

PLANNING & DEVELOPMENT COMMITTEE THURSDAY, SEPTEMBER 23, 2010 – 8:00 A.M. CONFERENCE ROOM N-2 (5th FL – EAST WING) ROCK COUNTY COURTHOUSE JANESVILLE, WI

AGENDA

- 1. Call to Order
- 2. Adoption of Agenda
- 3. Minutes of meetings held Thursday, September 9, 2010
- 4. Citizen Participation, Communications and Announcements
- 5. Code Administration & Enforcement
 - A. **Action Item:** Public Hearing Shoreland Conditional Use Permit 2010 015 (Rock Township) James & Donna Quinn
 - B. Action Item: Approval of Shoreland Conditional Use Permit 2010 015 James & Donna Quinn
 - C. **Action Item:** Public Hearing Shoreland Conditional Use Permit 2010 016 Town of Fulton
 - D. **Action Item:** Approval of Shoreland Conditional Use Permit 2010 016 Town of Fulton
 - E. **Action Item:** Land Division 2010 039 Norman & Jaunita Hofstrom (Bradford Township)
- 6. Finance
 - A. **Action Item:** Department Bills/Encumbrances/Pre-Approved Encumbrance/ Amendments/Transfers
- 7. Director's Report
- 8. Committee Reports
- 9. Adjournment

Future Meetings/Work Sessions

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 Permit #2010 013 - James & Donna Quinn

SE1/4 of the SW1/4 of Sec. 15, Rock Township, more commonly known as 3501 S. River Rd.

DATE: September 15, 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 that 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 James & Donna Quinn for an after-the-fact Conditional Use Permit to fill over 40 cubic yards and grade over 1,000 square feet in the Shoreland and Floodplain Zoning Districts of the Rock River. The project involves placing fill to level the rear yard of their lot to reduce the potential for annual flooding of their back yard and subsequent lawn maintenance.

The applicant began placing fill for this project prior to obtaining the necessary permits from the County to be in compliance with County Ordinance. Therefore, this is considered a violation and an after-the-fact

application. The Quinns were notified on August 28, 2010 of the violation and has been very responsive to date in working with staff to bring his property into compliance. The Quinns have been explained the Conditional Use Permit process and is aware that it is their responsibility to convince the Committee that the above criteria for approving a Conditional Use Permit is met.

Despite the fact that the fill was placed prior to obtaining the necessary permits, the Committee should base your decision as if the applicant came before you prior to placing the fill. Is the fill necessary in this location? Typically fill in the Floodplain district is limited to that necessary for flood proofing a structure, which is not the case for this application. If this application were brought before the Committee prior to commencing work, Staff would recommend denial since it is our opinion that the criteria of 16.23 are not met.

Recommendation(s) or Action(s):

P&D Agency Staff is concerned about the location, necessity, type and the amount of fill with the potential for sediment runoff into the Rock River and the excess fill in the Floodplain and has the following alternatives for Committee consideration:

1. Staff recommends removal of the fill (thus denial of the permit application) and refunding of \$550 of the after the fact application fee when the site is restored and compliance is obtained <u>unless</u> the applicant proves to the Committee that this fill in the rear yard is a necessary use in the Shoreland and Floodplain Zoning District (as discussed above in the minimum standards to be meet for approval).

--OR--

- 2. If the Committee approves the Shoreland Conditional Use Permit, Staff recommends the following conditions of approval:
- 3. The applicant shall submit a plan that is in compliance with the provisions of the Floodplain Zoning Ordinance for review and approval. 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 October 15, 2010.

