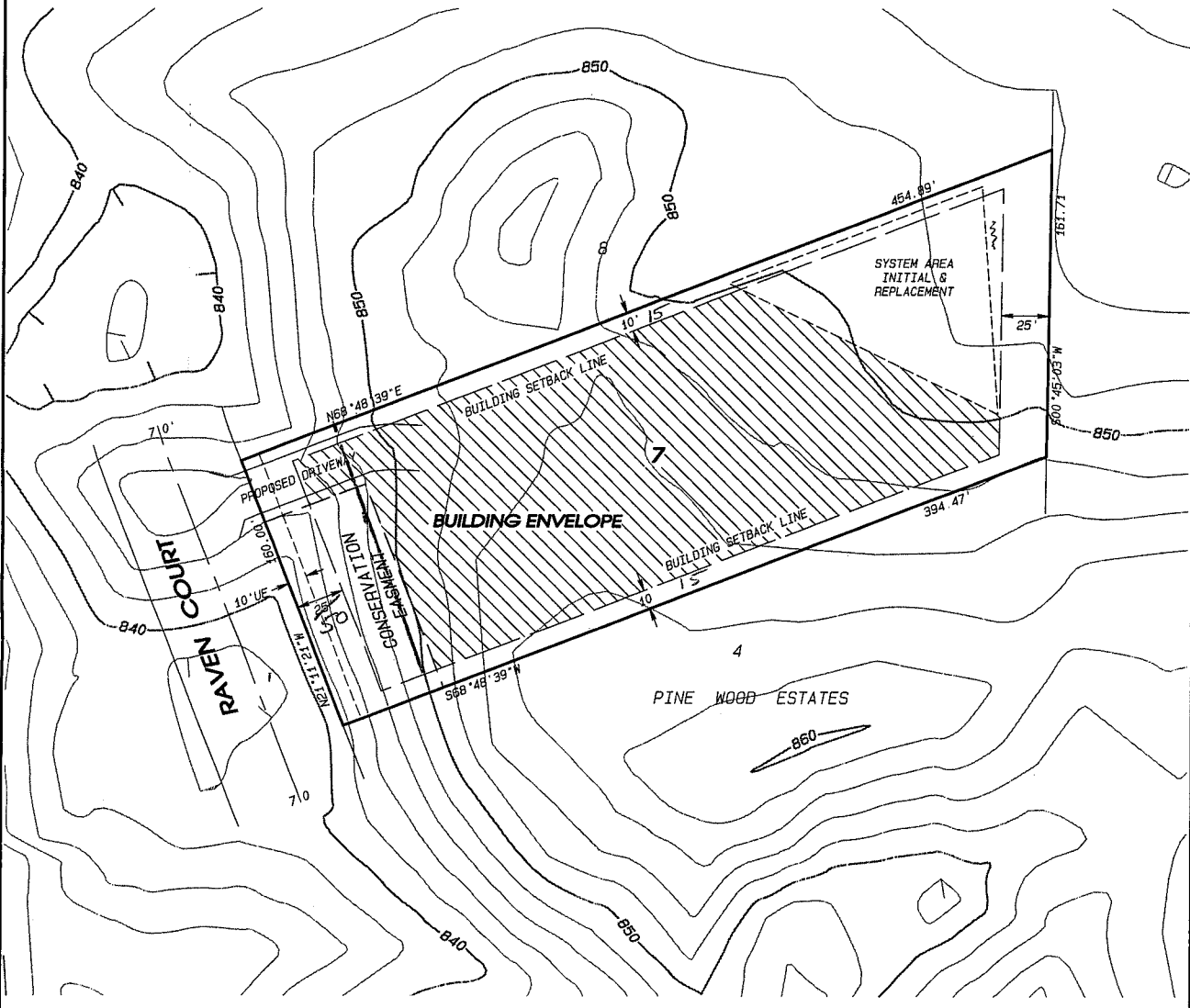
Recommendation or Action:

Staff has reviewed the request for removal of the area designated as Conservation Easement and recommends approval the following condition:

- 1) An Affidavit indicating that the CE is removed is recorded.

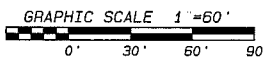
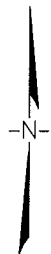
PRE PLANNED LOT

LOT 7, PINE WOOD ESTATES FIRST ADDITION, LD#2006 029, LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 16, T.4N., R.13E. OF THE 4TH P.M., MILTON TOWNSHIP, ROCK COUNTY, WISCONSIN.



LEGEND:

- BUILDING SETBACK LINE
- UE UTILITY EASEMENT



| | |
|-------------------|----------|
| DATE | 06/20/07 |
| BY | JV |
| P&D APPROVAL DATE | |
| P&D APPROVAL | |

NOTE: Contact the Rock County Planning and Development Agency for Conservation Easement Details.

