



PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, SEPTEMBER 25, 2014 – 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 11, 2014
4. Citizen Participation, Communications and Announcements
5. Code Administration & Enforcement
 - A. **Action Item:** Public Hearing Shoreland Conditional Use Permit – John Kinnett
 - B. **Action Item:** Review & Approval Shoreland Conditional Use Permit – John Kinnett
6. Finance
 - A. **Action Item:** Department Bills/Transfers/Pre-Approved Encumbrances and Amendments to Encumbrances
7. Corporate Planning
 - A. **Action Item:** Resolution – Proclaiming September 28th thru October 4th, 2014 as Fair Housing Week.
8. Committee Reports
9. Directors Report
 - A. Farmland Preservation/Shoreland Zoning
10. Adjournment

Future Meetings/Work Sessions

October 9, 2014 (8:00 am)
October 23, 2014 (8:00 am)
November 13, 2014 (8:00 am)
December 11, 2013 (8:00 am)



September 8, 2014

LEGAL NOTICE

Notice is hereby given that the Rock County Planning & Development Committee will hear a request from John Kinnett for a Conditional Use Permit for a Shoreland project. Activities associated with rebuilding a restaurant/bar, soil disturbance and placement of fill, will take place within the Shoreland District of the Rock River. This request is being made in compliance with Section 4.208(2)(A) of the County Shoreland Zoning Ordinance.

The property is located in the NW1/4 of the NE1/4 of Section 12 of Fulton Township. More commonly know as 718 E. HWY 59, Edgerton, 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 25, 2014.

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

Colin Byrnes
Acting Director of Planning, Economic & Community Development

LG2014 011 Kinnet

Fee: \$600

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

PO BOX
31
Edgerton 53534



AGENCY USE ONLY	
Application No.	Shoreland CUP SL-003
Date Received	9/3/14
Received by	CB

SHORELAND CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

OWNER INFORMATION

(1) Name	John Kinnett / Anchor Inn	Telephone	921-9453				
Address	718 Hwy 59	City	Edgerton	State	WI	Zip	53534

PROPERTY INFORMATION

LOCATION

Subdivision Name	Lot 3 CSM V. 10 Pgs. 446-447	Lot & Block	Parcel 6-6-108.1C
Lot Size	36,095 sf	Present Use	Commercial
Present Improvements on Land	Pavilion, deck & parking		
Proposed Use or Activity	Construct bar & restaurant (fire) / Floodproof		

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	to be determined
Amount of disturbed area (square feet)	> 1,000 sf.
Planned Completion Date	May 15

**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 4.213 of the Rock County Zoning Ordinance for: Shorelands.

SIGNATURE

Property Owner OR Agent/Surveyor _____

Approved by the Rock County Planning & Development Committee on _____

Committee Designee _____ Date _____



ROCK COUNTY GOVERNMENT
Planning & Development Agency

MEMORANDUM

TO: Rock County Planning and Development Committee

FROM: Planning & Development Agency Staff

SUBJECT: Shoreland Conditional Use Permit 2014 003 – John Kinnett
Lot 3, CSM Vol. 10 Pgs. 446-447, Parcel 6-6-108.1C, 718 E. HWY 59, NW1/4 of
the NE1/4 Section 12, Fulton Township

DATE: September 18, 2014

Summary:

Zoning of Shorelands Rock County Code of Ordinances (Chapter 4 Part 2 Subpart 1) 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 (CUP). These types of permits require a public hearing, review and action (to deny, approve or approve with conditions) by the Planning & Development Committee.

Per Section 4.213(3) (C) Administrative Provisions a Conditional Use Permit in the Shoreland District shall be issued only upon satisfaction of the following requirements:

1. The maintenance of safe and healthful conditions.
2. The prevention and control of water pollution including sedimentation
3. Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage.
4. The erosion potential of the site based on the degree and direction of slope, soil type and vegetative cover.
5. The location of the site with respect to existing or future access roads.
6. The need of the proposed use for a shoreland location.
7. Its compatibility with uses on adjacent land.
8. The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal system.
9. Location factors under which:
 - a. Domestic uses shall be generally preferred;
 - b. Uses not inherently a source of pollution within the area shall be preferred over uses that are or may be a pollution source;

- c. Use locations within an area tending to minimize the possibility of pollution shall be preferred over a use locations tending to increase that possibility. Additional standards such as parking, noise, etc...maybe refer to applicable parts of the ordinance.