ROCK COUNTY PLANNING, ECONOMIC, & COMMUNITY DEVELOPMENT AGENCY
51 SOUTH MAIN STREET
JANESVILLE, WI 53545
TEL: (608) 757-5587
FAX: (608) 757-5586
WEB: WWW.CO.ROCK.WI.US



AGI	ENCY USE ONLY
Application No.	
Date Received	
Received by	

SHORELAND CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION					
WNER INFORMATION					
1) Name James J. & Donna M. Quinn Telephone 756-9696 ddress 3501 S. River Rd City Janesville State WI Zip 53546					
PROPERTY INFORMATION					
ocation SE 14 SW 14 Sec. 15 Rock Town Ship ubdivision Name Prt. Gov Lot 8 Lot & Block Parcel 6-17-145 8 ot Size 17, 905 sq. Ft Present Use resent Improvements on Land Single Family residence & Lettecked garage					
roposed Use or Activity Fill placed in backyand					
PROJECT INFORMATION					
Submit site plan (scale not less than 1" = 200') indicating: area to be filled, graded or dredged, existing and proposed structures, and erosion control measures					
mount of fill in cubic yards 12" Sand = 120 /6 ds 5" Tops of 1 = 60 /and					
mount of disturbed area (square feet) マロメ 30 '					
lanned Completion Date Sept. 30 th 2010					
Any change in the approved permit requires review by this agency. Any change without prior approval violates the ordinance and will subject applicant to legal action (I/We) hereby request a Conditional Use Permit as authorized in Section 16.23 of the Rock County Zoning Ordinance for: Shoreland and County Property. SIGNATURE Property Owner Owner Owner OR Agent/Surveyor OR Agent/Surveyor					
Approved by the Rock County Planning & Development Committee on					
Committee Designee Date					



September 1, 2010

LEGAL NOTICE

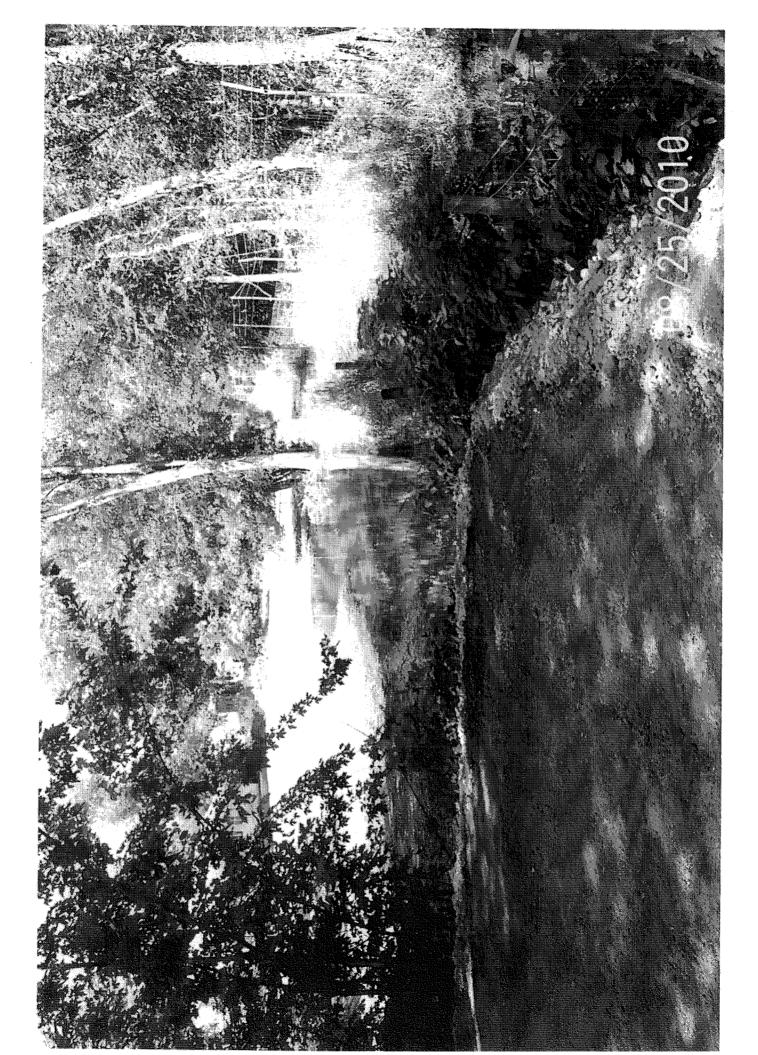
Notice is hereby given that the Rock County Planning and Development Committee will hear the request of James & Donna Quinn for a Shoreland Conditional Use Permit to grade over 1,000 square feet and/or fill over 40 cubic yards in the Shoreland Overlay Zoning District of the Rock River. The proposed project involves bringing in fill to level the rear yard of a residential lot.

