



PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, NOVEMBER 13, 2014 – 8:15 A.M.
(or immediately following the joint meeting)
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 23, 2014
4. Citizen Participation, Communications and Announcements
5. Code Administration & Enforcement
 - A. **Action Item:** Public Hearing Shoreland Conditional Use Permit – Beloit Club Holdings, LLC
 - B. **Action Item:** Review & Approval Shoreland Conditional Use Permit – Beloit Club Holdings, LLC
 - C. **Action Item:** Preliminary Land Division Approval
 - LD2014 033R (Harmony Township) – Voda Properties LLC
 - LD2014 040 (Clinton Township) – Redner Trust
 - LD2014 041 (Clinton Township) – Redner Trust
 - LD2014 042 (Center Township) – Gary Blue
6. Finance
 - A. **Action Item:** Department Bills/Transfers/Pre-Approved Encumbrances and Amendments to Encumbrances
7. Community Development
 - A. **Action Item:** Request to Remove Restrictions CDBG-EAP Grant – Rosati's Pizza Pub Development – Edgerton, LLP
 - B. **Action Item:** Review and Recommendation – Resolution Amending the 2014 Community Development HOME Program Budget and Authorizing Reimbursement of Community Development HOME Program Funds

8. Corporate Planning

- A. **Action Item:** Public Hearing - Rock County Agriculture Plan 2013 Update
- B. **Action Item:** Review and Recommendation - Resolution Rock County Agriculture Plan 2013 Update
- C. **Action Item:** Public Hearing - Amending Chapter 4 Part 2 of the Rock County Shoreland Zoning Ordinance and Creating 4.218 and Authorizing an Intergovernmental Agreement between Rock County and the 20 Towns in Rock County
- D. **Action Item:** Review and Recommendation - Amending Chapter 4 Part 2 of the Rock County Shoreland Ordinance and Creating 4.218 and Authorizing an Intergovernmental Agreement between Rock County and the 20 Towns in Rock County

9. Committee Reports

10. Directors Report

- A. Farmland Preservation/Shoreland Zoning Meeting

11. Adjournment

Future Meetings/Work Sessions

December 11, 2013 (8:00 am)

January 8, 2015 (8:00 am)

January 22, 2015 (8:00 am)



October 17, 2014

LEGAL NOTICE

Notice is hereby given that the Rock County Planning & Development Committee will hear a request from the Country Club of Beloit for a Conditional Use Permit for a Shoreland project for activities associated with rebuilding an access/driveway to a golf course facility. Construction 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 NE1/4 of Section 23 and NW1/4 of Section 24 of Beloit Township. More commonly know as 2327 S. Riverside Dr., Beloit, 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, November 13, 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 014 Beloit Country Club

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



AGENCY USE ONLY
RECEIVED
 SLCUP-004
 OCT 28 2014
 ROCK CO. PLANNING, ECONOMIC AND
 COMMUNITY DEVELOPMENT AGENCY

SHORELAND CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

OWNER INFORMATION

(1) Name	Beloit Club Holdings, LLC			Telephone	(608) 362-8981		
Address	525 3rd Street Suite 300	City	Beloit	State	WI	Zip	53511

PROPERTY INFORMATION

LOCATION

Subdivision Name	See Attached Legal Description		Lot & Block	See Attached Legal Description		
Lot Size	103.287 Acres	Present Use	Country Club			
Present Improvements on Land	Golf course, club house with restaurant, tennis courts, pool and accessory buildings					
Proposed Use or Activity	Golf course, club house with restaurant, pools and accessory buildings					

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	7,100
Amount of disturbed area (square feet)	167,500
Planned Completion Date	July 1, 2015

**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 Richard F. Gerdeman III

Richard F. Gerdeman III - Owners Agent

Approved by the Rock County Planning & Development Committee on _____
 Committee Designee _____ Date _____

PROPERTY LOCATED AT 2327 S. RIVERSIDE DRIVE, BELOIT WISCONSIN

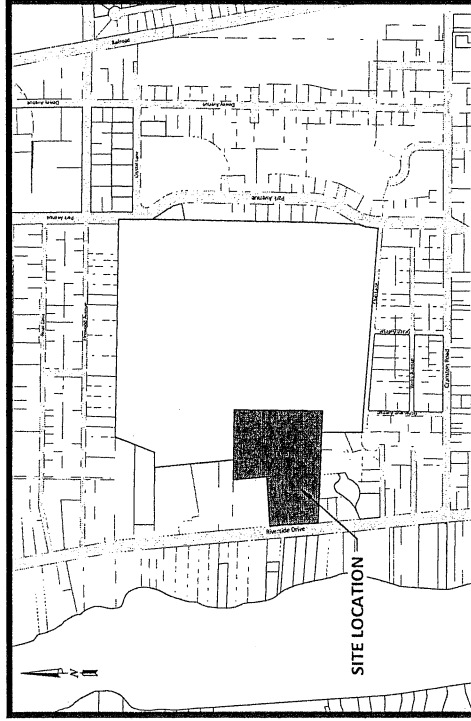
LOTS 35 AND 36 OF CRAM'S SUBDIVISION OF ELMWOOD ACRES, LOT 4 OF A RESUBDIVISION OF LOT 1 AND PART OF LOT 2 OF FAIR OAKS, ALSO OUT-LOT 13-10 OF SECTION 13, OUT-LOT 14-34 AND PART OF OUT-LOT 14-33 OF SECTION 14, OUT-LOT 23-1 AND 23-5 OF SECTION 23, OUT-LOT 24-4 AND PART OF OUT-LOT 24-5 OF SECTION 24 ALL IN T. 1 N., R 12 E. OF THE 4TH P.M., BELOIT TOWNSHIP, ROCK COUNTY, WISCONSIN.

BELOIT CLUB IMPROVEMENTS PHASE 2

TOWN OF BELOIT
ROCK COUNTY, WISCONSIN

LEGEND

---	EXISTING CONTOUR
---	PROPOSED CONTOUR
---	UNDERGROUND ELECTRIC LINE
---	UNDERGROUND FIBER OPTIC
---	UNDERGROUND GAS LINE
---	UNDERGROUND STORM SEWER
---	UNDERGROUND WATER LINE
---	EXISTING CONCRETE PAVEMENT
---	PROPOSED HMA PAVEMENT



SHEET LIST

Sheet 1	Cover Sheet
Sheet 2	Existing Conditions
Sheet 3	Removals Plan
Sheet 4	Layout Plan
Sheet 5	Grading & Drainage Plan
Sheet 6	Utility Plan
Sheet 7	Erosion Control Plan
Sheet 8	Erosion Control Notes
Sheet 9	Erosion Control Details
Sheet 10	Details & Standards
Sheet 11	Details & Standards

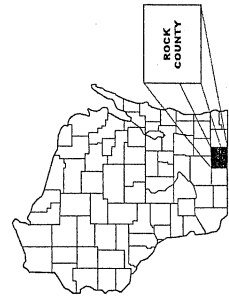
FOR AGENCY APPROVAL

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FOR AGENCY APPROVAL



DIGGERS HOTLINE
Dial 811 or (800) 242-8511
www.DiggersHotline.com

DESIGN CONSULTANT
R. H. Batterman & Co., Inc.
Richard F. Gardeman III, PE
301 E. Milwaukee St.
Beloit, WI 53511
608-365-4464
rgardeman@hbatterman.com

CABLE TV
Cable Communications
Tom Phillips
P.O. BOX 1127
Janesville, WI 53547
608-757-7537
608-709-4821 Cell
thomas.phillips@charter.com

UTILITY CONTACTS

TELEPHONE
Shane Lovelie
301 E. Milwaukee St.
Janesville, WI 53545
608-757-7537
608-709-4821 Cell
608-757-4821@att.com

GAS/ELECTRIC
Frank McManis
Zoung Stacks
965 W BR Townline Rd
Beloit, WI 53511
608-364-6958

TOWN OF BELOIT CONTACTS

ENGINEERING DEPARTMENT
R. H. Batterman & Co., Inc.
2857 Bartells Drive
Beloit, WI 53511
608-365-4464

