



PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, SEPTEMBER 22, 2011 – 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, September 8, 2011
4. Citizen Participation, Communications and Announcements
5. Code Administration & Enforcement
 - A. **Action Item:** Public Hearing – Rock County Shoreland Conditional Use Permit – Rodney Van Beek
 - B. **Action Item:** Approval of Rock County Shoreland Conditional Use Permit – Rodney Van Beek
 - C. **Action Item:** Preliminary Approval of Land Divisions
 - LD 2010 043 (Newark Township) –Phil Nass (Tabled)
 - LD 2011 031 (Lima Township) – Mary Ellen Pope
 - D. **Information Item:** Corporation Counsel Review of Revised Rock County Land Division Regulations and edits
 - E. **Action Item:** Resolution to Revise the Rock County Land Division Regulations
 - F. **Information Item:** Executive Order to extend deadline for County Adoption of NR 115 Shoreland Zoning
6. Redistricting
 - A. **Information Item:** Final Report
7. Finance
 - A. **Action Item:** Department Bills/Encumbrances/Amendments/Transfers

8. Housing & Community Development

- A. Action Item: Public Meeting for the 2010 – 2012 Rock County Community Development Block Grant Housing Repair Program
- B. Information Item: Housing & Community Development Division Report

9. 2012 Budgeting

- A. Information Item: 2012 Budget Proposals for Real Property, Surveyor and Planning & Development Departments
- B. **Action Item:** 2012 Board of Adjustment Application Fees

10. Planning Director's Report

- 208 Water Quality Planning with Beloit-Area Municipalities
- Janesville Area Metropolitan Planning Organization (MPO) meeting (October 3, 2011)

11. Committee Meeting Dates for the Months of November and December

12. Committee Reports

13. Adjournment

Future Meetings/Work Sessions

October 13, 2011 (8:00 AM)
October 27, 2011 (8:00 AM)

Non-Committee Future Meetings



September 7, 2011

LEGAL NOTICE

Notice is hereby given that the Rock County Planning and Development Committee will hear the request of Rodney Van Beek for a Shoreland Conditional Use Permit to grade over 1,000 square feet and/or fill over 40 cubic yards in the Shoreland/Floodplain Zoning District of Bass Creek. The proposed project includes construction of a water control structure and waterfowl scrapes as part of a wildlife habitat restoration effort.

The property is located in the SW1/4 of the NW1/4 of Section 28, Rock Township. More commonly known as 3810 W. Third St., Afton WI.

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 22nd, 2011.

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 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



RECEIVED	
AGENCY USE ONLY	
Application No	2011008
Date Received	AUG 22 2011
ROCK CO. PLANNING, ECONOMIC AND COMMUNITY DEVELOPMENT AGENCY	
Received by	<i>[Signature]</i>

SHORELAND CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

OWNER INFORMATION					
(1) Name	Rechny Van Beek			Telephone	608-289-8700
Address	3801 W. 3 rd St	City	Alton	State	WI Zip 53501

PROPERTY INFORMATION

LOCATION					
Subdivision Name	NA		Lot & Block	034 07900601/034 083002	
Lot Size	35 acres / 30 acres	Present Use	Ag - REC		
Present Improvements on Land	none				
Proposed Use or Activity	Ag - REC				

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

Amount of fill in cubic yards	2,900 yds ³
Amount of disturbed area (square feet)	87,000 sq/ft
Planned Completion Date	10/30/11

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 *[Signature]*

Approved by the Rock County Planning & Development Committee on _____

Committee Designee _____ Date _____

VanBeek Narrative

The project is part of a larger restoration project for wildlife habitat on the property. The project is located at its closest point 1000+ feet north of Bass Creek. The site was drained for agricultural use. The drainage features area still present but significantly degraded. A ditch runs out of the current basin draining it and reducing its hydro period. RCG dominates the scrape areas and a monotypic stand of vegetation significantly reducing the areas wildlife value. No agricultural land will be converted because it is currently all unproductive land due to hydrological impacts.

The water control structure will allow for management of the site to increase open water and species diversity within the wetland area. A rock spillway will be constructed over the roadway to allow high-water events to pass through the site. Currently high flows move over the road in a narrow area a spillway will reduce maintenance and increase flow capacity during high water events. The spillway is considered maintenance of the roadway. The spillway will be set at 98.6, the current low point in the road. A scrape will be used to create some black material immediately adjacent to the road to cover the rock and slopes so permanent native vegetation can become established (20 yds). A 24" stop log structure will be fitted onto the current 24" culvert presently draining the basin with an invert of 96.6. For three years prior the current culvert has failed due to age. This has allowed water to fill the wetland basin and not have an outlet. The water control structure will allow an outlet and the spillway will increase capacity during high water events.

As seen on the 1937 air photo this road grade was well established for access to the back portion of the property for ag use. All work on the existing road grade will remain within the original foot print and reduce future maintenance through the establishment of a permanent spillway and a water control structure.

In the second basin all scrapes will be done in RCG dominated areas. Micro topography identified on the project plan map will only remove the RCG root mass and associated material. This material will be spread thinly where RCG is a monoculture. The scrapes will average 2' in depth and all spoil material will be placed in the ag field identified in the project plan map. This will expose the native seed bank and with restored hydrology a diverse wetland plant community will respond.
Scrape: 200' x 200' x 24"

Total area of disturbance will be 2 acres. The scrape will be less than 1 acre in size and the spoil area will be 1 acre in size. The spoil will be located in an already disturbed ag field. All work and disturbance is out of the floodway and no fill material is being placed in a wetland.