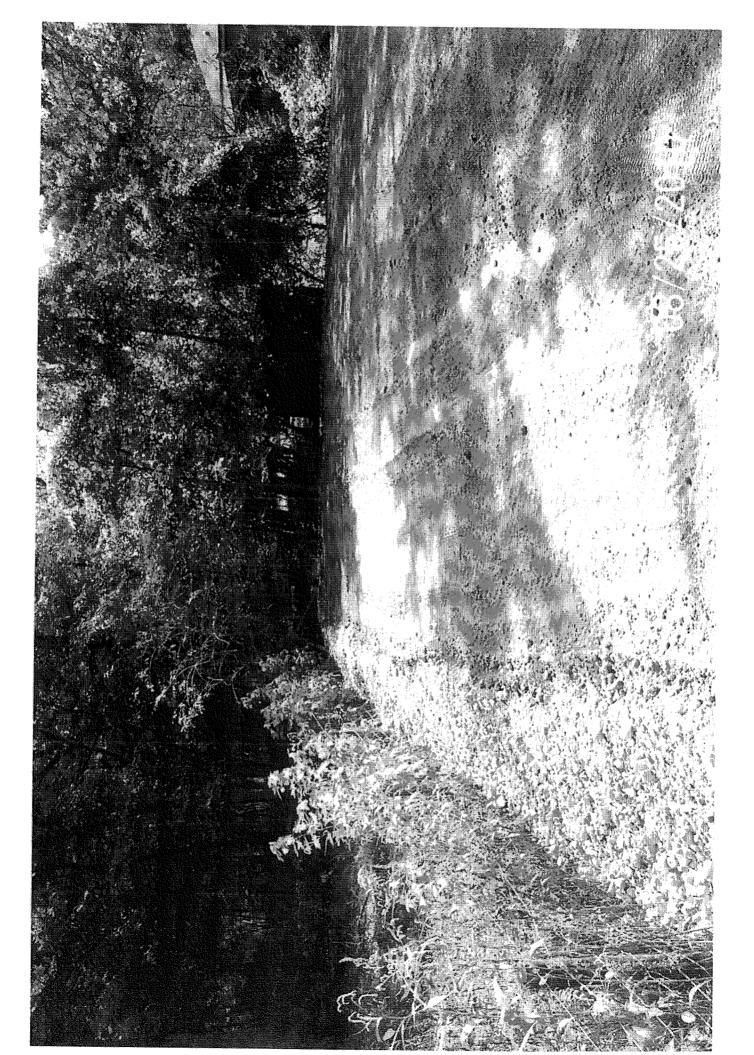
The property is located in the SE1/4 of the SW1/4 of Section 15, Rock Township. More commonly known as 3501 S. River Rd.