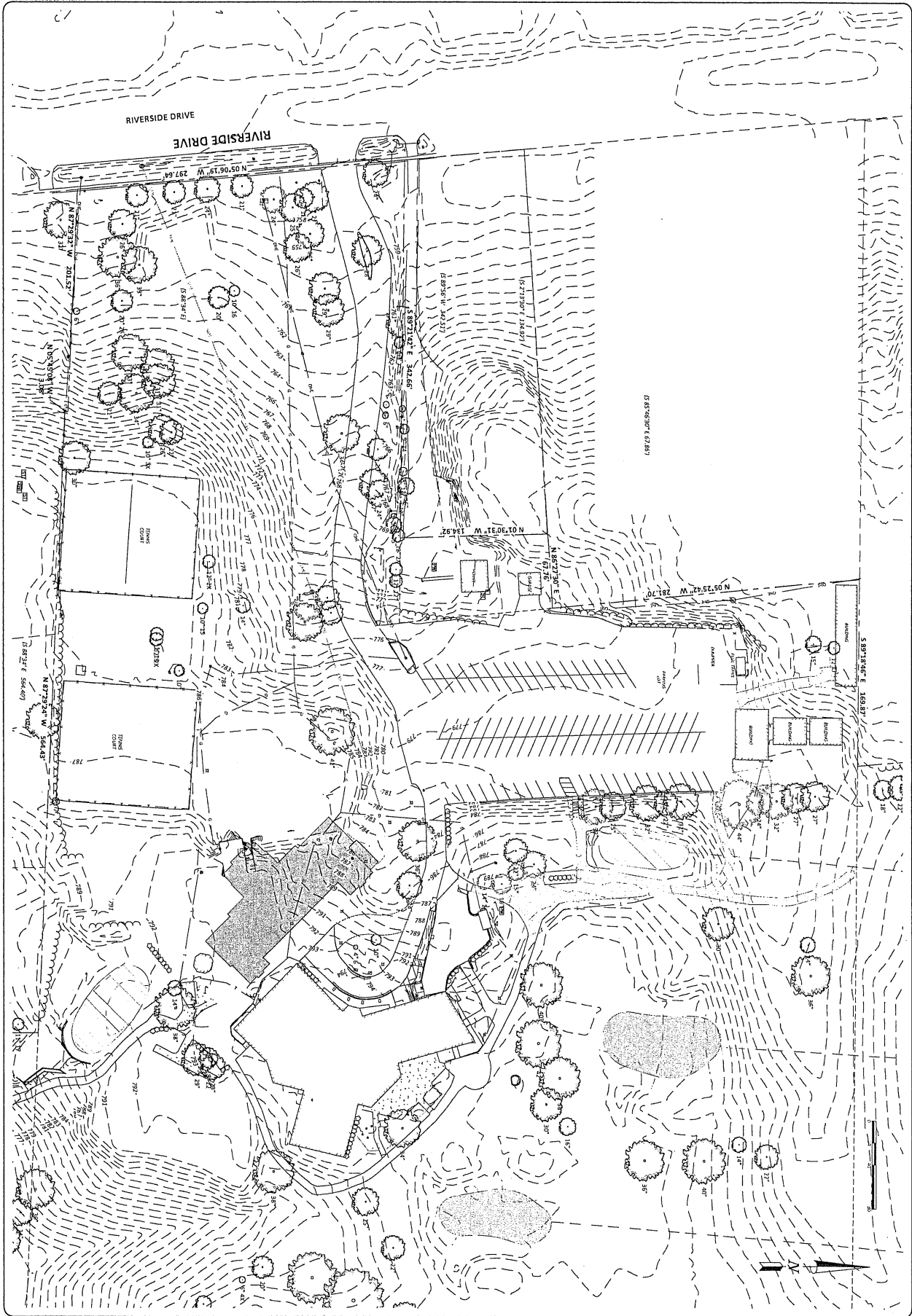
SANITARY & STORM SEWERS
Howard Hoyer
Town of Beloit
3629 S. Walters Road
Beloit, WI 53511
608-364-2582

WATER
Mike Tricker
City of Beloit
2400 Springbrook Court
Beloit, WI 53511
608-364-2885
mtricker@ci.beloit.wi.us

DATE	10/27/2014
DESIGNED BY	RG
DRAWN BY	RG
CHECKED BY	XX
APPROVED BY	XX
SCALE	AS SHOWN

COVER SHEET

31974-111E PHASE 2.DWG
ROCK COUNTY, WISCONSIN
PHASE 2
BELOIT CLUB IMPROVEMENTS



2 OF 11
 SHEET NO.
 BELOIT CLUB IMPROVEMENTS
 PHASE 2
 TOWN OF BELOIT
 ROCK COUNTY, WISCONSIN
 31574-EXTG CONDITIONS PHASE 2.DWG

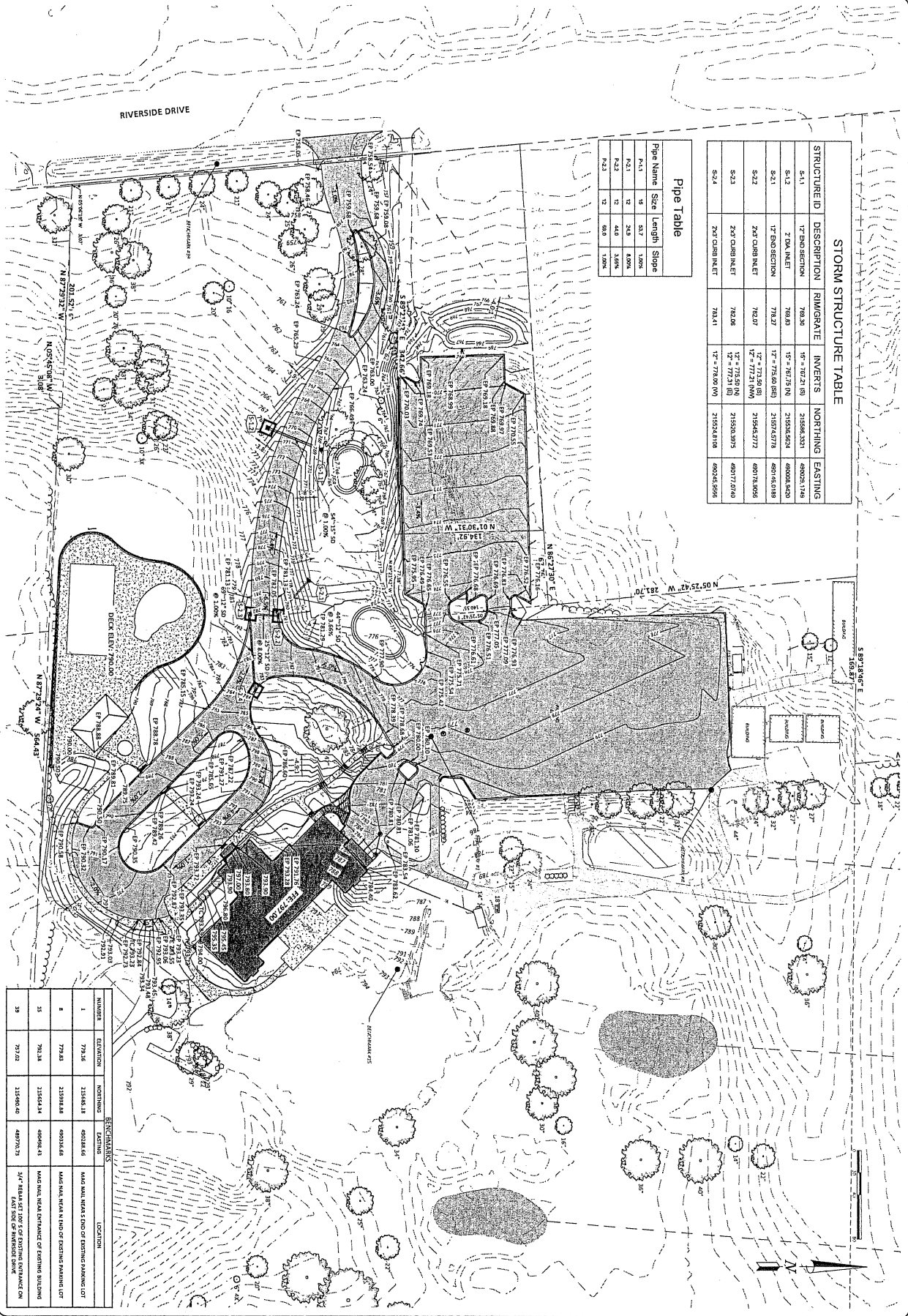
EXISTING CONDITIONS

NOTE: DIMENSIONAL DATA SHOWN TO BE OBTAINED BY SCALING ANY PORTION OF THIS DRAWING.

DESIGNED BY:	RG	10/24/2014
DRAWN BY:	RG/ES	10/24/2014
CHECKED BY:	XX	10/24/2014
APPROVED BY:	XX	10/24/2014
Activity	HGAH	Date

Batterman
 engineers surveyors planners

2857 Bartells Drive
 Beloit, Wisconsin 53511
 608.365.4464
 www.rhbatterman.com



STRUCTURE ID	DESCRIPTION	R/W/G/RATE	INVERTS	NORTHING	EASTING
S-1.1	12" EROD SECTION	789.36	15' = 787.21 (B)	215554.331	490283.1746
S-1.2	24" DIA. INLET	789.83	15' = 787.78 (N)	215554.5024	490284.5103
S-2.1	12" EROD SECTION	778.27	12' = 775.80 (S)	21571.6718	491165.6189
S-2.2	24" DIA. INLET	782.07	12' = 777.24 (S)	215545.2772	490178.8955
S-2.3	24" DIA. INLET	782.08	12' = 777.24 (S)	215550.3915	490177.9743
S-2.4	24" DIA. INLET	783.41	12' = 778.00 (W)	215524.4108	490245.8592

Pipe Name	Size	Length	Slope
P-1.1	18"	53.7	1.00%
P-2.1	12"	24.9	4.00%
P-2.2	12"	44.0	3.00%
P-2.3	12"	95.0	1.00%

NUMBER	ELEVATION	NORTHING	EASTING	LOCATION
1	779.34	215465.14	490245.14	MAIN BUILDING END OF EXISTING PARKING LOT
8	779.83	215588.84	490333.84	MAIN BUILDING N END OF EXISTING PARKING LOT
11	782.34	215654.34	490444.34	MAIN BUILDING END OF EXISTING BUILDING
28	779.20	215800.40	489779.70	3/4" REBAR SET TOP OF EXISTING DRAINAGE ON CURB SIDE OF PARKING DRIVE

5 OF 11

SHEET NO.