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 N. Milwaukee St.
Janesville, WI 53548
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534



ROCK COUNTY GOVERNMENT

Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning and Development Committee

THROUGH: Paul Benjamin, Director, Planning & Development Agency

FROM: Planning & Development Agency Staff

SUBJECT: Change of Use Request for an existing Controlled Access point along CTH N in Milton Township

DATE: October 20, 2010

Summary:

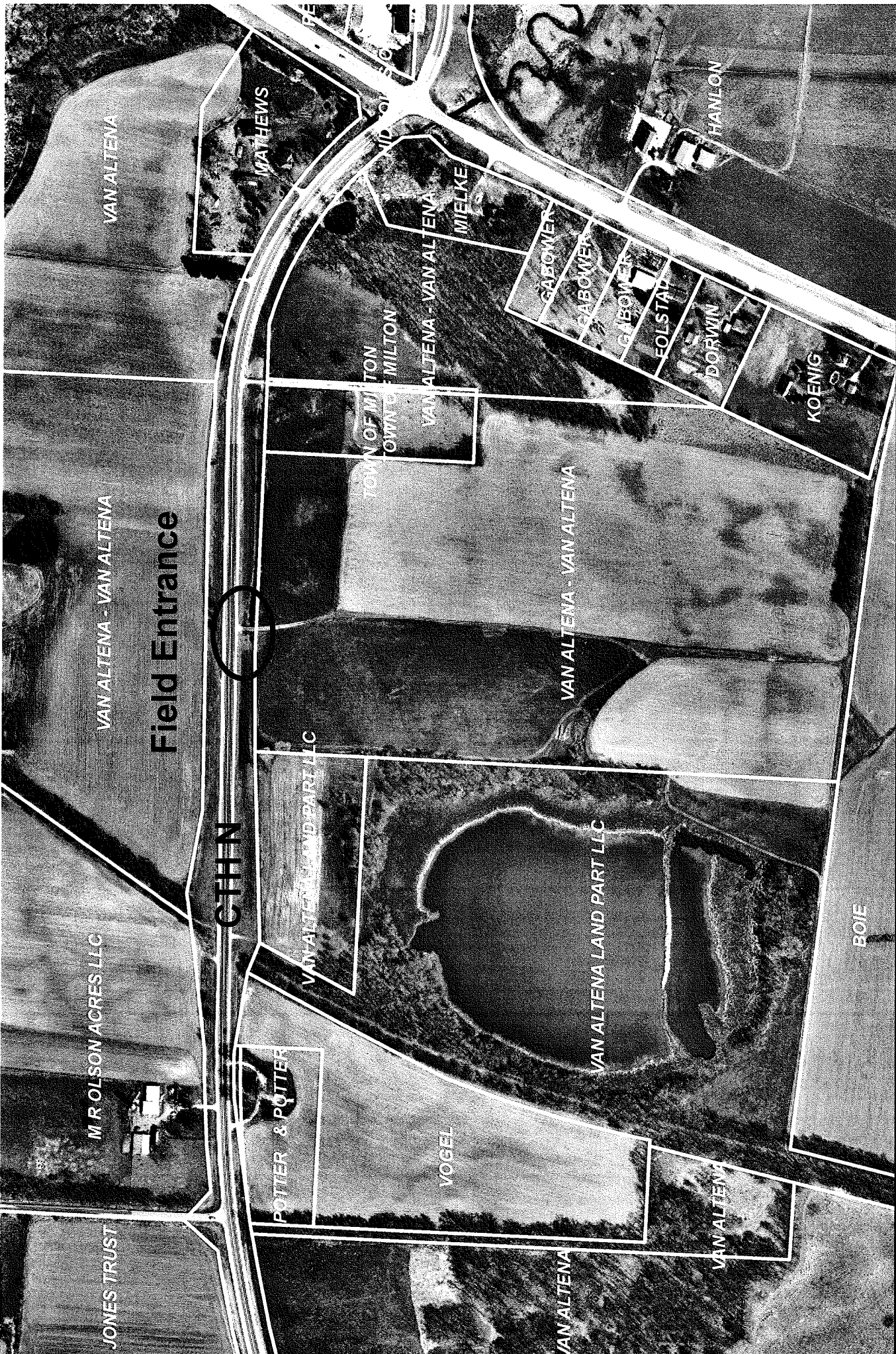
The owner of Parcel 6-13-72 (Van Altena) is requesting a Change of Use of a existing Field Entrance to a Private Entrance for a proposed residential lot along Access Controlled CTH N.