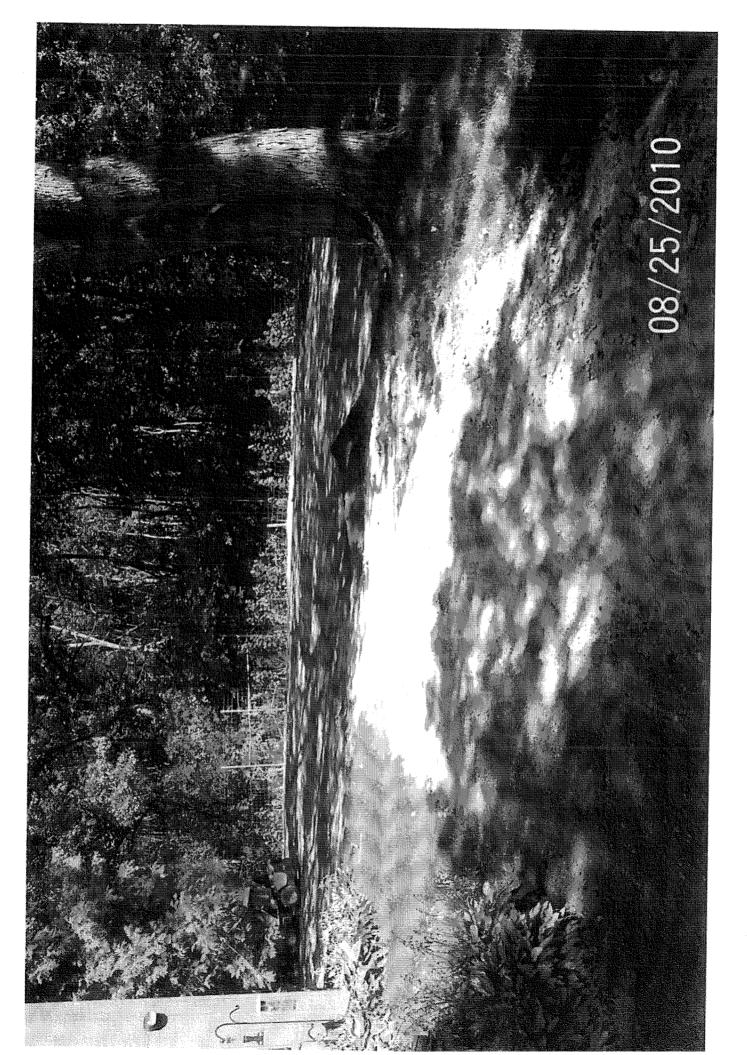
The Public Hearing will take place in the Courthouse Conference Center, second floor, east wing of the Rock County Courthouse, 51 S. Main Street, Janesville, WI at 8:00 AM on Thursday, September 23, 2010.

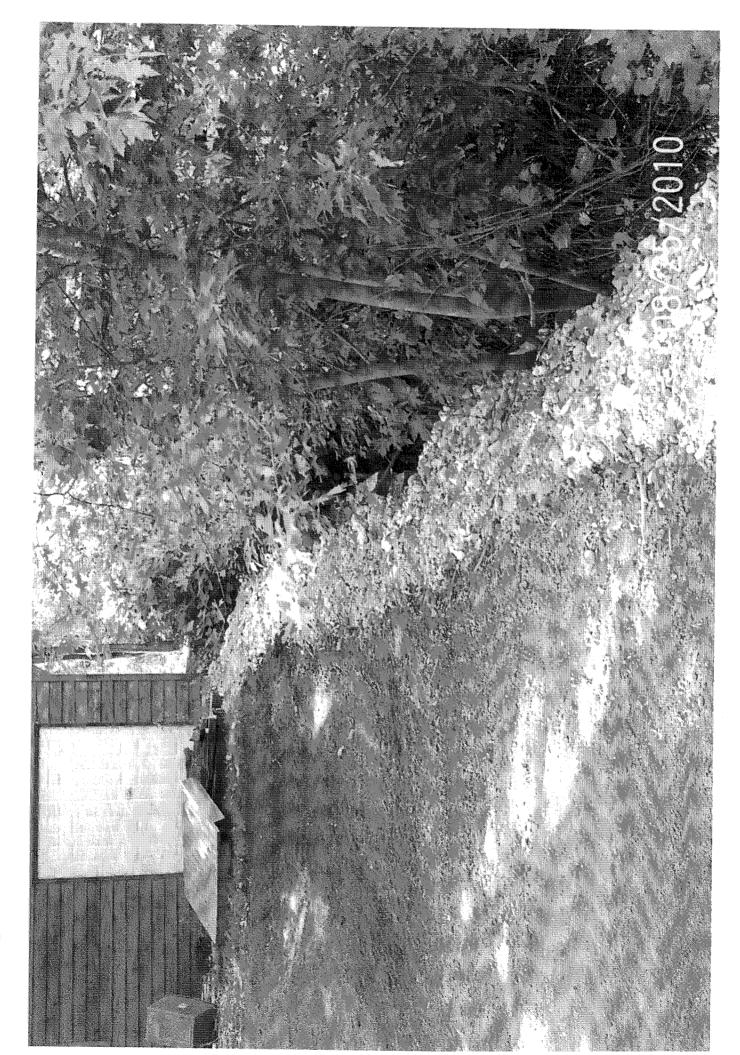
Please contact the Rock County Planning & Development Agency with any questions at 608-757-5587.