BELOIT CLUB IMPROVEMENTS
PHASE 2
TOWN OF BELOIT
ROCK COUNTY, WISCONSIN

31974-GRADING PHASE 2.DWG

GRADING & DRAINAGE
PLAN

NOTE: DIMENSIONAL DATA IS NOT TO BE OBTAINED BY SCALING ANY PORTION OF THIS ENKAWING.

DESIGNED BY:	RG	10/24/2014
DRAWN BY:	RG/ES	10/24/2014
CHECKED BY:	XX	10/24/2014
APPROVED BY:	XX	10/24/2014
Agency	WHS	Date

Batterman
engineers surveyors planners

2857 Bartells Drive
Beloit, Wisconsin 53511
608.365.4464
www.rhbatterman.com



ROCK COUNTY GOVERNMENT
Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning and Development Committee

FROM: Planning & Development Agency Staff

SUBJECT: Preliminary Approval of Land Division

DATE: November 5, 2014

Summary:

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

- LD2014 033 (Harmony Township) – Voda Properties LLC
- LD2014 040 (Clinton Township) – Redner Trust
- LD2014 041 (Clinton Township) – Redner Trust
- Ld2014 042 (Center Township) – Gary Blue

Recommendation:

P&D Agency Staff recommends Preliminary Approval of LD2014 033, LD2014 040, LD2014 041 and LD2014 042 with conditions as indicated.

ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY
DEVELOPMENT AGENCY
51 SOUTH MAIN STREET
JANESVILLE, WI 53545

TELEPHONE: (608) 757-5587
FAX: (608) 757-5586
EMAIL: PLANNING@CO.ROCK.WI.US
WEB: WWW.CO.ROCK.WI.US



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AGENCY USE ONLY

Application Number: 2014 033 R

Received By - Date
(MM/DD/YYYY): 7-7-14

=====

PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM

****PLEASE DO NOT COMPLETE THIS APPLICATION FORM UNTIL YOU HAVE READ THE ROCK COUNTY PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM INFORMATION. PLEASE COMPLETE BOTH PAGES OF THIS FORM AND PREPARE A MAP CONTAINING ALL INFORMATION AS IDENTIFIED ON PAGE 2 OF THIS FORM.****

1. Applicant has contacted Town, Rock County Planning, Economic & Community Development Agency, and City(s)/Village (if land division is within Extra-Territorial Plat Approval Jurisdiction (ETJ) area) officials and these parties have determined land division is feasible: Yes No
2. Land division is consistent with Town's Comprehensive Plan – Future Land Use Map: Yes No
3. Land division area is located in a Farmland Preservation zoning district certified by the State of Wisconsin: Yes No
If you answered **Yes**, proceed to 4. If you answered **No**, proceed to 5.
4. Land division meets Town Base Farm Tract and any other applicable Farmland Preservation zoning district requirement: Yes No
5. Land division will require a zoning change: Yes No

APPLICANT INFORMATION

6. LANDOWNER OR AUTHORIZED LANDOWNER REPRESENTATIVE					
a. Name:	VODA PROPERTIES LLC			Telephone:	751-0262
Address:	5011 N BUCKSKIN DR	City:	JANESVILLE	State:	WI Zip: 53546
b. Name:				Telephone:	
Address:		City:		State:	Zip:
7. AGENT (SURVEYOR AND DEVELOPER)					
a. Surveyor name:	COMBS AND ASSOCIATES, INC			Telephone:	752-0575
Address:	109 W. MILWAUKEE ST	City:	JANESVILLE	State:	WI Zip: 53548
b. Developer name:				Telephone:	
Address:		City:		State:	Zip:
8. Identify the individual from 6. or 7. that will serve as the primary contact: <input type="checkbox"/> 6a. <input type="checkbox"/> 6b. <input checked="" type="checkbox"/> 7a. <input type="checkbox"/> 7b.					

LAND DIVISION INFORMATION

9. Reason for land division: <input checked="" type="checkbox"/> Sale/ownership transfer <input type="checkbox"/> Farm consolidation <input type="checkbox"/> Refinance <input type="checkbox"/> Other:		
10. Land division area location:	Town of HARMONY Section 1	NW 1/4 of SE 1/4 Tax parcel number(s) - 6-7-8A
11. Land division area is located within the Extra-Territorial Plat Approval Jurisdiction (ETJ) Area of a City(s)/Village: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify: City(s)/Village of CITY OF JANESVILLE		
12. Land division area is located adjacent to (check all that apply): <input type="checkbox"/> Local/Town road <input checked="" type="checkbox"/> County highway <input type="checkbox"/> State highway <input type="checkbox"/> U.S. highway		
13. Landowner's contiguous property area (Square feet or acres): 84 ACRES ML	14. Land division area (Square feet or acres): 3.7 ACRES ML	15. Current zoning of land division area:
16. Number of new/additional lots created by land division:	17. Future zoning of new/additional lot(s) created by land division: A-3	18. Future zoning of parent lot: A-1
19. Covenants or restrictions will be placed on the land division area: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify covenants or restrictions:		
20. A residential building is currently located in the land division area: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, the building utilizes a: <input checked="" type="checkbox"/> Private onsite wastewater treatment system <input type="checkbox"/> Public sanitary sewer system		
21. Public improvement construction proposal/plan will be submitted by (mm/dd/yyyy): NONE		22. Public improvement construction will begin on (mm/dd/yyyy):

APPLICANT STATEMENT AND SIGNATURE

I, as the undersigned, am a landowner applying for a minor land division in unincorporated Rock County, or am serving as the primary contact for said landowner. I do hereby verify that I have reviewed the ROCK COUNTY PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM INFORMATION, reviewed and completed this application form, and submitted all information as required per said documents, and that all information is correct, accurate, and true to the best of my knowledge and belief, with all information accessible to me. These statements are being made to induce official action on the part of Rock County, its agents, employees, and officials.

LANDOWNER/PRIMARY CONTACT SIGNATURE: *Roll J. Laska* DATE: 7/2/14

APPLICATION CHECKLIST			
	Yes	No	Comment
1. Have you included a map clearly marked "PRELIMINARY PLAT OF SURVEY OR CERTIFIED SURVEY MAP", identifying the land division area and containing all of the following information?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Location of the land division area by section, township, and range:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Approximate location and dimension of all EXISTING streets and property lines, including name and ownership (if applicable), in and adjacent to the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. EXISTING/PROPOSED County, Town, and City/Village (if applicable) zoning designations of all EXISTING/PROPOSED lot(s) and outlot(s), in and adjacent to the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d. Approximate location and dimension of all PROPOSED lot(s), outlot(s) and blocks(s), numbered for reference, in the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
e. Indication of all PROPOSED lot(s) and outlot(s) use if other than single-family residential, in the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
f. Distance from all PROPOSED lot(s) and outlot(s) point of beginning to section corner or quarter corner, in the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
g. Approximate location, dimension (if applicable), and name (if applicable) of all of the following, whether EXISTING or PROPOSED, in the land division area:	<input type="checkbox"/>	<input type="checkbox"/>	
(1) Buildings:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(2) Streets, alleys, and public ways:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(3) Driveways:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(4) Rail lines:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(5) Private water wells or water supply systems:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(6) Private onsite wastewater treatment systems or public sanitary sewer systems:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(7) Any other public utilities:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BLDG. HAS UTILITY SERVICES
(8) Easements (Utility, drainageway, pedestrian way, etc.):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SHARES ACCESS POINT
(9) Vegetative land cover type:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE AIR PHOTO
(10) Environmentally sensitive areas (Floodplain, steep slope, etc.):	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(11) Productive agricultural soils, cultural resources, and woodlands:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(12) Surface water features:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(13) Drainageways:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(14) Detention or retention areas:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(15) Cemeteries:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(16) Bridges/culverts:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(17) Rock outcroppings:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
h. Approximate location, dimension, name (if applicable), and purpose of all dedicated public parks or outdoor recreation lands, or any other public or private reservation, including any conditions, in the land division area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
i. Preliminary concept for connection with existing public sanitary sewer and water supply system or an alternative means of providing water supply and treatment and disposal of sewage, in the land division area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
j. Preliminary concept for collecting and discharging stormwater, in the land division area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
k. Scale, north arrow, and date of creation:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
l. Any other information required by the Agency:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NOTHING REQUESTED
2. Has the map been prepared at a scale not to exceed two hundred (200) feet to the inch, with the map pages numbered in sequence if more than one (1) page is required, and total map pages identified on each page?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Has the map been prepared by a land surveyor licensed in Wisconsin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Have you provided all required application form information and has the required party signed this application form?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Have you included a hard copy of this application form and the map, an electronic copy of the map in a format compatible with the Agency's Geographic Information System (GIS), and the application fee?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