All disturbed area will be seeded with a cover crop of oats or annual rye and where appropriate native grass and forbes will be seeded as permanent cover. All slopes on the scrapes will be 8:1 or greater. The project will be completed with a dozer.

Thanks
Peter Ziegler
Wisconsin Waterfowl Association
wwawetlands@gmail.com
262-470-4301



Wetland Habitat Restoration Area

WEAUCLAIRE RD

WABBIT RD



4

Van Beek
Shoreland CUP Project Area
Rock Twnshp.







Legend



Tax Parcels

1 inch = 800 feet

Airphoto: March 2010

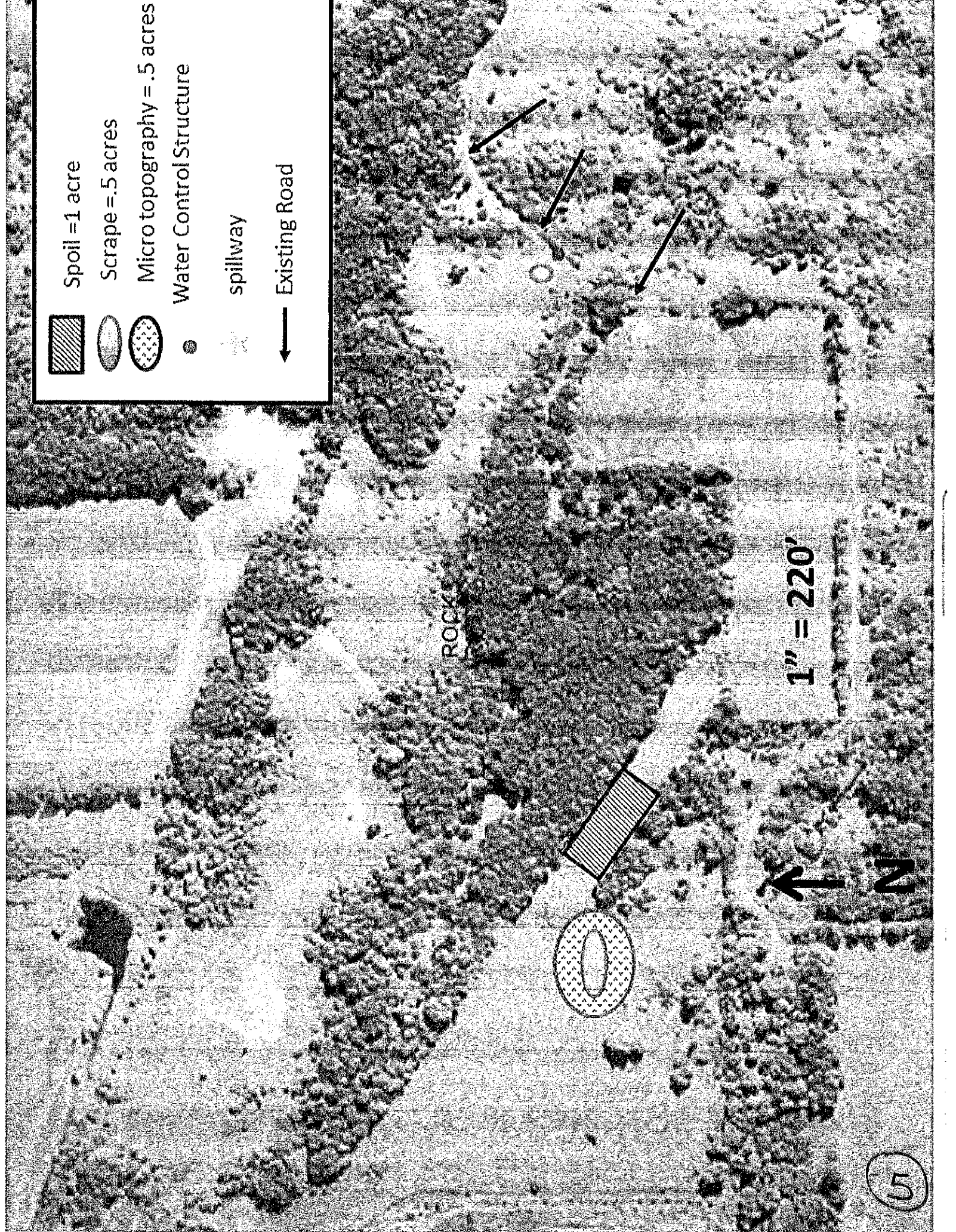
-  Spoil = 1 acre
-  Scrape = .5 acres
-  Micro topography = .5 acres
-  Water Control Structure
-  spillway
-  Existing Road

ROCK

1" = 220'



5





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 #2011 008 – Rodney Van Beek, SW1/4 NW1/4
Section 28, Rock Township, 3810 W. Third St., Afton WI

DATE: September 12, 2011

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, whichever 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 a request from Rodney Van Beek to build a water control structure and waterfowl scrapes for a wetland habitat restoration project in the Shoreland/Floodplain District of Bass Creek (tributary to the Rock River). Representatives from the Wisconsin Waterfowl Association are facilitating the project (see enclosed project narrative). The Wisconsin Department of Natural Resources has issued an approval letter.

An additional consideration must be given to this project due to its location within Zone D of the Southern Wisconsin Regional Airport Overlay Zoning Ordinance. The size of the project does not appear to jeopardize safe air traffic movement. But, to safeguard the functionality of the Airport the landowner must sign an Affidavit accepting mitigation responsibilities if problems arise.

The project will enhance the continued viability of the wetland complex along with providing additional habitat. Staff fully supports joint private/non-profit ventures like this and recommend approval as it meets the Conditional Use criteria.