Paul Benjamin Director of Planning, Economic & Community Development











ROCK COUNTY GOVERNMENT

Planning & Development Agency <u>MEMORANDUM</u>

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 015, NW1/4 NE1/4 Sec. 12, Fulton Township

DATE: September 15, 2010

Summary:

The Town of Fulton proposes to reconstruct a public stormwater management facility (storm sewer) damaged by the Flood of June/July 2008 (FEMA Disaster 1768A). The project is located at the intersection of N. Hillside Rd. and E. Mallwood Dr. A Shoreland Conditional Use Permit is required due to the land disturbance and the necessity of public notice and input on this project.

The project was approved for CDBG-EAP flood recovery money as part of a grant submitted by the Planning & Development Agency.

Recommendation or Action:

Staff has reviewed the application and recommends approval of the Shoreland Conditional Use Permits 2010 015 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 Rock County Erosion Control Permit from Rock County Land Conservation Department (Fee waived Municipal project).
- 4. 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.
- 5. 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 31, 2010.

ROCK COUNTY PLANNING, ECONOMIC, & COMMUNITY DEVELOPMENT AGENCY 51 SOUTH MAIN STREET JANESVILLE, WI 53545 TEL: (608) 757-5587

FAX: (608) 757-5586 WEB: WWW.CO.ROCK.WI.US



AG	ENCY USE ONLY
Application No.	
Date Received	
Received by	

SHORELAND CONDITIONAL USE PERMIT APPLICATION

	APPLICANT INFORMATION				
OWNER INFORMATION					
*	- Connie Zimmerman - Clerk Telephone 608-868-4103 ter Drive City Edgerton State WIZip 53534				
	PROPERTY INFORMATION				
LOCATION Newvile Area - No Subdivision Name Lot Size	Nall wood Drive/Hillside Drive Intersection Lot & Block — Present Use Residential Area				
Present Improvements on Land					
Proposed Use or Activity Stor	m Sewer / Ditch Grading Project				
	PROJECT INFORMATION				
	1" = 200') indicating: area to be filled, graded or dredged, existing and ed structures, and erosion control measures				
Amount of fill in cubic yards					
Amount of disturbed area (square feet)	IZ, o∞ SF				
Planned Completion Date	October 29, 2010				
Any change in the approved permit requires review by this agency. Any change without prior approval violates the ordinance and will subject applicant to legal action (I/We) hereby request a Conditional Use Permit as authorized in Section 16.23 of the Rock County Zoning Ordinance for: Shoreland and County Property.					
	SIGNATURE				
Property Owner	OR Agent/Surveyor Kory D. Anderson, PE Project Engineer-General Engineering Company				
Approved by the Rock County Planning 8					
Committee Designee	Date				



September 7, 2010

LEGAL NOTICE

Notice is hereby given that the Rock County Planning and Development Committee will hear the request of the Town Of Fulton for a Shoreland Conditional Use Permit to grade over 1,000 square feet and/or fill over 40 cubic yards in the Shoreland Overlay Zoning District of the Rock River. The proposed project involves replacing and redirecting a stormwater culvert at the intersection of N. Hillside Rd. and E. Mallwood Dr.

The property is located in the NW1/4 of the NE1/4 of Section 12, Fulton Township.