Section 17.18 of the County Trunk Highway Access Control states, "Any point of access permitted under this ordinance shall be subject to review and approval by the Rock County Transportation (Highway Committee) and the Rock County Parks, Planning and Zoning Committee, where these committees determine that there has been a change in use which will affect safe and efficient ingress and egress to, and use of a controlled access highway. This determination shall be based primarily on a significant change in the volume of traffic or type of vehicle using that point of access."

The Rock County Public Works Committee approved the Change of Use request at their 10/19/10 meeting.

Recommendation:

Staff recommends changing the Field Entrance to a Private Entrance on Parcel 6-13-72.



1 inch = 400 feet

Airphoto: March 2000

Legend

Tax Parcels

3501 S. River Rd.
Rock Township





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 Permit #2010 017 – Bass Creek Dam Association
SW1/4 of the SW1/4 of Sec. 27 and SE1/4 of the SE1/4 Sec. 28, Rock Township, Parcel 6-17-275

DATE: October 6, 2010

Summary:

The Rock County Shoreland Zoning Ordinance (Chapter 16 of the Rock County Code of Ordinances) has jurisdiction within 1,000 ft of the ordinary high-water mark of lakes, ponds and flowages and within 300 ft of the ordinary high-water mark of navigable rivers or streams or to the landward side of the floodplain, which ever is greater. In addition to provisions for Shoreland Permits (which are issued by staff), the Ordinance also has provisions for Shoreland Conditional Use Permits. These types of permits require a public hearing and review and action (either deny, approve or approve with conditions) by the P&D Committee.

As per sec. 16.23, in part, a Conditional Use Permit in the Shoreland District shall be issued only upon satisfaction of the following requirements:

- (A) The maintenance of safe and healthful conditions
- (B) The prevention and control of water pollution, flood water inundation, and sedimentation
- (C) The need of the proposed use for a shoreland location
- (D) The erosion potential of the site based on the degree and direction of slope, soil type and vegetative cover
- (E) The amount of liquid wastes to be generated and the adequacy of the proposed disposal system

A Conditional Use Permit in the Shoreland District is based on the amount of land disturbance created by the use. Section 16.34(3) outlines the threshold for a Conditional Use Permit as any filling, grading, or excavating of an area where there is either a single area of more than 1,000 square feet exposed or the cumulative exposed area exceeds 1,000 square feet or more than 40 cubic yards of fill is deposited.

Rock County P&D Staff has received the request of the Bass Creek Dam Association for a Conditional Use Permit to fill over 40 cubic yards and grade over 1,000 square feet in the Shoreland and Floodplain Zoning Districts of Bass Creek a tributary to the Rock River. The project involves placing fill to create a parking area and carrying in water access on Bass Creek. The site is located adjacent to the CTH D Bridge across Bass Creek south of Afton. The applicants propose to place gravel for the parking area and down to the waters edge. Staff did the Site Plan in your Agenda packet with a verbal description from the Applicant.

The Applicant has indicated to Staff that the funds to be used for this project are those that were donated in the past to rehabilitate a dam located downstream of the CTH D Bridge. The dam was subsequently removed and these funds need to be expended. One suggestion of the Applicant is that the County takes over the site once the facility is constructed. This raises some concerns.

First, a project like this that is open to the public may cause a need for ADA compliance. This may cause additional site design and expense. Second, is the County ready to take over the long-term maintenance of the site? If not, is the Bass Creek Dam Association willing to do the same? Also, as part of the title process for the Applicant on the property, the Town of Rock was asked if they had an interest in the property. The Town declined any interest. But, the Town of Rock has land use regulations via their zoning ordinance. Therefore, this request is in reality a joint effort that requires buy in from three entities.

Part of the access is located within the Floodway of Bass Creek. Placing gravel in this area has the potential to wash away and need replacement periodically. Staff recommends that no gravel be placed in the Floodway and a mowed corridor be maintained. Wheel stops shall also be placed around the parking area to prevent vehicles from driving to the Creek. Appropriate signage shall also be placed indicating the usage of the access (type of watercraft, hours of operation, ownership etc.)

Finally, Staff suggests if the end product includes ownership by Rock County in may be easier to have Bass Creek Dam Association transfer the land and funding to the County now. The design and construction of the water access would be according to public needs.

Recommendation:

1. Staff recommends tabling action until all parties involved have approved the project (Town of Rock, Rock County Parks Committee/County Board and Bass Creek Dam Association). This action is recommended if the Bass Creek Dam Association insists that an entity other than themselves take over ownership and maintenance in the future.