Recommendations:

In review of the application materials, considering the criteria above, staff recommends approval of the Shoreland Conditional Use Permit 2011 008 subject to the following conditions:

1. Any project modifications or additions shall be submitted to Staff for review and approval.
2. Record A Affidavit Accepting Southern Wisconsin Regional Airport Mitigation Responsibilities.
3. Applicant or contractor shall contact staff prior to the start of construction for an on site preconstruction meeting to confirm plans.
4. Obtain all other necessary permits from Federal, State, and Local Agencies for the project.
5. Install and maintain temporary erosion control measures until seeded permanent vegetative cover is established. Ground disturbance shall be kept to a minimum.
6. This permit expires one year from the date of Committee approval.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, WI 53711-5397

Scott Walker, Governor
Cathy Stepp, Secretary
Lloyd L. Eagan, Regional Director
Telephone 608-275-3266
FAX 608-275-3338
TTY Access via relay - 711



08/02/2011

GP-SC-2011-54-04954
GP-SC-2011-54-04955

Rodney Van Beek
3801 West 3rd Street
Afton, WI 53501

Dear Mr. Van Beek:

Thank you for submitting an application for a General Permit to construct a wildlife pond Bass Creek in Rock County.

You have certified that your project meets the eligibility criteria for this activity. Based upon your signed certification you may proceed with your project. Please take this time to re-read the permit standards and conditions. You are responsible for meeting all general permit eligibility standards and permit conditions. This includes notifying the Department before starting the project, and submitting photographs within one week of project completion. Please note that your project must be complete within 3 years of the date of this letter.

The Department conducts routine and annual compliance monitoring inspections. Our staff may follow up and inspect your project to verify compliance with state statutes and codes. If you need to modify your project please contact your local Water Management Specialist, Al Byla at (608) 275-3330 to discuss your proposed modifications.

Thank you for applying for a waterway permit. The Department of Natural Resources appreciates your willingness to comply with waterway regulations, which help to protect the water quality, fish and wildlife habitat, natural scenic beauty and recreational value of Wisconsin's water resources for future generations. Please be sure to obtain any other local, state or federal permits that are required before starting your project.

Sincerely,



Algis Byla
Waterway and Wetland Permit Intake Specialist

cc: stacy.l.marshall@usace.army.mil
byrnes@co.rock.wi.us
townrock@charter.net
michael.dieckhoff@wisconsin.gov
wwawetlands@gmail.com
ntadt@co.rock.wi.us



August 31, 2011

United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Mike Engel
U. S. Fish and Wildlife Service
4511 Helgesen Drive
Madison, WI 53718

Wildlife Services
1201 Storbeck Drive
Waupun, WI 53963
Phone: 920-324-4514
Fax: 920-324-5367

Re: Rock County wetland restoration project

Mr. Engel:

U.S. Department of Agriculture-Wildlife Services (USDA-WS) is a non-regulatory agency that acts in an advisory capacity for the Federal Aviation Administration (FAA) regarding wildlife threats to aircraft operations. During the past century, wildlife-aircraft strikes have resulted in the loss of hundreds of lives worldwide, as well as, billions of dollars in aircraft damage. Hazardous wildlife attractants on and near airports can jeopardize future airport expansion, making proper community land-use planning essential.

The FAA recommends a minimum separation distance for land-use practices that attract hazardous wildlife to the vicinity of airports:

- 1) 5,000 feet for airports serving piston powered aircraft
- 2) 10,000 feet for airports serving turbine powered aircraft
- 3) 5 miles for the airspace on the departure or approach routes

(see

http://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentNumber/150_5200-33B for further information).

Please note that FAA criteria include land uses that cause movement of hazardous wildlife onto, into, or across the airport's aircraft operating area (AOA) or approach/departure airspace. The proposed wetland restoration project is approximately 10,500 feet from the end of runway 04/22 at the Southern Wisconsin Regional Airport (JVL) in Rock County. Although this distance is outside the 10,000' separation distance noted above it is still within the 5 miles of the airport. USDA-WS is somewhat concerned that this site may attract wildlife that present a hazard to aircraft.

The proposed wetland restoration site may increase the areas overall attractiveness to waterfowl and other birds hazardous to aviation as well as increase recruitment into the local population of birds. These birds may potentially fly across the airport to access grain fields around the airport causing a potential bird strike. USDA-WS is not necessarily opposed to the wetland restoration at the proposed sites; however, it should be understood that if birds begin to use these sites and then create a wildlife strike hazard to



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aircraft using JVL, mitigation measures should be enacted at the wetland restoration sites to reduce the attractiveness to those hazardous bird species.

Methods which have shown to be effective in preventing use by wildlife hazardous to aviation and would apply to these wetlands include: daily harassment, keeping vegetation adjacent to the wetlands unmowed, and overhead grids. Other options include: Bird Balls™, rip-rapped bank with steep slopes, or converting the retention basin into a detention basin where water is held for no longer than 48 hours during a 100 year flood event. I realize that the latter methods would not be applicable to the purpose of the proposed wetland restoration sites, but they were provided as options.

Wildlife can be very dynamic and adapt to many situations. To best prevent wildlife hazardous to aviation from using the restored wetlands, USDA-WS recommends implementing one or more of the above-mentioned methods. Keep in mind that any one option may not work alone and an integrated approach, incorporating multiple methods, may be necessary.

I hope this information is helpful. Please feel free to contact me anytime.