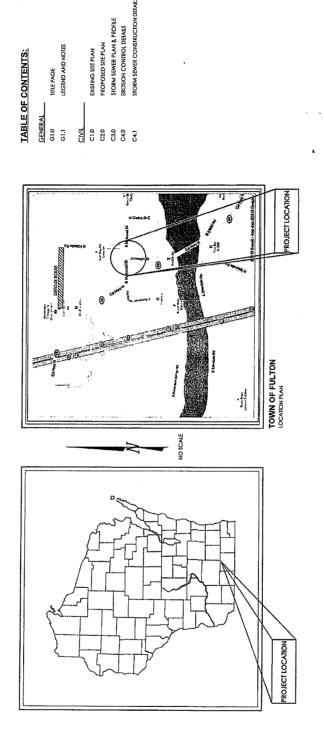
The Public Hearing will take place in the Courthouse Conference Center, second floor, east wing of the Rock County Courthouse, 51 S. Main Street, Janesville, WI at 8:00 AM on Thursday, September 23, 2010.

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

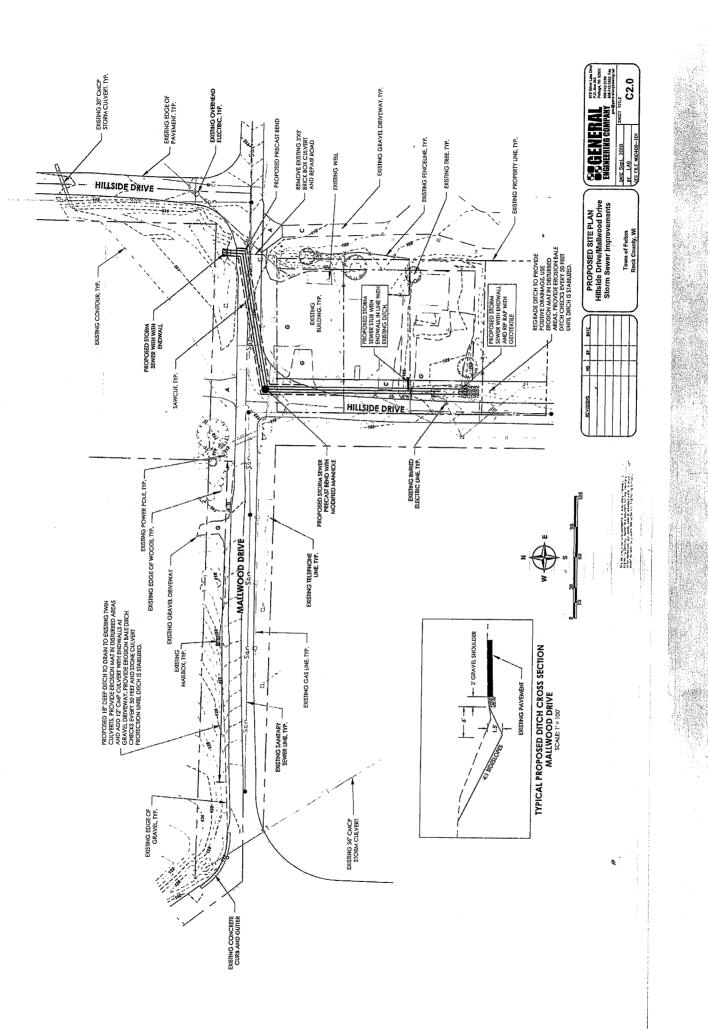
Paul Benjamin Director of Planning, Economic & Community Development