A Conditional Use Permit in the Shoreland District is based on the amount of land disturbance created by the use. Section 4.208 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.

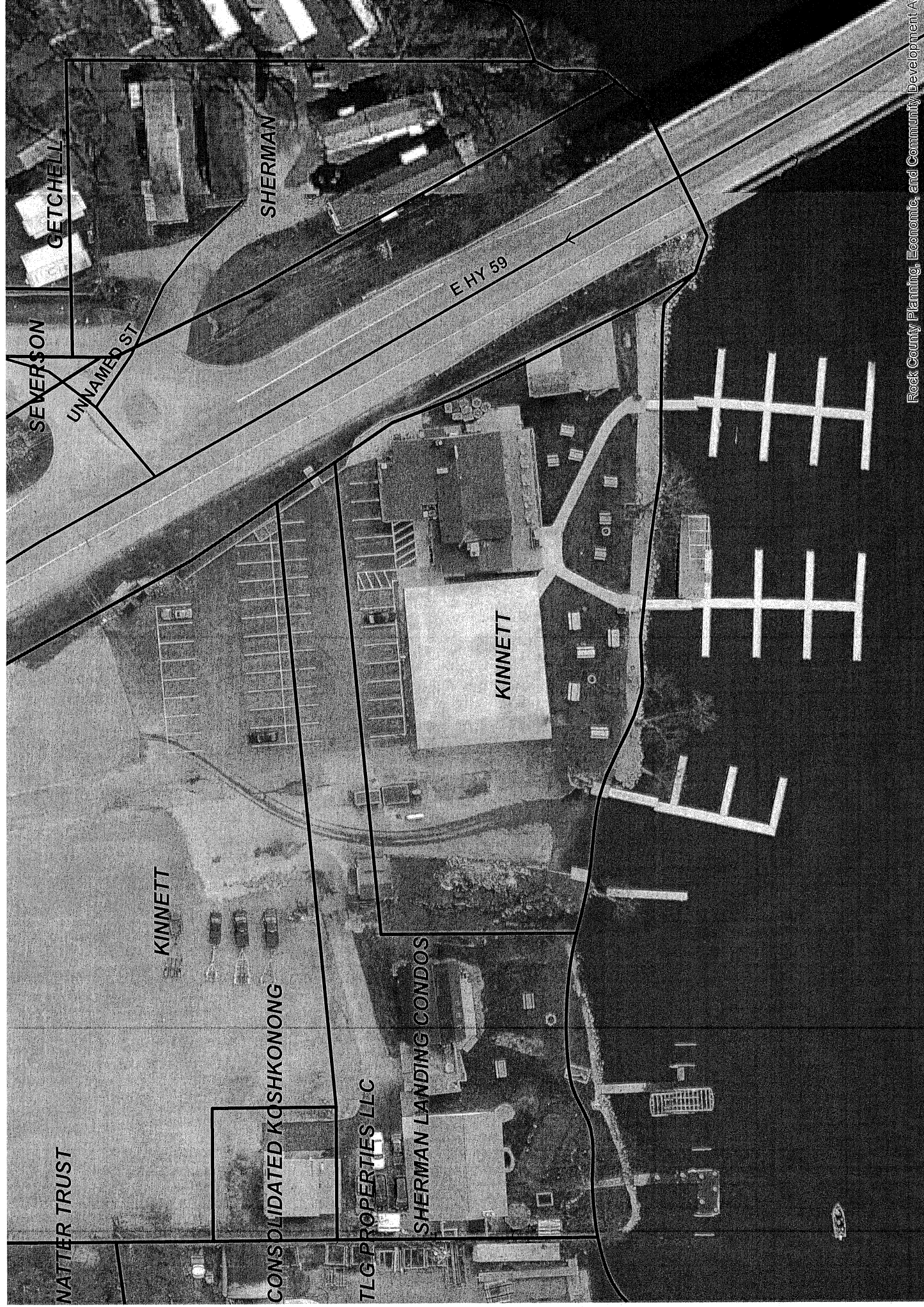
Planning & Development Agency Staff has received a request from John Kinnett (Anchor Inn) for a Shoreland Conditional Use Permit (CUP) for disturbing ground and placing fill adjacent to the Rock River. This application addresses a proposed project to rebuild a restaurant/tavern that recently was damaged by fire. Additionally, the project addresses the requirement for compliance with the Floodplain Zoning Ordinance.