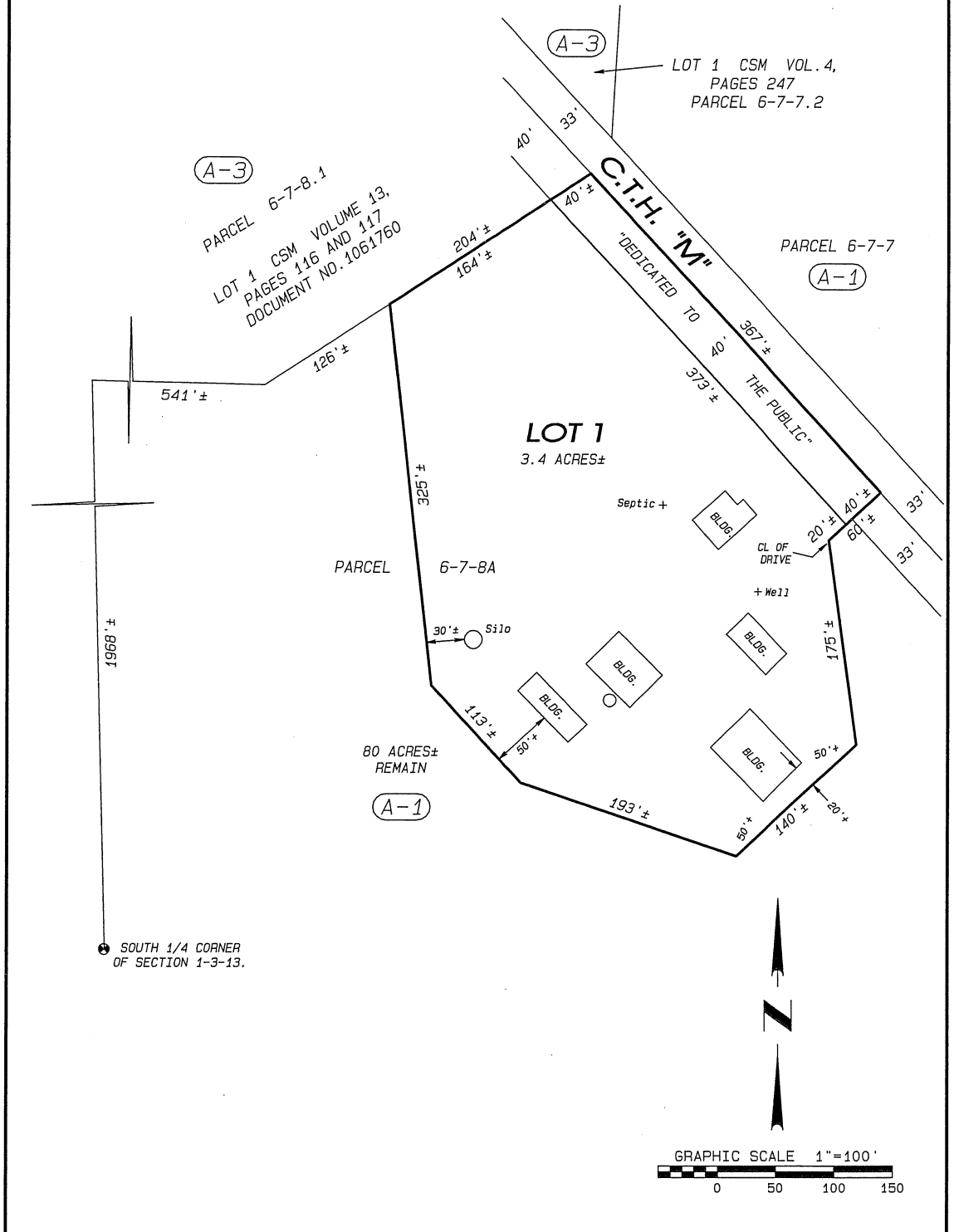
THANK YOU FOR COMPLETING THE ROCK COUNTY PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM.

PLEASE SEND VIA POSTAL MAIL, OR HAND-DELIVER, THIS FORM,
A HARD COPY AND ELECTRONIC COPY OF THE PRELIMINARY MAP, AND THE APPLICATION FEE TO:

ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY
51 N. MAIN ST.
JANESVILLE, WI 53545

PRELIMINARY CERTIFIED SURVEY MAP

PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 1, T.3N., R.13E. OF THE 4TH P.M., TOWN OF HARMONY, ROCK COUNTY, WISCONSIN.



NOTES:

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

THE BASIS OF BEARINGS IS ASSUMED.

Project No. 114 - 199 For: VODA

DATE: JULY 1, 2014

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

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

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



PRELIMINARY MINOR LAND DIVISION – APPLICATION: REVIEW, RECOMMENDATION, AND ACTION FORM

AGENCY REVIEW

1. Applicant has contacted Town, Rock County Planning and Development Agency, and City(s)/Village (if applicable) officials and these parties have determined land division is feasible: Yes No
2. Land division is consistent with Town's Comprehensive Plan – Future Land Use Map: Yes No
3. Land division is located in a Farmland Preservation zoning district certified by the State of Wisconsin: Yes No
If you answered **Yes**, proceed to **4**. If you answered **No**, proceed to **5**.
4. Land division meets Town Base Farm Tract and any other applicable Farmland Preservation zoning district requirement: Yes No
5. Land division is in an Agricultural Resources Priority Area, per the *Rock County Farmland Preservation Plan*: Yes No
6. Land division will require a zoning change: Yes No
7. Preliminary minor land division application is complete: Yes No

If you answered **Yes** to **7**., proceed to **9**. If you answered **No** to **7**., indicate the missing information below, **7a. – 7e**. After all missing information is supplied, proceed to **8**. An Agency recommendation (**10.**) will not be provided until all missing information has been supplied by the applicant.

	Missing Information
7a. A map clearly marked " <i>PRELIMINARY PLAT OF SURVEY OR CERTIFIED SURVEY MAP</i> ", identifying the land division area and containing all of the following information:	<input type="checkbox"/>
a. Location of the land division area by section, township, and range:	<input type="checkbox"/>
b. Approximate location and dimension of all EXISTING streets and property lines, including name and ownership (if applicable), in and adjacent to the land division area:	<input type="checkbox"/>
c. EXISTING/PROPOSED County, Town, and City/Village (if applicable) zoning designations of all EXISTING/PROPOSED lot(s) and outlot(s), in and adjacent to the land division area:	<input type="checkbox"/>
d. Approximate location and dimension of all EXISTING/PROPOSED lot(s), outlot(s), and block(s), numbered for reference, in the land division area:	<input type="checkbox"/>
e. Indication of all PROPOSED lot(s) and outlot(s) use if other than single-family residential, in the land division area:	<input type="checkbox"/>
f. Distance from all PROPOSED lot(s) and outlot(s) point of beginning to section corner or quarter corner, in the land division area:	<input type="checkbox"/>
g. Approximate location, dimension and name (if applicable) of all of the following, whether EXISTING or PROPOSED , in the land division area:	<input type="checkbox"/>
(1) Buildings:	<input type="checkbox"/>
(2) Streets, alleys, and public ways:	<input type="checkbox"/>
(3) Driveways:	<input type="checkbox"/>
(4) Rail lines:	<input type="checkbox"/>
(5) Private water wells or water supply systems:	<input type="checkbox"/>
(6) Private onsite wastewater treatment systems or public sanitary sewer systems:	<input type="checkbox"/>
(7) Any other public utilities:	<input type="checkbox"/>
(8) Easements (Utility, drainageway, pedestrian way, etc.):	<input type="checkbox"/>
(9) Vegetative land cover type:	<input type="checkbox"/>
(10) Environmentally sensitive areas (Floodplain, steep slope, etc.):	<input type="checkbox"/>
(11) Productive agricultural soils, cultural resources, and woodlands:	<input type="checkbox"/>
(12) Surface water features:	<input type="checkbox"/>
(13) Drainageways:	<input type="checkbox"/>
(14) Detention or retention areas:	<input type="checkbox"/>
(15) Cemeteries:	<input type="checkbox"/>
(16) Bridges/culverts:	<input type="checkbox"/>
(17) Rock outcroppings:	<input type="checkbox"/>
h. Approximate location, dimension, name (if applicable), and purpose of all dedicated public parks or outdoor recreation lands, or any other public or private reservation, including any conditions, in the land division area:	<input type="checkbox"/>
i. Preliminary concept for connection with existing public sanitary sewer and water supply system or an alternative means of providing water supply and treatment and disposal of sewage, in the land division area:	<input type="checkbox"/>
j. Preliminary concept for collecting and discharging stormwater in the land division area:	<input type="checkbox"/>

AGENCY REVIEW	
	Missing Information
k. Scale, north arrow, and date of creation:	<input type="checkbox"/>
l. Any other information required by the Agency:	<input type="checkbox"/>
7b. Map prepared at a scale not to exceed two hundred (200) feet to the inch, with the map pages numbered in sequence if more than one (1) page is required, and total map pages identified on each page:	<input type="checkbox"/>
7c. Map prepared by a land surveyor licensed in Wisconsin:	<input type="checkbox"/>
7d. All required application form information and required party's signature on the application form:	<input type="checkbox"/>
7e. A hard copy of the application form and the map, an electronic copy of the map in a format compatible with the Agency's Geographic Information System (GIS), and application fee:	<input type="checkbox"/>
8. Preliminary minor land division application is complete:	<input checked="" type="checkbox"/> Yes
9. Preliminary minor land division application has been provided to other reviewing parties for review and comment, and if these parties have comments, said comments have been provided to the Agency: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you answered No , the application must be provided to other reviewing parties before completing any further sections of this form.	