Sincerely,

Charles D. Lovell

Charles D. Lovell
District Supervisor/Certified Wildlife Biologist

cc: Jerry Kelly – WDOT/BOA
Ron Burdick – Southern Wisconsin Regional Airport



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, 2011

Summary:

The following applicants seek Preliminary Land Division approval from the P&D Committee:

- LD 2010 043 (Newark Township) – Phil Nass
- LD 2011 031 (Lima Township) – Mary Ellen Pope

Recommendation:

P&D Agency Staff recommends Preliminary Approval of Land Divisions 2010 043 and LD 2011 031 with the conditions presented.

Town Status: LD 2010 043

- Town Board Approved
 Town Planning & Zoning Approved
 Scheduled

Town Status: LD 2011 031

- Town Board Approved
 Town Planning & Zoning Approved
 Scheduled

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION
CONDITIONS OF APPROVAL

OWNER:	Phil Nass 13417 E. State Road 67 Sharon, WI 53548	LAND DIVISION NO:	LD#2010 043
		DATE SUBMITTED:	September 9, 2010
LOCATION:	NW ¼ NE ¼ Section 26	E.T. JURISDICTION:	
		SURVEYOR:	Combs & Associates, Inc.
ORIGINAL AREA:	129 Acres	TOWNSHIP:	Newark
FINAL AREA:	5 Acres ±	NUMBER OF LOTS:	1
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, as it is in an Exclusive Agricultural District.

RECOMMEND

APPROVAL

CONDITIONAL APPROVAL

DENIAL

LOCATION: 8100 Block W. HWY 81

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. Existing structures shall meet setback regulations.
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. Location of access shall be shown on the final CSM.
5. If a shared access is needed indicate by a Note on Map: "Require shared access on common property line. Each parcel shall have at least 40% of the access within the property boundaries."

- 6. Copy of letter to guarantee State Highway Access Permit from District I, Wisconsin Department of Transportation received before final approval of CSM if access is to be shared.
- 7. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before October 14, 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: 9/21/10
 Dept. of Planning, Economic & Community Development

NOTE: THIS PROPOSED LAND DIVISION WILL BE REVIEWED BY THE PLANNING AND DEVELOPMENT COMMITTEE **ON OCTOBER, 14 2010 AT 8:00 A.M.** AT THE ROCK COUNTY COURTHOUSE.

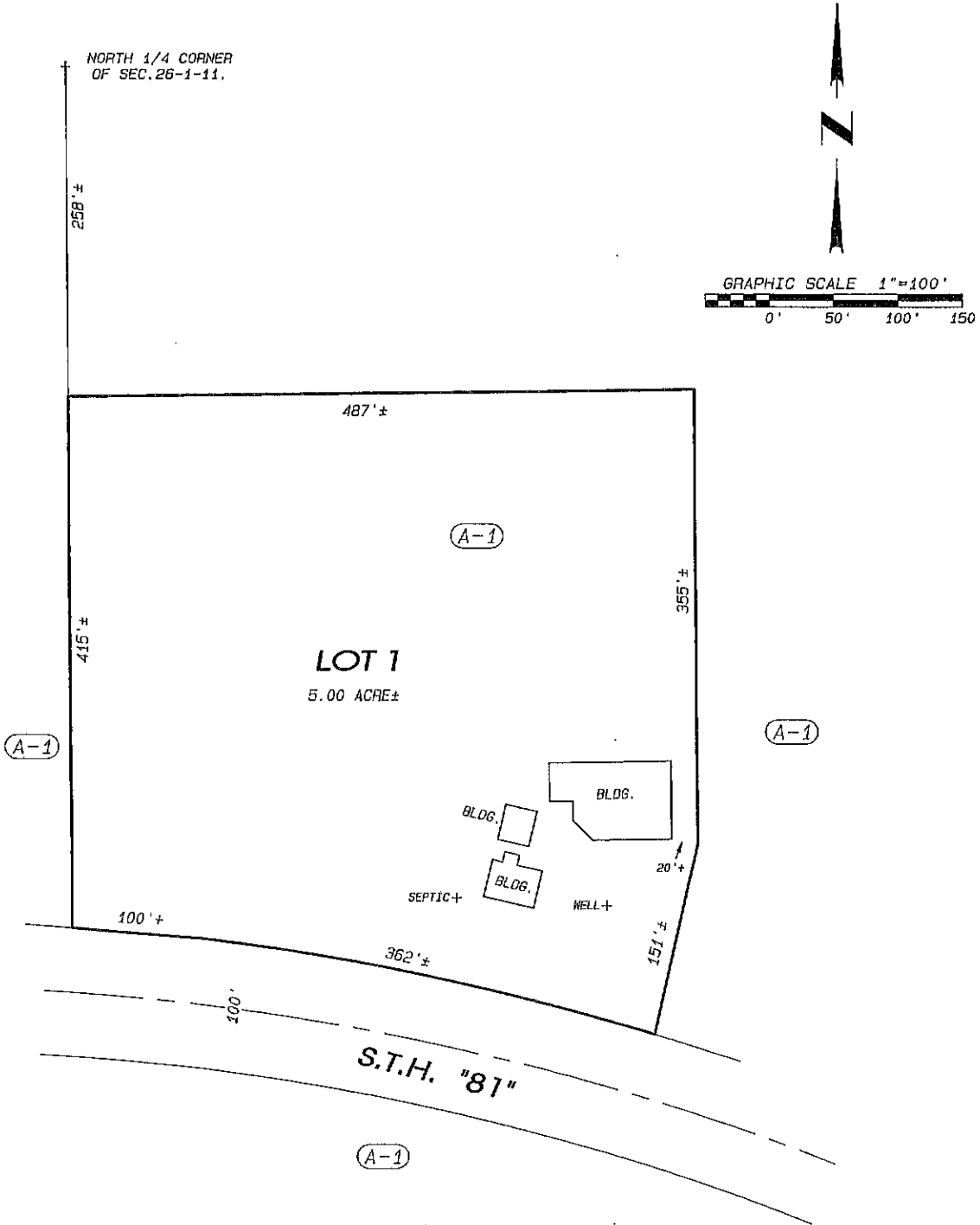
NOTE: FINAL SURVEY SHALL COMPLY WITH ALL STATE, COUNTY, & LOCAL REGULATIONS.