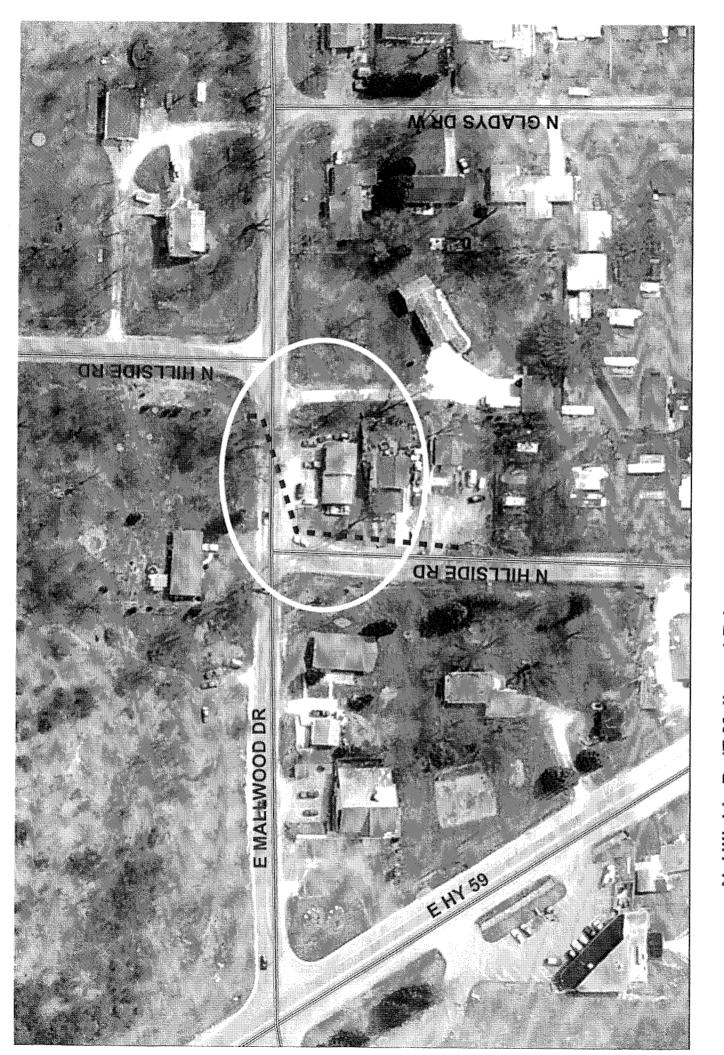
HILLSIDE DRIVE/MALLWOOD DRIVE STORM SEWER IMPROVEMENTS

Town of Fulton Rock County, WI September, 2010



	P.O. Box M.	LEGISLECOING DALLOUNAN 500-742218	Entitle County Ann 1 005-742-2502 Fax	DATE Send. 2010 SHEET TILE	25	GES FILE NO. 0408-101
	IIILE PAGE	Tilliside Drive/Mailwood Drive	Storm Sewer improvements	-	Town of Fulton	Rock County, Wi
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N. Hillside Dr./E.Mallwood Rd. Storm Sewer Improvement Area Fulton Township

Legend

- 911 Roads

Airphoto: April 2008

1 inch = 100 feet

4



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: September 15, 2010

Summary:

The following Land Division is seeking Preliminary approval from the P&D Committee:

• LD 2010 039 (Bradford Township) – Norman & Juanita Hofstrom

Recommendation:

P&D Agency Staff recommends Preliminary Approval of Land Division 2010 039 with conditions as presented.

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION CONDITIONS OF APPROVAL

OWNER:	Norman & Juanita Hofstrum 326 Allen Street Clinton, WI 53525	LAND DIVISION NO: DATE SUBMITTED:	LD#2010 039 September 7, 2010
LOCATION:	SW 1/4 NW 1/4 Section 31	E.T. JURISDICTION:	N/A
* * * * *		SURVEYOR:	Combs & Associates, Inc.
ORIGINAL AREA:	46 Acres	TOWNSHIP:	Bradford
FINAL AREA:	2.2 Acres +	NUMBER OF LOTS:	Action Action there were a minimum resource to come and a compare to the compare
PRESENT ZONING:	A-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: Splitting off existing buildings.

NOTE: Consistent with the Rock County Agricultural Preservation Plan.