AGENCY RECOMMENDATION	
10. Agency recommendation: <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
11. If you answered Approve With Conditions to 10., list conditions (Use additional sheet (2a) if necessary):	
1. Note on Final CSM: "Since Lot 1 contains existing buildings which utilize an existing private sewage system no soil evaluation	
2. was required at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing system."	
3. 40' half road right of way dedicated along N. CTH M.	
12. Agency recommendation rationale and findings of fact (Use additional sheet (2a) if necessary):	
AGENCY SIGNATURE: <u>Colin M. Brynes</u>	DATE: <u>7/22/14</u>
TITLE: <u>Administrator - Rock County Planning, Economic & Community Development Agency</u>	

TOWN ACTION	
13. Town action: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
14. If you answered Approve With Conditions to 13., list conditions (Use additional sheet (2a) if necessary):	
1.	
2.	
3.	
15. Town action rationale and findings of fact (Use additional sheet (2a) if necessary):	
TOWN SIGNATURE: _____	DATE: _____
TITLE: _____	

PLEASE RETURN THIS FORM, VIA POSTAL MAIL OR EMAIL, TO:

ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY
51 N. MAIN ST.
JANESVILLE, WI 53545
EMAIL: BRYNES@CO.ROCK.WI.US

ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION	
16. Committee action: <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
17. If you answered Approve With Conditions to 16., list conditions (Use additional sheet (2a) if necessary):	
1.	
2.	
3.	
18. Committee action rationale and findings of fact (Use additional sheet (2a) if necessary):	
COMMITTEE SIGNATURE: _____	DATE: _____
TITLE: <u>Chair – Rock County Planning & Development Committee</u>	

AGENCY RECOMMENDATION

11. If you answered **Approve With Conditions to 10.**, list conditions:

- 3. Existing structure shall meet setback regulations.
- 4. Show septic and well locations for existing structures on final CSM.
- 5. Final CSM submitted to and approved by the Planning and Development Agency one year from from Committee approval.
- 6. CSMs that are subject to local approval must be recorded within 6 months of their last approval and 24 months of first approval in a Exclusive Agricultural District.
- 7. Note on Final CSM: "Require shared access on common property line. Each lot shall have at least 40% of access within the property boundaries."
- 8.
- 9.
- 10.

12. Agency recommendation rationale and findings of fact:

The land division creates a lot for existing ag buildings via a Certified Survey Map. The Town of Harmony manages land use through Zoning authority and will be considering the new lot for a rezone to the A-3 District. The new lot is adjacent to a Rock County Highway and therefore the requirement for the road right of way dedication.

TOWN ACTION

14. If you answered **Approve With Conditions to 13.**, list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

15. Town action rationale and findings of fact:

ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION

17. If you answered **Approve With Conditions to 16.**, list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

18. Committee action rationale and findings of fact:



AGENCY USE ONLY

Application Number: 2014 040

Received By - Date (MM/DD/YYYY): 8-19-14

PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM

****PLEASE DO NOT COMPLETE THIS APPLICATION FORM UNTIL YOU HAVE READ THE ROCK COUNTY PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM INFORMATION. PLEASE COMPLETE BOTH PAGES OF THIS FORM AND PREPARE A MAP CONTAINING ALL INFORMATION AS IDENTIFIED ON PAGE 2 OF THIS FORM.****

1. Applicant has contacted Town, Rock County Planning, Economic & Community Development Agency, and City(s)/Village (if land division is within Extra-Territorial Plat Approval Jurisdiction (ETJ) area) officials and these parties have determined land division is feasible: Yes No
2. Land division is consistent with Town's Comprehensive Plan – Future Land Use Map: Yes No
3. Land division area is located in a Farmland Preservation zoning district certified by the State of Wisconsin: Yes No
If you answered Yes, proceed to 4. If you answered No, proceed to 5.
4. Land division meets Town Base Farm Tract and any other applicable Farmland Preservation zoning district requirement: Yes No
5. Land division will require a zoning change: Yes No

APPLICANT INFORMATION

6. LANDOWNER OR AUTHORIZED LANDOWNER REPRESENTATIVE

a. Name:	DONNA M REDNER REVOCABLE TRUST			Telephone:	815-520-4280	
Address:	13276 WHITE SCHOOL RD	City:	ROSCOE	State:	IL	Zip: 61073
b. Name:				Telephone:		
Address:		City:		State:		Zip:

7. AGENT (SURVEYOR AND DEVELOPER)

a. Surveyor name:	COMBS AND ASSOCIATES, INC.			Telephone:	752-0575	
Address:	109 W. MILWAUKEE ST	City:	JANESVILLE	State:	WI	Zip: 53548
b. Developer name:				Telephone:		
Address:		City:		State:		Zip:

8. Identify the individual from 6. or 7. that will serve as the primary contact: 6a. 6b. 7a. 7b.

LAND DIVISION INFORMATION

9. Reason for land division: <input checked="" type="checkbox"/> Sale/ownership transfer <input type="checkbox"/> Farm consolidation <input type="checkbox"/> Refinance <input type="checkbox"/> Other:		
10. Land division area location:	Town of CLINTON	SE 1/4 of SW 1/4
	Section 5	Tax parcel number(s) - 6-5-46
11. Land division area is located within the Extra-Territorial Plat Approval Jurisdiction (ETJ) Area of a City(s)/Village: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify: City(s)/Village of VILLAGE OF CLINTON		
12. Land division area is located adjacent to (check all that apply): <input type="checkbox"/> Local/Town road <input type="checkbox"/> County highway <input checked="" type="checkbox"/> State highway <input type="checkbox"/> U.S. highway		
13. Landowner's contiguous property area (Square feet or acres): 75.9 ACRES	14. Land division area (Square feet or acres): 6.1 ACRES ^{1/77}	15. Current zoning of land division area: A-1
16. Number of new/additional lots created by land division: 1	17. Future zoning of new/additional lot(s) created by land division: CHI	18. Future zoning of parent lot: A-1
19. Covenants or restrictions will be placed on the land division area: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify covenants or restrictions:		
20. A residential building is currently located in the land division area: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, the building utilizes a: <input type="checkbox"/> Private onsite wastewater treatment system <input type="checkbox"/> Public sanitary sewer system		
21. Public improvement construction proposal/plan will be submitted by (mm/dd/yyyy):		22. Public improvement construction will begin on (mm/dd/yyyy):

APPLICANT STATEMENT AND SIGNATURE

I, as the undersigned, am a landowner applying for a minor land division in unincorporated Rock County, or am serving as the primary contact for said landowner. I do hereby verify that I have reviewed the ROCK COUNTY PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM INFORMATION, reviewed and completed this application form, and submitted all information as required per said documents, and that all information is correct, accurate, and true to the best of my knowledge and belief, with all information accessible to me. These statements are being made to induce official action on the part of Rock County, its agents, employees, and officials.