<u>COMMITTEE ACTION</u>			
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> CONDITIONAL APPROVAL	<input type="checkbox"/> DENIAL	<input checked="" type="checkbox"/> TABLED
	Initials <u>CB</u>	Date <u>10/14/10</u>	Town of

Newark
Acts

PRELIMINARY CERTIFIED SURVEY MAP

LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 26, T.1N., R.11E. OF THE 4TH P.M, TOWN OF NEWARK, ROCK COUNTY, WISCONSIN.



DATE: APRIL 26TH, 2010
REVISED AUGUST 11TH, 2010
REVISED SEPTEMBER 8TH, 2010

NOTES:

THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

THE BASIS OF BEARINGS IS ASSUMED.

Project No. 110-088 For: NASS



- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

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

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

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION
CONDITIONS OF APPROVAL

OWNER:	Mary Ellen Pope 10041 N. County Line Road Whitewater, WI 53190	LAND DIVISION NO:	LD#2011 031
		DATE SUBMITTED:	August 2, 2011
LOCATION:	SW ¼ SW ¼ Section 12	E.T. JURISDICTION:	City of Whitewater
		SURVEYOR:	Mark L. Miritz
ORIGINAL AREA:	122.26 Acres	TOWNSHIP:	
FINAL AREA:	7.65 Acres	NUMBER OF LOTS:	Lot 1: 6.975 acres Lot 2: 7.794 acres
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: Build a residence for the son that works the farm and create additional lot for existing Ag buildings.

NOTE: Consistent with the Rock County Agricultural Preservation Plan.

RECOMMEND

APPROVAL

CONDITIONAL APPROVAL

DENIAL

LOCATION:

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. 33-foot 1/2 ROW to be dedicated along N County Line Rd for each lot.
2. Existing buildings shall meet setback regulations.
3. Acceptable soil and site evaluation report received on Lot 1.
4. Utility easements put on lot as requested by utility companies.
5. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before September 22, 2012.
6. 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.

- 7. 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
Dept. of Planning, Economic & Community Development

DATE: 9/9/11

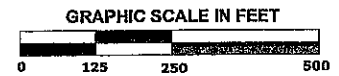
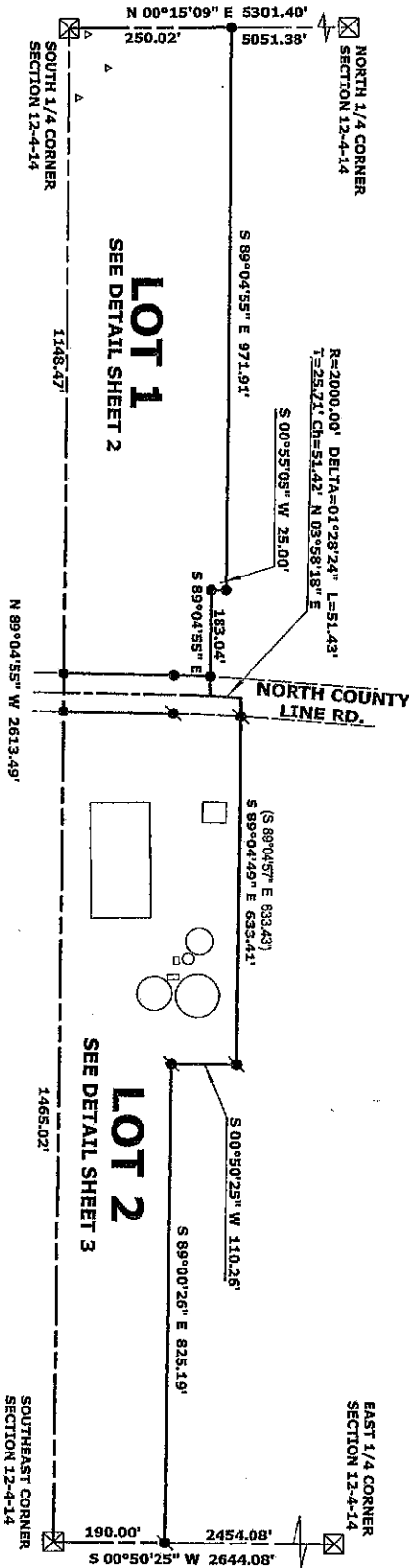
NOTE: THIS PROPOSED LAND DIVISION WILL BE REVIEWED BY THE PLANNING AND DEVELOPMENT COMMITTEE **ON SEPTEMBER 22, 2010 AT 8:00 A.M.** AT THE ROCK COUNTY COURTHOUSE.

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

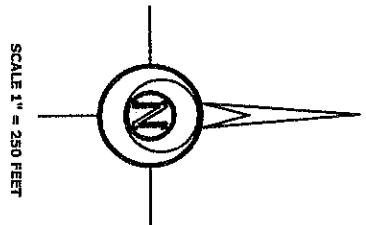
<u>COMMITTEE ACTION</u>			
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> CONDITIONAL APPROVAL	<input type="checkbox"/> DENIAL	<input type="checkbox"/> TABLED
Initials _____		Date _____	

CERTIFIED SURVEY MAP

A REDIVISION OF LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 14, PAGE 493, DOCUMENT NO. 1125547 AND A REDIVISION OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 22, PAGES 136-138, DOCUMENT NO. 1407291 AND PART OF THE SOUTHWEST 1/4 AND PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWN 4 NORTH, RANGE 14 EAST, LIMA TOWNSHIP, ROCK COUNTY, WISCONSIN.