Section 4.211(2) allows nonconforming structures (those existing at time of Ordinance adoption) to be restored to the size, location and use that it had immediately before the damage or destruction occurred. Therefore, the restaurant/tavern may be replaced in the same footprint although it does not meet setbacks. The Applicant is also proposing facility expansion to the west included a revised ADA entrance and a "pavilion". The sketch plan also shows enclosing an area of the original building. These proposals are not eligible for consideration under Section 4.211(2) but, must be code compliant as new construction.

Recommendation(s) or Action(s):

P&D Agency Staff recommends issuance of a Shoreland Conditional Use Permit to reconstruct the fire damaged nonconforming restaurant/tavern and for code compliant facility expansion with the following conditions:

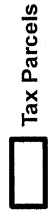
1. Compliance with Floodplain Zoning (FEMA).
2. The Applicant's project is reviewed and approved by the Wisconsin Department of Transportation.
3. Applicant shall apply for and obtain a Rock County Erosion Control Permit from the Land Conservation Department.
4. This permit expires one year from the date of Committee approval, however, all earthwork and grading must be completed and the disturbed areas must be seeded or otherwise stabilized prior to September 15, 2015 (if this is a spring project).



Rock County Planning, Economic, and Community Development Agency



Kinnett Property
Parcel 16-6-108.1C
718 E HWY 59



1 inch = 60 feet
Airphoto: Spring 2011



Rock County Geographic Information System, GIS
Rock County Planning, Economic and Community Development Agency