LANDOWNER/PRIMARY CONTACT SIGNATURE: <u><i>Paul J. Cook</i></u>	DATE: <u>8-18-14</u>
---	----------------------

APPLICATION CHECKLIST			
	Yes	No	Comment
1. Have you included a map clearly marked “PRELIMINARY PLAT OF SURVEY OR CERTIFIED SURVEY MAP”, identifying the land division area and containing all of the following information?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Location of the land division area by section, township, and range:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Approximate location and dimension of all EXISTING streets and property lines, including name and ownership (if applicable), in and adjacent to the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. EXISTING/PROPOSED County, Town, and City/Village (if applicable) zoning designations of all EXISTING/PROPOSED lot(s) and outlot(s), in and adjacent to the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d. Approximate location and dimension of all PROPOSED lot(s), outlot(s) and blocks(s), numbered for reference, in the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
e. Indication of all PROPOSED lot(s) and outlot(s) use if other than single-family residential, in the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CHI
f. Distance from all PROPOSED lot(s) and outlot(s) point of beginning to section corner or quarter corner, in the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
g. Approximate location, dimension (if applicable), and name (if applicable) of all of the following, whether EXISTING or PROPOSED , in the land division area:	<input type="checkbox"/>	<input type="checkbox"/>	
(1) Buildings:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(2) Streets, alleys, and public ways:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(3) Driveways:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(4) Rail lines:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(5) Private water wells or water supply systems:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(6) Private onsite wastewater treatment systems or public sanitary sewer systems:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(7) Any other public utilities:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(8) Easements (Utility, drainageway, pedestrian way, etc.):	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE PROPOSED
(9) Vegetative land cover type:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE AIR PHOTO
(10) Environmentally sensitive areas (Floodplain, steep slope, etc.):	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(11) Productive agricultural soils, cultural resources, and woodlands:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	AG SOILS
(12) Surface water features:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(13) Drainageways:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(14) Detention or retention areas:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(15) Cemeteries:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(16) Bridges/culverts:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(17) Rock outcroppings:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
h. Approximate location, dimension, name (if applicable), and purpose of all dedicated public parks or outdoor recreation lands, or any other public or private reservation, including any conditions, in the land division area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
i. Preliminary concept for connection with existing public sanitary sewer and water supply system or an alternative means of providing water supply and treatment and disposal of sewage, in the land division area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
j. Preliminary concept for collecting and discharging stormwater, in the land division area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
k. Scale, north arrow, and date of creation:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
l. Any other information required by the Agency:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NOTHING REQUESTED
2. Has the map been prepared at a scale not to exceed two hundred (200) feet to the inch, with the map pages numbered in sequence if more than one (1) page is required, and total map pages identified on each page?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Has the map been prepared by a land surveyor licensed in Wisconsin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Have you provided all required application form information and has the required party signed this application form?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Have you included a hard copy of this application form and the map, an electronic copy of the map in a format compatible with the Agency’s Geographic Information System (GIS), and the application fee?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

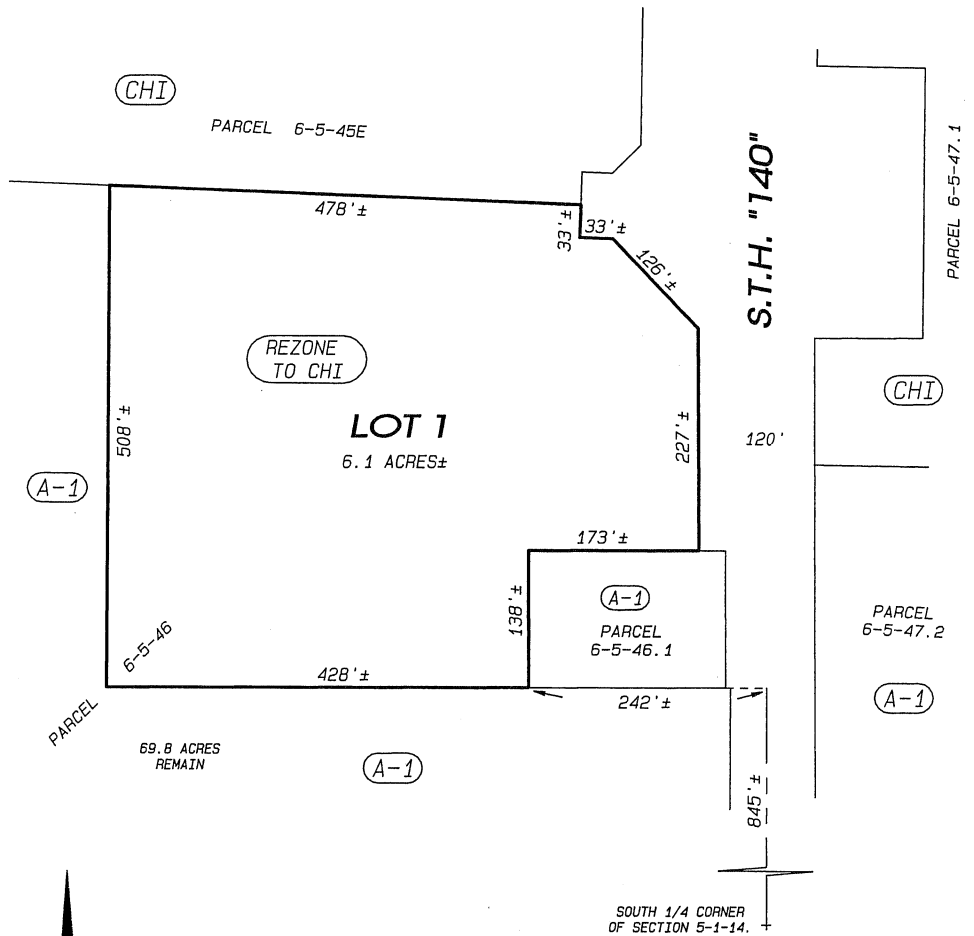
THANK YOU FOR COMPLETING THE ROCK COUNTY PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM.

PLEASE SEND VIA POSTAL MAIL, OR HAND-DELIVER, THIS FORM,
A HARD COPY AND ELECTRONIC COPY OF THE PRELIMINARY MAP, AND THE APPLICATION FEE TO:

ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY
51 N. MAIN ST.
JANESVILLE, WI 53545

PRELIMINARY CERTIFIED SURVEY MAP

LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 5, T.1N., R.14E. OF THE 4TH P.M., TOWN OF CLINTON, ROCK COUNTY, WISCONSIN.



NOTES:

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

THE BASIS OF BEARINGS IS ASSUMED.

Project No. 114 - 161 NORTH LOT For: REDNER

DATE: JUNE 3RD, 2014

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

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

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



LD 2014 040 Redner
Application Number: _____

PRELIMINARY MINOR LAND DIVISION – APPLICATION: REVIEW, RECOMMENDATION, AND ACTION FORM

AGENCY REVIEW

1. Applicant has contacted Town, Rock County Planning and Development Agency, and City(s)/Village (if applicable) officials and these parties have determined land division is feasible: Yes No
2. Land division is consistent with Town's Comprehensive Plan – Future Land Use Map: Yes No
3. Land division is located in a Farmland Preservation zoning district certified by the State of Wisconsin: Yes No
If you answered Yes, proceed to 4. If you answered No, proceed to 5.
4. Land division meets Town Base Farm Tract and any other applicable Farmland Preservation zoning district requirement: Yes No
5. Land division is in an Agricultural Resources Priority Area, per the *Rock County Farmland Preservation Plan*: Yes No
6. Land division will require a zoning change: Yes No
7. Preliminary minor land division application is complete: Yes No

If you answered Yes to 7., proceed to 9. If you answered No to 7., indicate the missing information below, 7a. – 7e. After all missing information is supplied, proceed to 8. An Agency recommendation (10.) will not be provided until all missing information has been supplied by the applicant.

	Missing Information
7a. A map clearly marked "PRELIMINARY PLAT OF SURVEY OR CERTIFIED SURVEY MAP", identifying the land division area and containing all of the following information:	<input type="checkbox"/>
a. Location of the land division area by section, township, and range:	<input type="checkbox"/>
b. Approximate location and dimension of all EXISTING streets and property lines, including name and ownership (if applicable), in and adjacent to the land division area:	<input type="checkbox"/>
c. EXISTING/PROPOSED County, Town, and City/Village (if applicable) zoning designations of all EXISTING/PROPOSED lot(s) and outlot(s), in and adjacent to the land division area:	<input type="checkbox"/>
d. Approximate location and dimension of all EXISTING/PROPOSED lot(s), outlot(s), and block(s), numbered for reference, in the land division area:	<input type="checkbox"/>
e. Indication of all PROPOSED lot(s) and outlot(s) use if other than single-family residential, in the land division area:	<input type="checkbox"/>
f. Distance from all PROPOSED lot(s) and outlot(s) point of beginning to section corner or quarter corner, in the land division area:	<input type="checkbox"/>
g. Approximate location, dimension and name (if applicable) of all of the following, whether EXISTING or PROPOSED, in the land division area:	<input type="checkbox"/>
(1) Buildings:	<input type="checkbox"/>
(2) Streets, alleys, and public ways:	<input type="checkbox"/>
(3) Driveways:	<input type="checkbox"/>
(4) Rail lines:	<input type="checkbox"/>
(5) Private water wells or water supply systems:	<input type="checkbox"/>
(6) Private onsite wastewater treatment systems or public sanitary sewer systems:	<input type="checkbox"/>
(7) Any other public utilities:	<input type="checkbox"/>
(8) Easements (Utility, drainageway, pedestrian way, etc.):	<input type="checkbox"/>
(9) Vegetative land cover type:	<input type="checkbox"/>
(10) Environmentally sensitive areas (Floodplain, steep slope, etc.):	<input type="checkbox"/>
(11) Productive agricultural soils, cultural resources, and woodlands:	<input type="checkbox"/>
(12) Surface water features:	<input type="checkbox"/>
(13) Drainageways:	<input type="checkbox"/>
(14) Detention or retention areas:	<input type="checkbox"/>
(15) Cemeteries:	<input type="checkbox"/>
(16) Bridges/culverts:	<input type="checkbox"/>
(17) Rock outcroppings:	<input type="checkbox"/>
h. Approximate location, dimension, name (if applicable), and purpose of all dedicated public parks or outdoor recreation lands, or any other public or private reservation, including any conditions, in the land division area:	<input type="checkbox"/>
i. Preliminary concept for connection with existing public sanitary sewer and water supply system or an alternative means of providing water supply and treatment and disposal of sewage, in the land division area:	<input type="checkbox"/>
j. Preliminary concept for collecting and discharging stormwater in the land division area:	<input type="checkbox"/>