- Legend**
- ☒ Found County Section Corner Concrete Mon. with Brass Cap
 - ⦿ Found iron rod 3/4" dia.
 - Set 3/4" dia. iron rod, 18" long weighing 1.13 lbs./ lin. ft.
 - (xx) Recorded Dimension



Horizontal Datum is based on the Rock County Coordinate System, North American Datum of 1983 (NSRC 2007). The South line of the SE 1/4 of Section 12-4-14 was assumed to bear N 89°04'55" W

OWNERS:
 MARY ELLEN POPE REVOCABLE TRUST
 MARY ELLEN POPE: TRUSTEE
 AND DONALD POPE
 10041 N. COUNTY LINE ROAD
 WHITEWATER, WI 53190



Mark L. Mirtz
 MARK L. MIRTZ
 WI. REGISTERED LAND SURVEYOR S-2582
 AUGUST 31, 2011

SHEET 1 OF 5 SHEETS
 PROJECT NO. 11.405

RESOLUTION NO. _____

AGENDA NO. _____

**ORDINANCE REVISION
ROCK COUNTY BOARD OF SUPERVISORS**

PLANNING & DEVELOPMENT
COMMITTEE
INITIATED BY _____



WADE THOMPSON
DRAFTED BY _____

PLANNING & DEVELOPMENT
COMMITTEE
SUBMITTED BY _____

SEPTEMBER 22, 2011
DATE DRAFTED _____

*ROCK COUNTY LAND DIVISION AND DEVELOPMENT ORDINANCE
(CHAPTER 38, CODE OF ORDINANCES, ROCK COUNTY)*

1 WHEREAS, pursuant to Sections 59.69 (4), 236.45, 281.31, and 703.115, Wisconsin Statutes, the Rock
2 County Board of Supervisors adopted the *Rock County Land Division Regulations (Chapter 15, Code of*
3 *Ordinances, Rock County)* on August 1, 1969, and;
4

5 WHEREAS, the Rock County Planning, Economic & Community Development Agency ("Agency")
6 utilizes the Rock County Land Division Regulations ("Ordinance") to guide the land division and development
7 process in unincorporated areas of the County, ensuring land division and development occur in an orderly,
8 economical, and environmentally responsible manner, and;
9

10 WHEREAS, the Ordinance was last revised on April 8, 1982, and to ensure consistency with the *Rock*
11 *County Comprehensive Plan 2035*, promotion of inter-governmental cooperation, and land division and
12 development continuing to occur in the aforementioned manner, the Agency initiated and coordinated the process
13 to revise the Ordinance and in said process the Ordinance was re-titled and re-codified as the *Rock County Land*
14 *Division and Development Ordinance (Chapter 38, Code of Ordinances, Rock County)*, and;
15

16 WHEREAS, parties interested in and affected by the Ordinance revision were notified by the Agency, via
17 written correspondence, in April of 2010 of the rationale for Ordinance revision, major issues to be addressed in
18 the revision, and a general timeline for completion of the revision, and;
19

20 WHEREAS, three Public Listening Sessions were held by the Agency in April of 2010 and February and
21 July of 2011 in which the Agency informed all interested and affected parties of the rationale for Ordinance
22 revision, major issues to be addressed in the revision, and a general timeline for completion of the revision, and
23 also presented a draft of the revised Ordinance for review and comment, and;
24

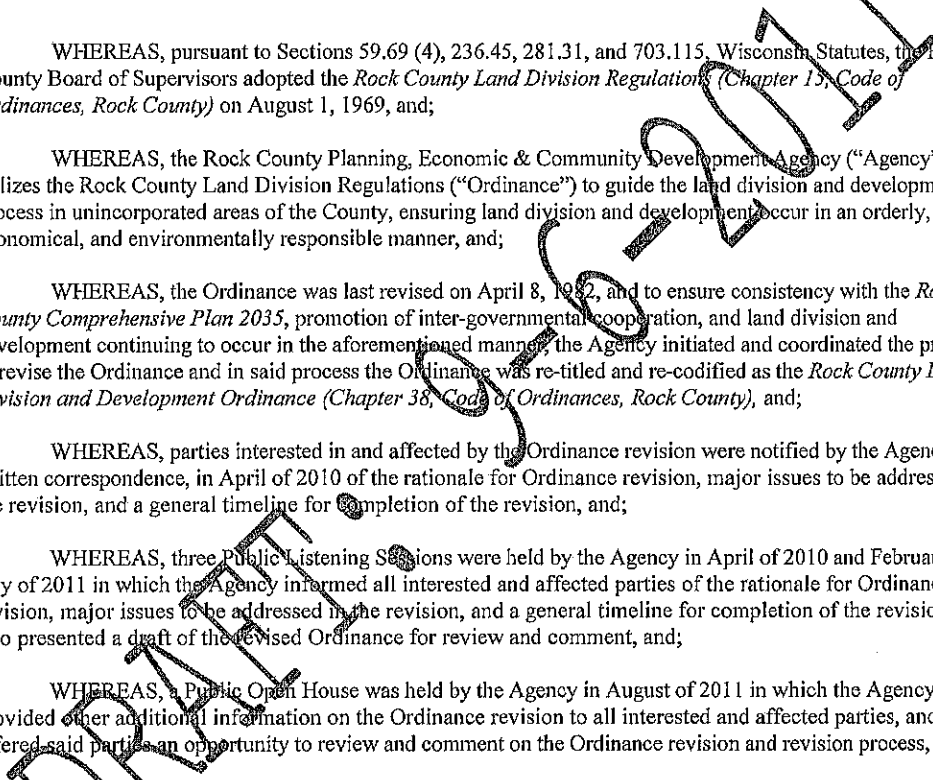
25 WHEREAS, a Public Open House was held by the Agency in August of 2011 in which the Agency
26 provided other additional information on the Ordinance revision to all interested and affected parties, and
27 offered said parties an opportunity to review and comment on the Ordinance revision and revision process, and;
28