--OR--

2. If the Committee approves the Shoreland Conditional Use Permit, Staff recommends the following conditions of approval: The applicant shall submit a site plan that is in compliance with the provisions of the Floodplain Zoning Ordinance for review and approval. The Site plan shall indicate location and size of access, parking area based upon number of vehicles and sized appropriately, delineate gravel placement and amount and whether ground will be excavated for grave placement. Additionally, no gravel shall be placed in the Floodway, wheel stops shall be placed around the parking area to prevent vehicles driving to the Creek and appropriate signage indicating the usage of the access (type of watercraft, hours of operation, ownership etc.).
3. Amendments or modifications to the plan must receive pre-approval from P&D Staff.
4. At the completion of the project, the applicant shall submit an as-built certification signed by a registered professional engineer or registered land surveyor that the project is in compliance with the permit issued.
5. Install and maintain temporary erosion control measures until the seeded permanent vegetative cover is established.

6. Obtain all permits or approvals for your project from the US Army Corps of Engineers, Wisconsin Department of Natural Resources, or other local government agencies before starting your project.
7. 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 November 15, 2010.



ROCK COUNTY GOVERNMENT

Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning and Development Committee

THROUGH: Paul Benjamin, Director, Planning & Development Agency

FROM: Planning & Development Agency Staff

SUBJECT: Change of Use Request for an existing Controlled Access point along CTH N in Milton Township

DATE: October 20, 2010

Summary:

The owner of Parcel 6-13-72 (Van Altena) is requesting a Change of Use of a existing Field Entrance to a Private Entrance for a proposed residential lot along Access Controlled CTH N.

Section 17.18 of the County Trunk Highway Access Control states, "Any point of access permitted under this ordinance shall be subject to review and approval by the Rock County Transportation (Highway Committee) and the Rock County Parks, Planning and Zoning Committee, where these committees determine that there has been a change in use which will affect safe and efficient ingress and egress to, and use of a controlled access highway. This determination shall be based primarily on a significant change in the volume of traffic or type of vehicle using that point of access."

The Rock County Public Works Committee approved the Change of Use request at their 01/19/10 meeting.

Recommendation:

Staff recommends changing the Field Entrance to a Private Entrance on Parcel 6-13-72.

ADMINISTRATIVE QUARTERLY REPORT

| | 1st Quarter | | | 2nd Quarter | | | 3rd Quarter | | | 4th Quarter | | | Totals | | | | | |
|--------------------|-------------|---------|-----------|-------------|---------|-----------|-------------|---------|-----------|-------------|---------|-----------|------------|---------|-----------|--------------|---------|-----------|
| | # of Appl. | Denials | Approvals | # of Appl. | Denials | Approvals | # of Appl. | Denials | Approvals | # of Appl. | Denials | Approvals | # of Appl. | Denials | Approvals | Year-To-Date | | |
| | | | | | | | | | | | | | | | | # of Appl. | Denials | Approvals |
| 2006 | | | | | | | | | | | | | | | | | | |
| Brd. of Adjustment | 2 | 1 | 1 | 5 | 3 | 2 | 5 | 2 | 3 | 2 | 2 | 2 | 14 | 6 | 8 | | | |
| Land Divisions | 28 | - | 15 | 32 | - | 23 | 24 | - | 29 | 33 | 18 | 117 | - | - | 85 | | | |
| Bldg. Permits | 21 | - | 21 | 34 | - | 34 | 42 | - | 42 | 21 | 21 | 118 | - | - | 118 | | | |
| Farmland Pres. | 40 | - | 40 | 3 | - | 3 | 40 | - | 40 | 20 | 20 | 103 | - | - | 103 | | | |
| Access Control | - | - | - | 1 | - | 1 | - | - | - | - | - | 1 | - | - | 1 | | | |
| 2007 | | | | | | | | | | | | | | | | | | |
| Brd. of Adjustment | 5 | 1 | 4 | 5 | 3 | 2 | 3 | 2 | 1 | 2 | 2 | 15 | 6 | 9 | | | | |
| Land Divisions | 23 | - | 27 | 23 | - | 24 | 22 | - | 27 | 12 | 14 | 80 | - | - | 92 | | | |
| Bldg. Permits | 23 | - | 23 | 36 | - | 36 | 17 | - | 17 | 20 | 20 | 96 | - | - | 96 | | | |
| Farmland Pres. | 21 | - | 21 | 5 | - | 5 | 23 | - | 23 | 11 | 11 | 60 | - | - | 60 | | | |
| Access Control | - | - | - | - | - | - | 1 | - | 1 | - | - | 1 | - | - | 1 | | | |
| 2008 | | | | | | | | | | | | | | | | | | |
| Brd. of Adjustment | 2 | - | 2 | 1 | 1 | - | 2 | 2 | - | 2 | 2 | 7 | 3 | 4 | | | | |
| Land Divisions | 17 | - | 16 | 16 | - | 13 | 18 | - | 9 | 13 | 13 | 64 | - | - | 48 | | | |
| Bldg. Permits | 14 | - | 14 | 25 | - | 25 | 16 | - | 16 | 10 | 10 | 65 | - | - | 65 | | | |
| Farmland Pres. | 19 | - | 19 | 7 | - | 7 | 15 | - | 15 | 9 | 9 | 50 | - | - | 50 | | | |
| Access Control | - | - | - | 2 | - | 2 | - | - | - | - | - | 2 | - | - | 2 | | | |
| 2009 | | | | | | | | | | | | | | | | | | |
| Brd. of Adjustment | 1 | - | 1 | 2 | - | 2 | 4 | - | 4 | 2 | 1 | 9 | - | - | 8 | | | |
| Land Divisions | 16 | - | 12 | 21 | - | 18 | 15 | - | 15 | 13 | 20 | 66 | - | - | 65 | | | |
| Bldg. Permits | 3 | - | 3 | 16 | - | 16 | 12 | - | 12 | 9 | 9 | 40 | - | - | 40 | | | |
| Farmland Pres. | 18 | - | 18 | 6 | - | 6 | 6 | - | 6 | 19 | 19 | 49 | - | - | 49 | | | |
| Access Control | - | - | - | - | - | - | 1 | - | 1 | - | - | 1 | - | - | 1 | | | |
| 2010 | | | | | | | | | | | | | | | | | | |
| Brd. of Adjustment | 2 | 1 | 1 | - | - | - | 2 | 2 | - | - | - | 4 | 3 | 1 | | | | |
| Land Divisions | 11 | - | 8 | 15 | - | 10 | 21 | - | 16 | - | - | 47 | - | - | 34 | | | |
| Bldg. Permits | 4 | - | 4 | 21 | - | 21 | 6 | - | 6 | - | - | 31 | - | - | 31 | | | |
| Access Control | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | | | |

| Account Number | Name | Yearly Prcnt Appropriation Spent | YTD Expenditure | Encumb Amount | Unencumb Balance | Inv/Enc Amount | Total |
|------------------|----------------------------------|-------------------------------------|------------------------|------------------|---------------------|-------------------|--------|
| 6464000000-63107 | PUBL & LEGAL | 880.00 62.3% | 548.96 | 0.00 | 331.04 | | |
| | P1000350-PO# 10/28/10 -VN#013607 | | JANESVILLE GAZETTE INC | | | 135.60 | |
| | | | CLOSING BALANCE | | 195.44 | | 135.60 |
| 6464000000-63201 | BOOKS | 400.00 16.5% | 0.00 | 66.00 | 334.00 | | |
| | 10/28/10 -VN#049231 | | THOMPSON, WADE | | | 11.99 | |
| | | | CLOSING BALANCE | | 322.01 | | 11.99 |
| 6464000000-64904 | SUNDRY EXPENSE | 3,000.00 91.9% | 2,759.22 | 0.00 | 240.78 | | |
| | 10/28/10 -VN#049231 | | THOMPSON, WADE | | | 54.75 | |
| | | | CLOSING BALANCE | | 186.03 | | 54.75 |
| | PLANNING | | PROG-TOTAL-PO | | | 202.34 | |

I HAVE EXAMINED THE PRECEDING BILLS AND ENCUMBRANCES IN THE TOTAL AMOUNT OF \$202.34 INCURRED BY PLANNING. 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

OCT 28 2010 DATE _____ CHAIR

| Account Number | Name | Yearly Prcnt Appropriation Spent | YTD Expenditure | Encumb Amount | Unencumb Balance | Inv/Enc Amount | Total |
|------------------|----------------------------------|-------------------------------------|--------------------|------------------------|---------------------|-------------------|-------|
| 6469000000-63107 | PUBL. & LEGAL | 520.00 | 23.7% | 123.39 | 0.00 | 396.61 | |
| | P1000350-PO# 10/28/10 -VN#013607 | | | JANESVILLE GAZETTE INC | | 40.62 | |
| | | | | CLOSING BALANCE | | 355.99 | 40.62 |
| | | | | BD. OF ADJUSTMENT | | PROG-TOTAL-PO | 40.62 |

I HAVE EXAMINED THE PRECEDING BILLS AND ENCUMBRANCES IN THE TOTAL AMOUNT OF \$40.62 INCURRED BY BOARD OF ADJUSTMENT. 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

OCT 28 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: Actions for P&D Agenda
DATE: October 28, 2010

ACTION ITEMS:

- 1. Authorizing 2010-2012 Community Development Block Grant - Small Cities Contract**
– Staff Recommends Approval
- 2. Action Item: CDBG Revolving Fund – (ID # 020578) – Staff Recommends Approval**
- 3. Request to Review Staff Decision Concerning A Subordination Request**

INFORMATIONAL ITEMS:

RESOLUTION NO. _____

AGENDA NO. _____

RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS

Planning & Development Agency
INITIATED BY

Paul Benjamin
David Somppi
DRAFTED BY



Planning & Development
Committee
SUBMITTED BY

October 11, 2010
DATE DRAFTED

**AUTHORIZING 2010-2012 COMMUNITY DEVELOPMENT BLOCK GRANT - SMALL CITIES
CONTRACT**

1 WHEREAS, the United States Government, through the Housing and Community Development Act of 1974, as
2 amended, has established a program of Community Development Block Grants (CDBG) and has allowed each
3 state to administer CDBG funds for its non-entitlement areas, subject to certain conditions; and,
4

5 WHEREAS, the State of Wisconsin has elected to administer CDBG Housing funds for its non-entitlement areas
6 through the Wisconsin Department of Commerce – Division of Housing and Community Development; and,
7

8 WHEREAS, The Department of Commerce has approved a CDBG - Small Cities application submitted by the
9 Rock County Board of Supervisors for \$650,000; and,
10

11 WHEREAS, the purpose of this Grant is to provide funding to rehabilitate and/or purchase owner-occupied
12 homes in the designated program area; and,
13

14 WHEREAS, this Grant provides the financial resources to assist low- to moderate-income households and first
15 time home buyers, low income households with elderly members, and low- to moderate-income households with
16 handicapped members to improve their living quarters, improving the County's housing stock and improving the
17 County's property tax base.
18

19 NOW THEREFORE BE IT RESOLVED, that the Rock County Board of Supervisors on this _____ day of
20 _____, 2010, hereby accepts the Community Development Block Grant (CDBG) Program Contract for
21 \$650,000 from the Wisconsin Department of Commerce - Bureau of Housing and authorizes the County Board
22 Chair and County Clerk to sign the respective Contract on behalf of the County of Rock; and,
23

24 BE IT FURTHER RESOLVED, that the 2010 County budget be amended as follows:
25

| <u>A/C Description</u> | <u>Budget at 1/1/2010</u> | <u>Increase (Decrease)</u> | <u>Amended Budget</u> |
|------------------------|-------------------------------|--------------------------------|---------------------------|
| <u>Revenue</u> | | | |
| 29 Federal Aid Revenue | - 0 - | 650,000 | 650,000 |
| 30 64-6416-2012-42100 | | | |
| <u>Expense</u> | | | |
| 32 Administration | - 0 - | 82,500 | 82,500 |
| 33 64-6416-2012-63110 | | | |
| 34 Project Expense | - 0 - | 567,500 | 567,500 |
| 35 64-6416-2012-64912 | | | |

Respectfully submitted,

PLANNING & DEVELOPMENT COMMITTEE

Alan Sweeney, Chair

Mary Mawhinney, Vice Chair

Wayne Gustina

Marilynn Jensen

Phillip Owens

**AUTHORIZING 2010-2012 COMMUNITY DEVELOPMENT BLOCK GRANT - SMALL CITIES
CONTRACT**

Page 2

Finance Committee Endorsement

Reviewed and approved on a vote of _____

Mary Mawhinney, Chair

Date

FISCAL NOTE:

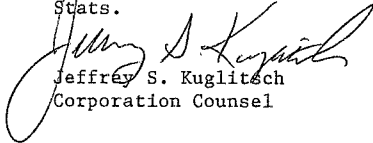
This resolution authorizes the acceptance and expenditure of \$650,000 in federal aid. No County matching funds are required to accept this grant.



George Baltes
Internal Auditor

LEGAL NOTE:


The County Board is authorized to accept grant funds pursuant to sec. 59.52(19), Wis. Stats. As an amendment to the adopted 2010 County Budget, this Resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.



Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson
County Administrator

Authorizing 2010-2012 Community Development Block Grant - Small Cities Contract

Executive Summary

Rock County has received a \$650,000 grant from the Wisconsin Department of Commerce - Bureau of Housing, for the Wisconsin CDBG - Small Cities Housing Rehabilitation Program. Submitting the application for this program was approved by the County Board at its meeting on August 14, 2003. This grant funds a program to provide 0% deferred payment loans for needed housing rehabilitation work for low- to moderate-income, very low income, elderly-headed, and households with handicapped members. It also provides funds for 0% deferred payment loans for down payment / closing cost assistance for low to moderate income and very low income households.

The program will be available in Rock County outside of the Cities of Beloit, Janesville, and Edgerton. The City of Edgerton is in receipt of its own 2010-2012 CDBG Grant. A total of \$567,500 has been designated for program funds for rehabilitation and down payment assistance, and \$82,500 for administration. This will assist with the rehabilitation and/or purchase of about 50 homes. The performance period for this contract is through September 30, 2012.

The program created by this Grant would operate similarly to the existing Rock County Housing Rehabilitation loan program. These programs will provide additional housing rehabilitation and home purchase assistance for Rock County citizens.