AGENCY REVIEW	
	Missing Information
k. Scale, north arrow, and date of creation:	<input type="checkbox"/>
l. Any other information required by the Agency:	<input type="checkbox"/>
7b. Map prepared at a scale not to exceed two hundred (200) feet to the inch, with the map pages numbered in sequence if more than one (1) page is required, and total map pages identified on each page:	<input type="checkbox"/>
7c. Map prepared by a land surveyor licensed in Wisconsin:	<input type="checkbox"/>
7d. All required application form information and required party's signature on the application form:	<input type="checkbox"/>
7e. A hard copy of the application form and the map, an electronic copy of the map in a format compatible with the Agency's Geographic Information System (GIS), and application fee:	<input type="checkbox"/>
8. Preliminary minor land division application is complete:	<input checked="" type="checkbox"/> Yes
9. Preliminary minor land division application has been provided to other reviewing parties for review and comment, and if these parties have comments, said comments have been provided to the Agency: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you answered No, the application must be provided to other reviewing parties before completing any further sections of this form.	

AGENCY RECOMMENDATION	
10. Agency recommendation: <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
11. If you answered Approve With Conditions to 10., list conditions (Use additional sheet (2a) if necessary):	
1. Acceptable soil and site evaluation report received on Lot 1.	
2. Note on Final CSM: "No driveway access allowed on STH 140" or copy of letter to guarantee State Highway Access Permit	
3. from District 1, WISDOT received before final approval of CSM.	
12. Agency recommendation rationale and findings of fact (Use additional sheet (2a) if necessary):	
AGENCY SIGNATURE: <i>Colin M. Brynes</i> TITLE: <u>Administrator - Rock County Planning, Economic & Community Development Agency</u>	DATE: <u>9/8/14</u>

TOWN ACTION	
13. Town action: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
14. If you answered Approve With Conditions to 13., list conditions (Use additional sheet (2a) if necessary):	
1.	
2.	
3.	
15. Town action rationale and findings of fact (Use additional sheet (2a) if necessary):	
TOWN SIGNATURE: _____ TITLE: _____	DATE: _____

PLEASE RETURN THIS FORM, VIA POSTAL MAIL OR EMAIL, TO:
 ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY
 51 N. MAIN ST.
 JANESVILLE, WI 53545
 EMAIL: BRYNES@CO.ROCK.WI.US

ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION	
16. Committee action: <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
17. If you answered Approve With Conditions to 16., list conditions (Use additional sheet (2a) if necessary):	
1.	
2.	
3.	
18. Committee action rationale and findings of fact (Use additional sheet (2a) if necessary):	
COMMITTEE SIGNATURE: _____ TITLE: <u>Chair – Rock County Planning & Development Committee</u>	DATE: _____

AGENCY RECOMMENDATION

11. If you answered Approve With Conditions to 10., list conditions:

- 3. Utility easements put on lot as requested by utility companies.
- 4. Final CSM submitted to and approved by the Planning and Development Agency one year from from Committee approval.
- 5. CSMs that are subject to local approval must be recorded within 6 months of their last approval and 24 months of first approval in a Exclusive Agricultural District.
- 6.
- 7.
- 8.
- 9.
- 10.

12. Agency recommendation rationale and findings of fact:

The land division creates a lot for "Commercial Highway Interchange" land uses via the Town of Clinton zoning ordinance. The proposed lot is within the Extraterritorial Plat review jurisdiction of the Village of Clinton. At this time Staff is not aware of any annexation application to the Village. Access to the lot is controlled by WIDOT. Staff has been informed by WIDOT that they will no longer accept road dedications.

TOWN ACTION

14. If you answered Approve With Conditions to 13., list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

15. Town action rationale and findings of fact:

ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION

17. If you answered Approve With Conditions to 16., list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

18. Committee action rationale and findings of fact:



=====

AGENCY USE ONLY

Application Number: 2014-041

Received By - Date 8-19-14
(MM/DD/YYYY):

=====

PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM

****PLEASE DO NOT COMPLETE THIS APPLICATION FORM UNTIL YOU HAVE READ THE ROCK COUNTY PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM INFORMATION. PLEASE COMPLETE BOTH PAGES OF THIS FORM AND PREPARE A MAP CONTAINING ALL INFORMATION AS IDENTIFIED ON PAGE 2 OF THIS FORM.****

1. Applicant has contacted Town, Rock County Planning, Economic & Community Development Agency, and City(s)/Village (if land division is within Extra-Territorial Plat Approval Jurisdiction (ETJ) area) officials and these parties have determined land division is feasible: Yes No
2. Land division is consistent with Town’s Comprehensive Plan – Future Land Use Map: Yes No
3. Land division area is located in a Farmland Preservation zoning district certified by the State of Wisconsin: Yes No
If you answered **Yes**, proceed to **4**. If you answered **No**, proceed to **5**.
4. Land division meets Town Base Farm Tract and any other applicable Farmland Preservation zoning district requirement: Yes No
5. Land division will require a zoning change: Yes No

APPLICANT INFORMATION

6. LANDOWNER OR AUTHORIZED LANDOWNER REPRESENTATIVE

a. Name:	DONNA M REDNER REVOCABLE TRUST			Telephone:	815-520-4280	
Address:	13276 WHITE SCHOOL RD	City:	ROSCOE	State:	IL	Zip: 61073
b. Name:				Telephone:		
Address:		City:		State:		Zip:

7. AGENT (SURVEYOR AND DEVELOPER)

a. Surveyor name:	COMBS AND ASSOCIATES, INC.			Telephone:	752-0575	
Address:	109 W. MILWAUKEE ST	City:	JANESVILLE	State:	WI	Zip: 53548
b. Developer name:				Telephone:		
Address:		City:		State:		Zip:

8. Identify the individual from 6. or 7. that will serve as the primary contact: 6a. 6b. 7a. 7b.

LAND DIVISION INFORMATION

9. Reason for land division: Sale/ownership transfer Farm consolidation Refinance Other:

10. Land division area location:	Town of CLINTON	SE 1/4 of SW 1/4
	Section 5	Tax parcel number(s) - 6-5-46

11. Land division area is located within the Extra-Territorial Plat Approval Jurisdiction (ETJ) Area of a City(s)/Village: Yes No If Yes, identify: City(s)/Village of VILLAGE OF CLINTON

12. Land division area is located adjacent to (check all that apply):
 Local/Town road County highway State highway U.S. highway

13. Landowner’s contiguous property area (Square feet or acres): 69.1 ACRES	14. Land division area (Square feet or acres): 7.2 ACRES ¹⁷⁷	15. Current zoning of land division area: A-1
16. Number of new/additional lots created by land division: 1	17. Future zoning of new/additional lot(s) created by land division: CHI	18. Future zoning of parent lot: A-1

19. Covenants or restrictions will be placed on the land division area: Yes No
if Yes, identify covenants or restrictions:

20. A residential building is currently located in the land division area: Yes No
If Yes, the building utilizes a: Private onsite wastewater treatment system Public sanitary sewer system

21. Public improvement construction proposal/plan will be submitted by (mm/dd/yyyy):

22. Public improvement construction will begin on (mm/dd/yyyy):

APPLICANT STATEMENT AND SIGNATURE

I, as the undersigned, am a landowner applying for a minor land division in unincorporated Rock County, or am serving as the primary contact for said landowner. I do hereby verify that I have reviewed the ROCK COUNTY PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM INFORMATION, reviewed and completed this application form, and submitted all information as required per said documents, and that all information is correct, accurate, and true to the best of my knowledge and belief, with all information accessible to me. These statements are being made to induce official action on the part of Rock County, its agents, employees, and officials.