RECOMMEND

T APPROVAL

☑ CONDITIONAL APPROVAL

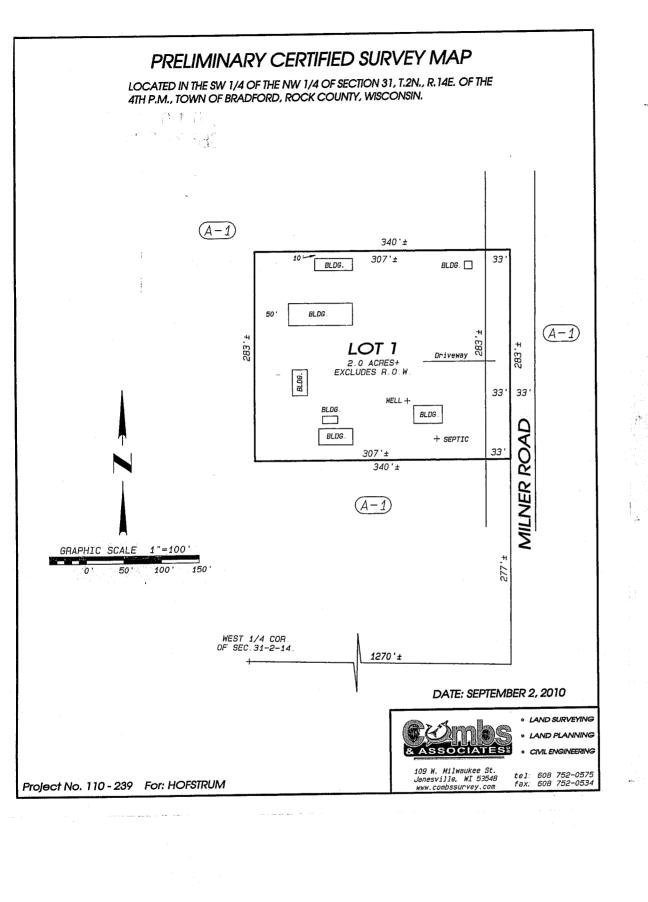
☐ DENIAL

LOCATION: 6000 Block S. Milner Rd.

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

- 1. 33 foot 1/2 ROW to be dedicated along S. Milner Rd.
- 2. 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.
- 3. Show septic system and well locations for existing structures on final CSM.
- 4. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before September 23, 2011.
- 5. 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.								
6.	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 _. Dept. of	Signed								
DEVEL	NOTE: THIS PROPOSED LAND DIVISION WILL BE REVIEWED BY THE PLANNING AND DEVELOPMENT COMMITTEE ON <u>SEPTEMBER 23 8:00 A.M.</u> AT THE ROCK COUNTY COURTHOUSE.								
NOTE: FINAL SURVEY SHALL COMPLY WITH ALL STATE, COUNTY, & LOCAL REGULATIONS.									
	COMMITTEE ACTION								
□ APPI	ROVAL CO	NDITIONAL APPROVAL	□ DENIAL	TABLED					
	Initials		Date						



Rock County - Pro	oduction	09/15/10	COMMITTEE	APPROVAL REPORT				Page 1
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		S	EP 2 3 2	010 DATE				CHAIR

Rock County - Production	09/15/10	COMMITTEE APP	PROVAL REPORT				Page 2
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PLANNING & DEVELOPMENT	COMMITTEE APPROV						DEPT-HEAD
		SEP 2 3 20)10 DATE				CHAIR

Rock County - Production	09/15/10 COMMITT	EE APPROVAL REPORT				Page 3	
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PLANNING & DEVELOPMENT	COMMITTEE APPROVES THE ABC	JVE. COM-APPROVAL				DEPT-HEAD	
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Rock County - Production	09/15/10 COMMITTEE /	APPROVAL REPORT			Page 1		
Account Number Name	Yearly Prcnt Yearly Prcnt Expended		Unencumb Balance	Inv/Enc Amount	Total		
ENC R1	V 1,990,690.00 25.7% 512 003498-PO# 09/07/10 -VN#016714 003499-PO# 09/07/10 -VN#016720 003500-PO# 09/07/10 -VN#011976	TOWN OF BELOIT TREATED TOWN OF FULTON TREATED	ASURER	170,000.00 173,750.00 494,000.00			
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I HAVE EXAMINED THE PRECEDING BILLS AND ENCUMBRANCES IN THE TOTAL AMOUNT OF \$837,750.00 INCURRED BY CDBG-EMERGENCY ASSISTANCE. 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 T PLANNING & DEVELOPMENT					_DEPT-HEAD		
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