Project ID(s) 20578

Project Recommended By Neale Thompson
 Funding Source(s) CDBG Revolving Loan Fund

HOUSEHOLD INFORMATION

| | | |
|-------------------|--------------------------|--------------------------|
| Household Size: 2 | Annual Income: \$ 27,198 | Location: Town of Porter |
|-------------------|--------------------------|--------------------------|

ASSESSED VALUE INFORMATION

| | | | |
|-----------|-----------|-------------------|------------------------------|
| Land | \$ 40,300 | Appraised Value | \$ 124,000 |
| Buildings | \$ 36,200 | When Appraised | 10/12/2010 |
| Total | \$ 76,500 | Type of Appraisal | Real Estate Market Appraisal |

MORTGAGES OR LIENS

| | | |
|--------------------------------------|---|---------------------------------------|
| 1. \$ 64,399 | 4. \$ | TOTAL MORTGAGE(S) \$ 79,293 |
| 2. \$ 14,894 (1994 Rock County Loan) | 5. \$ | |
| 3. \$ | 6. \$ | |
| Available Equity \$ 44,707 | Is there 5% owner equity in the property? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | |

VERIFICATIONS

| | | | | |
|--|---|---|--|---|
| <input checked="" type="checkbox"/> Income | <input checked="" type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Taxes | <input checked="" type="checkbox"/> Title and Mortgage | <input checked="" type="checkbox"/> Ownership |
| Disclosure of Potential Conflict of Interest Yes <input type="checkbox"/> None <input checked="" type="checkbox"/> | | | | |

SUMMARY OF PROPOSED WORK

This approximately 100-year-old two story rural home needs a new roof, gutters, some electrical work, handrails, and a handicapped accessible bathroom. The existing old bathroom is in disrepair and will not work. The gut-rehab accessible bathroom is the major needed cost. One resident is in a wheelchair back home with serious medical conditions. Completing this project will have benefits for durability, reliability, and significant health and safety improvements.

This loan, on top of the 1994 rehab loan, will put County loans to this property over the current program limit of \$24,999. However, CDBG guidance is that this limit can be exceeded for projects with health and safety reasons. Staff recommends committee approval of this loan as an exception to meet the special needs of the residents. Loan is 0% deferred.

TYPE OF PROJECT 0% deferred CDBG Rehab Loan for previous customer
 RECOMMEND TOTAL PROJECT BID OF \$ 15,013.00

COMMITTEE ACTION

APPROVE DENY Committee Approved Bid Total \$ _____

Signature of Planning & Development Committee Chair _____ Date _____

BID SUMMARY

LOWEST QUALIFIED BID

| Roof | | | | |
|-------------------|------------------|-------------|--------------|-------------------|
| Asperheim Roofing | Roberts Home Imp | C&R Roofing | DBR Builders | Asperheim Roofing |
| \$ 4,995 | \$ 5,480 | \$ 6,075 | \$ 14,962 | \$ 4,995 |

| Gutters | | | | |
|------------------|-------------|----------|--------------|------------------|
| Roberts Home Imp | All Seasons | Hillison | DBR Builders | Roberts Home Imp |
| \$ 290 | \$ 714 | \$ 835 | \$ 1,155 | \$ 290 |

| Electrical | | | | |
|-------------------|------------------|-------------|-----------------|---------|
| Bradley | Roberts Home Imp | KE Electric | The Electrician | Bradley |
| \$ 778 | \$ 3,200 | \$ 4,050 | \$ 1990 | \$ 778 |

| Accessible Bathroom | | | | |
|----------------------------|--------------|----|----|------------------|
| Roberts Home Imp | DBR Builders | | | Roberts Home Imp |
| \$ 8,350 | \$ 32,758 | \$ | \$ | \$ 8,350 |

| Handrails | | | | |
|------------------|--------------|----|----|------------------|
| Roberts Home Imp | DBR Builders | | | Roberts Home Imp |
| \$ 225 | \$ 850 | \$ | \$ | \$ 225 |

| Bathroom Fan | | | | |
|---------------------|---------|-------------|-----------------|---------------------|
| Roberts Home Imp | Bradley | KE Electric | The Electrician | Roberts Home Imp |
| \$ Included in bath | \$ 159 | \$ 875 | \$ 440 | \$ Included in bath |

| Kitchen floor skipped to minimize costs | | | | |
|--|----|----|----|----|
| | | | | |
| \$ | \$ | \$ | \$ | \$ |

| Kitchen base cabinet skipped to minimize costs | | | | |
|---|----|----|----|----|
| | | | | |
| \$ | \$ | \$ | \$ | \$ |

| CDBG Loan Processing Fee | | | | |
|---------------------------------|----|----|----|---------------|
| RC P&D Agency | | | | RC P&D Agency |
| \$ 375 | \$ | \$ | \$ | \$ 375 |

| | | | | |
|----|----|----|----|----|
| | | | | |
| \$ | \$ | \$ | \$ | \$ |

| | | | | |
|----|----|----|----|----|
| | | | | |
| \$ | \$ | \$ | \$ | \$ |

| | |
|--|---------------------|
| RECOMMENDED LOWEST QUALIFIED BID OF | \$ 15,013.00 |
| RECOMMENDED LOWEST QUALIFIED BID OF | \$ 0.00 |
| TOTAL | \$ 15,013.00 |