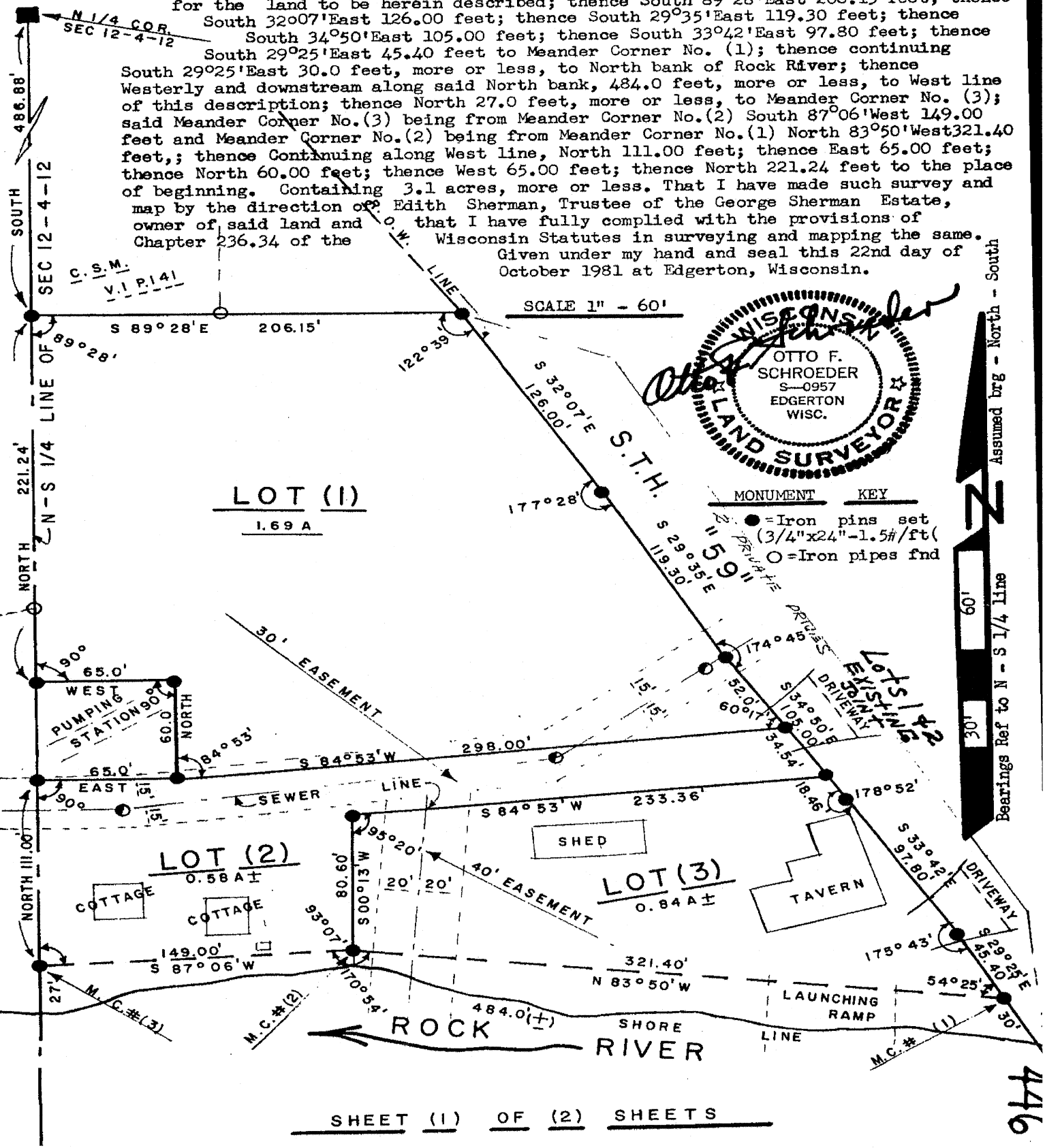
894 CERTIFIED SURVEY MAP

OF PART OF THE NE 1/4 OF SECTION 12, T. 4 N., R. 12 E. OF THE 4th P.M.,
FULTON TOWNSHIP, ROCK COUNTY, WISCONSIN.

SURVEYORS CERTIFICATE

State of Wisconsin I, Otto F. Schroeder, a Registered Land Surveyor, do hereby certify
County of Rock S.S. that I have surveyed and mapped part of the NE 1/4 of Section 12,
T. 4 N., R. 12 E. of the 4th P.M., Fulton Township, Rock County, Wisconsin.

DESCRIBED AS FOLLOWS: Commencing at the North 1/4 Corner of Section 12 - 4 - 12; thence
South, along the North - South 1/4 line of said Section, 486.88 feet to the place of beginning
for the land to be herein described; thence South 89°28' East 206.15 feet; thence
South 32°07' East 126.00 feet; thence South 29°35' East 119.30 feet; thence
South 34°50' East 105.00 feet; thence South 33°42' East 97.80 feet; thence
South 29°25' East 45.40 feet to Meander Corner No. (1); thence continuing
South 29°25' East 30.0 feet, more or less, to North bank of Rock River; thence
Westerly and downstream along said North bank, 484.0 feet, more or less, to West line
of this description; thence North 27.0 feet, more or less, to Meander Corner No. (3);
said Meander Corner No. (3) being from Meander Corner No. (2) South 87°06' West 149.00
feet and Meander Corner No. (2) being from Meander Corner No. (1) North 83°50' West 321.40
feet; thence continuing along West line, North 111.00 feet; thence East 65.00 feet;
thence North 60.00 feet; thence West 65.00 feet; thence North 221.24 feet to the place
of beginning. Containing 3.1 acres, more or less. That I have made such survey and
map by the direction of Edith Sherman, Trustee of the George Sherman Estate,
owner of said land and that I have fully complied with the provisions of
Chapter 236.34 of the Wisconsin Statutes in surveying and mapping the same.
Given under my hand and seal this 22nd day of
October 1981 at Edgerton, Wisconsin.