29 WHEREAS, a Public Hearing was held by the Rock County Planning & Development Committee
30 ("Committee") on August 25, 2011 and included an Agency presentation on the Ordinance revision and offered
31 an opportunity for interested and affected parties to review and comment on the Ordinance revision and revision
32 process, with the Committee subsequently taking action at the Hearing to recommend the draft to the Rock
33 County Board of Supervisors for adoption, and;
34

35 WHEREAS, the aforementioned Public Listening Sessions, Open House, and Hearing were noticed
36 appropriately and in accordance with legal requirements in media outlets throughout Rock County, including
37 newspapers and the Rock County Government website, and all interested and affected parties were notified by the
38 Agency of these events, via written correspondence, and;
39

40 WHEREAS, comments and input received from Town governments and other interested and affected
41 parties, including business/non-profit interests and residents of Rock County, as gathered through the
42 aforementioned Public Listening Sessions, Open House, and Hearing, have been considered, and when
43 appropriate, incorporated into the Ordinance revision, and;
44

45 WHEREAS, a Public Hearing was held by the Rock County Board of Supervisors on October _____,
46 2011 and included an Agency presentation on the Ordinance revision and offered an opportunity for interested
47 and affected parties to review and comment on the Ordinance revision and revision process, and;



47 NOW, THEREFORE, the Rock County Board of Supervisors does ordain as follows:

48

49 I. The Rock County Board of Supervisors, do, by enactment of this Resolution, formally adopt the
50 revision of the Ordinance, entitled and codified as the *Rock County Land Division and Development Ordinance*
51 (*Chapter 38, Code of Ordinances, Rock County*) and all Articles, Sections, and Sub-sections contained therein.

52

53 II. If a court of competent jurisdiction adjudges any section, clause, provision or portion of this
54 Resolution unconstitutional or invalid, the remainder of this Resolution shall not be affected thereby.

Respectfully submitted:

PLANNING & DEVELOPMENT COMMITTEE

Alan Sweeney, Chair

Mary Mawhinney, Vice-Chair

Wayne Gustina

Marilynn Jensen

Philip Ownes

FISCAL NOTE:

No fiscal impact.

Jeffrey A. Smith
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action by Wisconsin Statutes Sections _____. The Ordinance as revised and adopted would be consistent with all statutes cited.

Eugene R. Dumas
Deputy Corporation Counsel

DRAFT: 9-6-2011

BEFORE THE STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

In the matter of the Secretary's Order pertaining to modification of the deadline for counties to enact or amend a shoreland zoning and subdivision ordinance in compliance with the revised statewide minimum shoreland zoning standards under ch. NR 115, Wisconsin Administrative Code.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

1. Wisconsin's minimum shoreland zoning standards were originally promulgated as ch. NR 115, Wisconsin Administrative Code (NR 115), in the late 1960's. Many of the basic standards have remained unchanged since the rule was originally adopted over 40 years ago. Ch. NR 115 standards are implemented by counties through their shoreland zoning and subdivision ordinances.
2. On February 1, 2010, revisions to the statewide minimum shoreland zoning standards in ch. NR 115 went into effect. These revisions were the result of a rulemaking process that involved six years of advisory committee meetings, eight listening sessions in 2003, two rounds of public hearings in 2005 and 2007, and over 50,000 public comments.
3. Section NR 115.06(2)(b)1.a., gives counties two years from the effective date of the rule, which means until February 1, 2012, to amend or enact an ordinance that complies with the revised statewide minimum shoreland zoning standards set out in ch. NR 115.
4. While some of the basic standards in ch. NR 115 remain the same, there are a number of new standards that are unfamiliar to many counties in Wisconsin. As a result, a number of counties have raised concerns and posed implementation and policy questions for the department.
5. As a result of economic downturn, many counties are facing staff shortages or budgetary concerns which are limiting their ability to complete ordinance revisions to comply with ch. NR 115 by February 1, 2012.
6. Extending the deadline for counties to revise their shoreland zoning and subdivision ordinances will provide additional time for the department to work with counties to answer key policy and implementation questions. Additional time will also allow counties to plan for sufficient staffing to complete ordinance revisions.
7. The legislature has requested that the department complete an economic impact analysis of ch. NR 115 by December 31, 2011. Additional time will also allow the department time to complete this analysis and meet the department's responsibilities and duties to the counties.

8. Based on the facts in Findings of Fact 4 and 5 and for the reasons noted in Findings of Fact 6 and 7, the Department has determined that it is in the public interest to extend the time period in which counties must amend their shoreland zoning and subdivision ordinances

CONCLUSIONS OF LAW

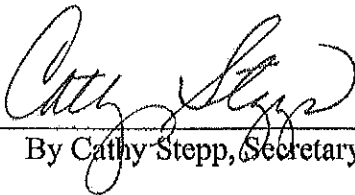
1. According to s. NR 115.06(3)(c), Wis. Adm. Code, the department may extend the time period specified for adoption or amendment of county ordinances if it determines that an extension is in the public interest.