**Rock County Planning & Development Agency
51 S. Main Street
Janesville, WI 53545
(608) 757-5587**

DATE: October 21, 2010
TO: Members of the Rock County Planning & Development Committee
FROM: David Somppi, Community Development Manager
RE: Request to Review Staff / Committee Decision
CC: Paul Benjamin, Director

Loan No.: 06054D-1 (HOME Revolving Fund)
Type: 0% Owner-Occupied Loan for Down Payment Assistance

Summary Of Applicant's Request:

Amount / Date of Existing (Current) Mortgage: \$ 132,100 / October 3, 2008.

Balance on Existing Mortgage: \$ 129,325

Amount / Date of Rock County Down Payment Loan: \$ 5,000.00 / October 3, 2008.

Existing Debt on Property: \$ 134,325, Including Rock County Community Development loan.

Assessed Value: \$ 121,400 – 2009

Estimated Current Market Value: Appraised at \$138,000 – September, 2010

Amount / Type of Proposed Mortgage: \$ 136,801 – Fixed Rate FHA Mortgage

Existing Interest Rate – Proposed Interest Rate: Interest rate to be reduced from 6.25% to 4.625%

Closing – Prepaid Costs: Closing & Prepaid costs - \$7,476, including items required by FHA:

1-year Prepaid property tax escrow – Approx. \$2,651.70.

1-year Prepaid Primary Mortgage Insurance – \$ 3,010.30.

Balance Of Proposed Mortgage After 12-18 Months: The balance of the proposed 1st mortgage will be reduced in the first 12-18 months by \$5,662, to approx. \$131,139.

Proposed Monthly Payment: Monthly payment to be reduced by \$128.34.

Existing Property Value: The appraised value of the property has decreased slightly to \$138,000.

Household LMI Qualification: The household qualifies as an LMI household.

Ability To Repay Existing Rock County Mortgage: The applicant would not qualify for a mortgage of sufficient size to repay the existing Rock County loan.

Credit History: From information provided, the applicant appears to have an excellent credit history.

REVIEW OF REQUEST:

The applicant requested a subordination of an existing Community Development Mortgage. He is proposing to refinance his 1st mortgage.

The request was reviewed based on the "Subordination-Alteration Policy" of the Rock County Housing Procedures Manual.

Section IX of the Subordination-Alteration Policy:

IX. CONSIDERATION OF SUBORDINATION REQUEST

1. The total of the County's mortgage, the mortgage proposing to be refinanced (which includes all costs to be included in the mortgage, including any closing costs) and those currently preceding the County's, does not exceed 80% of the property's value. This 80% is to be figured from the current assessed value or a current appraisal of the property. If the sum of the mortgage to be refinanced and the County's mortgage exceeds 80% of the property's value before the subordination request is made, the County may consider the subordination request up to 90% under the following conditions:

- a. If the applicant is refinancing the first mortgage for an amount less than or equal to the current balance of the first mortgage, (or that amount plus closing costs & property taxes if those are included with the mortgage).
- b. If the applicant purchased their house with the assistance of a Rock County Home Purchase Assistance loan, and they have not yet reached 80% equity.

ANALYSIS: According to the Rock County Housing Procedures Manual, requests to review staff decisions may be presented to the Rock County Planning & Development Committee.

This is the 1st request that staff has received concerning a subordination request that involves 2 recent occurrences in Rock County's housing market and in mortgage refinancing.

- 1. The reduction in property value. Until recently, property owners could have reasonably expected their property values to increase by 4-6% annually. In this market, many residential property values have remained steady or declined.
- 2. FHA requirements of this loan applicant for a 1-year property tax escrow and 1-year prepayment of Primary Mortgage Insurance. This increases the prepaid-closing costs required for mortgages.

RECOMMENDATION: For this property, the property value has decreased and a loan balance has increased at the time of refinancing. In previous years, the property value would have likely increased and the loan balance would have likely decreased. Under this request, the loan balance increases to 102.7% of property value. This exceeds the allowed loan-to-value ratio.

Based on the existing policy, staff did not, and continues to not approve the request for subordination.