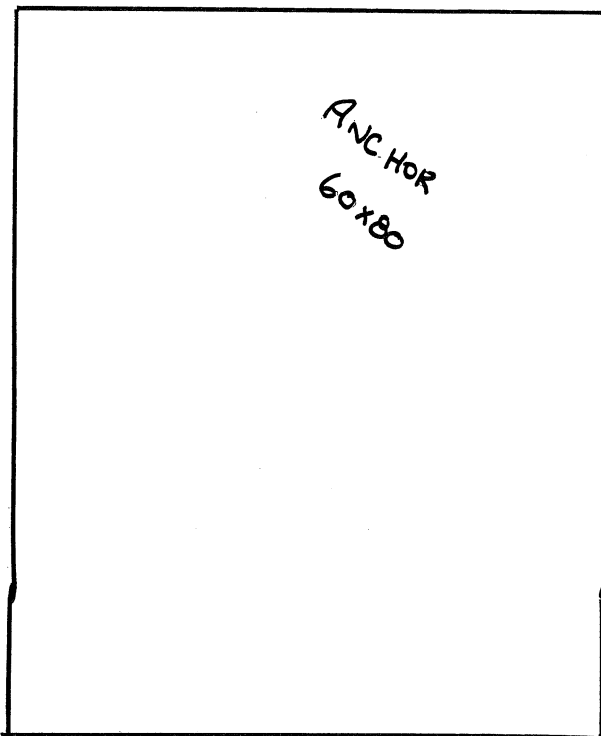


MONUMENT KEY
 ● = Iron pins set (3/4" x 24" - 1.5#/ft)
 ○ = Iron pipes found

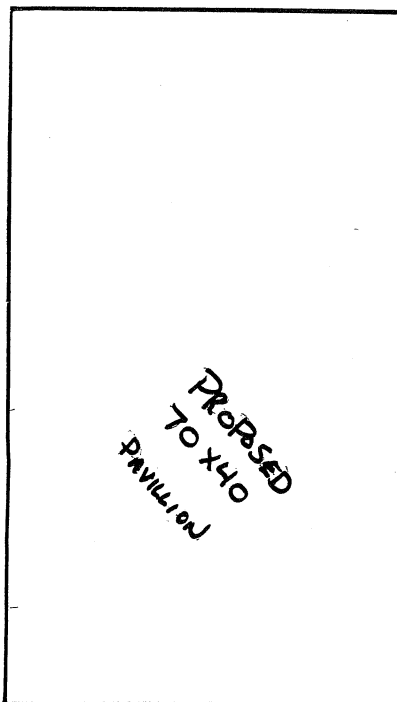
Assumed brg - North - South
 Bearings Ref to N - S 1/4 Line

4746

HWY 59



8' ADA & ENTRANCE



RAMP

COMMITTEE APPROVAL REPORT

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
64-6460-0000-82119 ENC	OTHER SERVICES				
		R1403396	09/10/2014	WISCONSIN PARTNERSHIP FOR HOUSING	56,250.00
		P1403063	09/04/2014	WISCONSIN PARTNERSHIP FOR HOUSING	9,217.60
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	0.00	0.00	0.00	65,467.60	(65,467.60)
HOUSING GRANT CLEARING ACCOUNT PROG TOTAL				65,467.60	

I have examined the preceding bills and encumbrances in the total amount of **\$65,467.60**

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 Finance Committee and County Board.
- B. Bills under \$10,000 to be paid.
- C. Encumbrances under \$10,000 to be paid upon acceptance by the Department Head.

Date: **SEP 25 2014**

Dept Head _____

Committee Chair _____

RESOLUTION NO. _____

AGENDA NO. _____

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Planning & Development Agency
INITIATED BY



Colin Byrnes
DRAFTED BY

Planning & Development Committee
SUBMITTED BY

September 15, 2014
DATE DRAFTED

**ROCK COUNTY FAIR HOUSING WEEK - SEPTEMBER 28th thru OCTOBER
4th, 2014**

- 1 **WHEREAS**, 2014 is the 46th anniversary of the passage of Title VIII of the Civil Rights Act of 1968,
- 2 known as the Federal Fair Housing Law, and Wisconsin is celebrating the 49th anniversary of the
- 3 Wisconsin Open Housing Law; and,
- 4
- 5 **WHEREAS**, fair housing occurs when people have a wide range of housing choices based on their
- 6 income and needs regardless of race, color, sex, sexual orientation, religion, national origin, ancestry, age,
- 7 marital status, lawful source of income, disability, family status or status as a victim of domestic abuse,
- 8 sexual abuse or stalking.
- 9
- 10 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled
- 11 this _____ day of _____, 2014 does hereby proclaim September 28th thru October 4th, 2014
- 12 to be Fair Housing Week and wish continued success in breaking the barriers that limit the realization of
- 13 equal housing opportunity for everyone.

Respectfully submitted,

PLANNING & DEVELOPMENT COMMITTEE

Alan Sweeney, Chair

Mary Mawhinney, Vice Chair

Wayne Gustina

Wes Davis

Jason Heidenreich

EXECUTIVE SUMMARY

This resolution proposes proclaiming the week of September 28th thru October 4th, 2014 as "Fair Housing Week" in Rock County. This year marks the 46th anniversary of the passage of Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the 49th anniversary of the Wisconsin Open Housing Law. Rock County, as a participant in the Community Development Block Grant (CDBG) Southern Housing Region Program, is required to support, endorse and ensure compliance with Fair Housing Laws and regulations. Passing this resolution will fulfill a contractual requirement for the Southern Housing Region Program.