ORDER

1. *Amendments to ordinance.* Notwithstanding all other provisions of ch. NR 115, Wis. Adm. Code, which remain in effect, the deadline specified in s. NR 115.06(2)(b)1.a., by which a county shall amend or enact a shoreland zoning and subdivision ordinance in compliance with s. 59.692, Wis. Stats., is extended from February 1, 2012 to February 1, 2014.

Date at Madison, WI, 9-12-11

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES


By Cathy Stepp, Secretary

Account Number	Name	Yearly Prct Appropriation Spent	YTD Expenditure	Encumb Amount	Unencumb Balance	Inv/Enc Amount	Total
6464000000-63107	PUBL & LEGAL	675.00 0.0%	355.62	-355.61	674.99		
	P1100520-PO# 09/08/11 -VN#011191		BELOIT DAILY NEWS			149.12	
			CLOSING BALANCE		525.87		149.12
6464000000-63201	BOOKS	300.00 8.4%	25.34	0.00	274.66		
ENC	R1103402-PO# 09/07/11 -VN#036201		AMAZON.COM			32.97	
			CLOSING BALANCE		241.69		32.97
6464000000-64200	TRAINING EXP	2,298.00 61.9%	1,423.53	0.00	874.47		
	09/08/11 -VN#043273		BAKER, ANDREW			236.53	
			CLOSING BALANCE		637.94		236.53
	PLANNING		PROG-TOTAL-PO			418.62	

I HAVE EXAMINED THE PRECEDING BILLS AND ENCUMBRANCES IN THE TOTAL AMOUNT OF \$418.62 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

SEP 22 2011

DATE _____ CHAIR

Account Number	Name	Yearly Prcnt Appropriation Spent	YTD Expenditure	Encumb Amount	Unencumb Balance	Inv/Enc Amount	Total
6464200000-64200	TRAINING EXP	575.00 46.0%	265.00	0.00	310.00		
		09/08/11 -VN#029132	OTTERSTEIN, JAMES			160.00	
			CLOSING BALANCE		150.00		160.00
		ECONOMIC DEVELOP	PROG-TOTAL-PO			160.00	

I HAVE EXAMINED THE PRECEDING BILLS AND ENCUMBRANCES IN THE TOTAL AMOUNT OF \$160.00 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 22 2011

DATE _____ CHAIR

PUBLIC MEETING NOTICE

County of Rock
Community Development Block Grant (CDBG) - Small Cities
Housing Repair Program

Rock County Courthouse
Courthouse Conference Room
51 S. Main Street
Janesville, Wisconsin

8:00 A.M., Thursday, September 22, 2011

The County of Rock will conduct a public meeting regarding the 2010-2012 Rock County Community Development Block Grant Housing Repair program. The public is invited to attend to learn about the CDBG program, and to help identify additional local housing and community development needs.

The Program offers 0% interest loans to owner income families and to property owners who rent to lower income families to make needed repairs to their homes.

Loans are also available to help purchase a home and to make handicapped accessibility improvements.

The Program is available in Rock County outside of the Cities of Beloit and Janesville.

Potential applicants and those who may be interested in the program are encouraged to find out more about the Program. Residents who may qualify and may be interested in applying for the program are encouraged to attend this meeting.

The meeting room is handicapped accessible.

Persons needing additional accessibility accommodations or who have additional questions should contact the Rock County Planning & Development Agency, at 757-5587.

Department Planning and Development

Budget Analysis by Program

Programs	Base Budget	Economic Development	Economic Development WDF- Revolving		Address Signs		Community Development	Budget Summary
Positions	8.40	1.00	0.00	0.00	0.00	0.00	2.00	11.40
Salaries	\$486,974	\$78,947	\$0		\$0		\$109,286	\$675,207
Fringe Benefits	\$213,370	\$35,774	\$0		\$0		\$47,054	\$296,198
Operating Expenses	\$17,878	\$7,257	\$106,000		\$3,000		\$417,691	\$551,826
Capital Outlay	\$1,840	\$0	\$0		\$0		\$0	\$1,840
Allocation of Services	(\$81,443)	(\$12,000)	\$0		\$0		(\$183,699)	(\$277,142)
Subtotal	\$638,620	\$109,978	\$106,000	\$0	\$3,000	\$0	\$390,332	\$1,247,930
Indirect Cost Alloc.	\$0	\$0	\$0		\$0		\$0	\$0
Total	\$638,620	\$109,978	\$106,000	\$0	\$3,000	\$0	\$390,332	\$1,247,930
Revenue	\$65,450	\$0	\$106,000		\$3,000		\$380,221	\$554,671
Fund Bal. Applied	\$0	\$0	\$0		\$0		\$0	\$0
County Share	\$573,170	\$109,978	\$0	\$0	\$0	\$0	\$10,111	\$693,259

2012 Board of Adjustment - Revenue/Expense Summary (Estimated)

PROPOSED APPLICATION FEE.....\$750 PER CASE
ESTIMATED CASELOAD.....4 CASES PER CALENDAR YEAR

ESTIMATED REVENUE

Permits (Applications)..... \$3,000
TOTAL REVENUES..... \$3,000

ESTIMATED EXPENSES

Per Diems \$1,098
FICA \$69
Contracted Personnel Services \$1,760
Office Supplies..... \$15
Postage..... \$47
Public & Legal Notices \$205
TOTAL EXPENSES \$3,194

Per case cost [based on 4 cases per year (\$3,194/4 cases)] \$798.50
Proposed Application Fee..... \$750.00
Difference <\$48.50>

*Contracted Personnel Service calculation:
10 hours [average staff hours per case] x 4 cases per year x \$44/hr. [average hourly rate (2 staff)] = \$1,790*