LANDOWNER/PRIMARY CONTACT SIGNATURE: <u><i>Ruth J. Vukobratovic</i></u>	DATE: <u>8-18-14</u>
---	----------------------

APPLICATION CHECKLIST			
	Yes	No	Comment
1. Have you included a map clearly marked "PRELIMINARY PLAT OF SURVEY OR CERTIFIED SURVEY MAP", identifying the land division area and containing all of the following information?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Location of the land division area by section, township, and range:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Approximate location and dimension of all EXISTING streets and property lines, including name and ownership (if applicable), in and adjacent to the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. EXISTING/PROPOSED County, Town, and City/Village (if applicable) zoning designations of all EXISTING/PROPOSED lot(s) and outlot(s), in and adjacent to the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d. Approximate location and dimension of all PROPOSED lot(s), outlot(s) and blocks(s), numbered for reference, in the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
e. Indication of all PROPOSED lot(s) and outlot(s) use if other than single-family residential, in the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CHI
f. Distance from all PROPOSED lot(s) and outlot(s) point of beginning to section corner or quarter corner, in the land division area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
g. Approximate location, dimension (if applicable), and name (if applicable) of all of the following, whether EXISTING or PROPOSED, in the land division area:	<input type="checkbox"/>	<input type="checkbox"/>	
(1) Buildings:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(2) Streets, alleys, and public ways:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(3) Driveways:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(4) Rail lines:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(5) Private water wells or water supply systems:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(6) Private onsite wastewater treatment systems or public sanitary sewer systems:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(7) Any other public utilities:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(8) Easements (Utility, drainageway, pedestrian way, etc.):	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE PROPOSED
(9) Vegetative land cover type:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE AIR PHOTO
(10) Environmentally sensitive areas (Floodplain, steep slope, etc.):	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(11) Productive agricultural soils, cultural resources, and woodlands:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	AG SOILS
(12) Surface water features:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(13) Drainageways:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(14) Detention or retention areas:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(15) Cemeteries:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(16) Bridges/culverts:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
(17) Rock outcroppings:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
h. Approximate location, dimension, name (if applicable), and purpose of all dedicated public parks or outdoor recreation lands, or any other public or private reservation, including any conditions, in the land division area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
i. Preliminary concept for connection with existing public sanitary sewer and water supply system or an alternative means of providing water supply and treatment and disposal of sewage, in the land division area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
j. Preliminary concept for collecting and discharging stormwater, in the land division area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NONE
k. Scale, north arrow, and date of creation:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
l. Any other information required by the Agency:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NOTHING REQUESTED
2. Has the map been prepared at a scale not to exceed two hundred (200) feet to the inch, with the map pages numbered in sequence if more than one (1) page is required, and total map pages identified on each page?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Has the map been prepared by a land surveyor licensed in Wisconsin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Have you provided all required application form information and has the required party signed this application form?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Have you included a hard copy of this application form and the map, an electronic copy of the map in a format compatible with the Agency's Geographic Information System (GIS), and the application fee?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

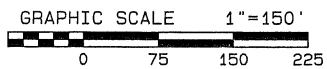
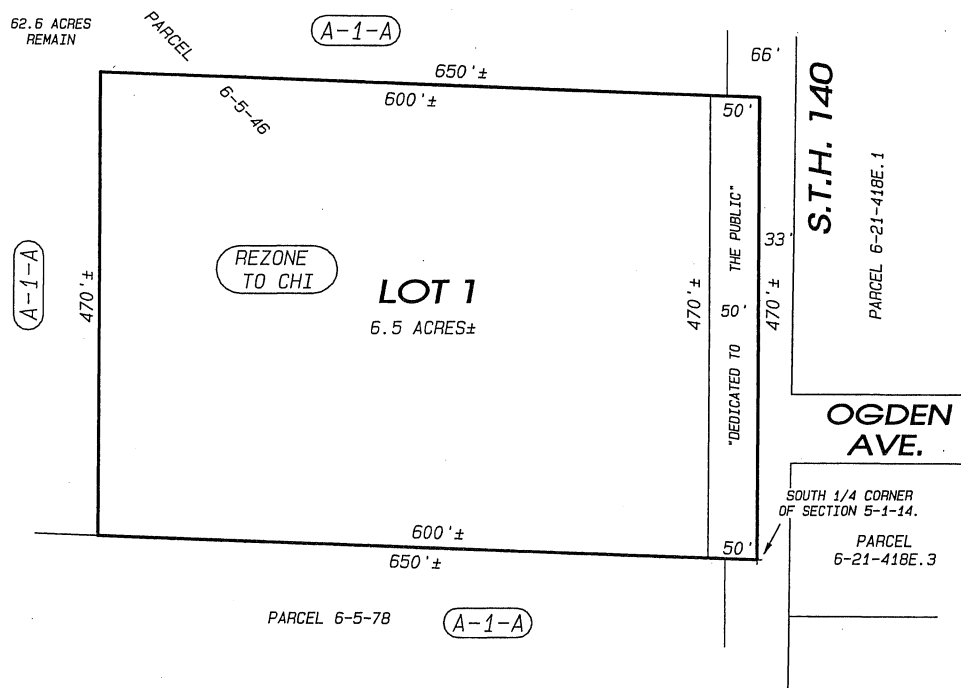
THANK YOU FOR COMPLETING THE ROCK COUNTY PRELIMINARY MINOR LAND DIVISION – APPLICATION FORM.

PLEASE SEND VIA POSTAL MAIL, OR HAND-DELIVER, THIS FORM,
A HARD COPY AND ELECTRONIC COPY OF THE PRELIMINARY MAP, AND THE APPLICATION FEE TO:

ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY
51 N. MAIN ST.
JANESVILLE, WI 53545

PRELIMINARY CERTIFIED SURVEY MAP

LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 5, T.1N., R.14E. OF THE 4TH P.M., TOWN OF CLINTON, ROCK COUNTY, WISCONSIN.



DATE: JUNE 3RD, 2014

NOTES:

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

THE BASIS OF BEARINGS IS ASSUMED.

Project No. 114 - 161 SOUTH LOT For: REDNER

Combs & Associates
 • LAND SURVEYING
 • LAND PLANNING
 • CIVIL ENGINEERING

109 W. Milwaukee St.
 Janesville, WI 53548
 www.combsurvey.com
 tel: 608 752-0575
 fax: 608 752-0534



PRELIMINARY MINOR LAND DIVISION – APPLICATION: REVIEW, RECOMMENDATION, AND ACTION FORM

AGENCY REVIEW

1. Applicant has contacted Town, Rock County Planning and Development Agency, and City(s)/Village (if applicable) officials and these parties have determined land division is feasible: Yes No
2. Land division is consistent with Town's Comprehensive Plan – Future Land Use Map: Yes No
3. Land division is located in a Farmland Preservation zoning district certified by the State of Wisconsin: Yes No
If you answered Yes, proceed to 4. If you answered No, proceed to 5.
4. Land division meets Town Base Farm Tract and any other applicable Farmland Preservation zoning district requirement: Yes No
5. Land division is in an Agricultural Resources Priority Area, per the *Rock County Farmland Preservation Plan*: Yes No
6. Land division will require a zoning change: Yes No
7. Preliminary minor land division application is complete: Yes No

If you answered Yes to 7., proceed to 9. If you answered No to 7., indicate the missing information below, 7a. – 7e. After all missing information is supplied, proceed to 8. An Agency recommendation (10.) will not be provided until all missing information has been supplied by the applicant.

	Missing Information
7a. A map clearly marked "PRELIMINARY PLAT OF SURVEY OR CERTIFIED SURVEY MAP", identifying the land division area and containing all of the following information:	<input type="checkbox"/>
a. Location of the land division area by section, township, and range:	<input type="checkbox"/>
b. Approximate location and dimension of all EXISTING streets and property lines, including name and ownership (if applicable), in and adjacent to the land division area:	<input type="checkbox"/>
c. EXISTING/PROPOSED County, Town, and City/Village (if applicable) zoning designations of all EXISTING/PROPOSED lot(s) and outlot(s), in and adjacent to the land division area:	<input type="checkbox"/>
d. Approximate location and dimension of all EXISTING/PROPOSED lot(s), outlot(s), and block(s), numbered for reference, in the land division area:	<input type="checkbox"/>
e. Indication of all PROPOSED lot(s) and outlot(s) use if other than single-family residential, in the land division area:	<input type="checkbox"/>
f. Distance from all PROPOSED lot(s) and outlot(s) point of beginning to section corner or quarter corner, in the land division area:	<input type="checkbox"/>
g. Approximate location, dimension and name (if applicable) of all of the following, whether EXISTING or PROPOSED, in the land division area:	<input type="checkbox"/>
(1) Buildings:	<input type="checkbox"/>
(2) Streets, alleys, and public ways:	<input type="checkbox"/>
(3) Driveways:	<input type="checkbox"/>
(4) Rail lines:	<input type="checkbox"/>
(5) Private water wells or water supply systems:	<input type="checkbox"/>
(6) Private onsite wastewater treatment systems or public sanitary sewer systems:	<input type="checkbox"/>
(7) Any other public utilities:	<input type="checkbox"/>
(8) Easements (Utility, drainageway, pedestrian way, etc.):	<input type="checkbox"/>
(9) Vegetative land cover type:	<input type="checkbox"/>
(10) Environmentally sensitive areas (Floodplain, steep slope, etc.):	<input type="checkbox"/>
(11) Productive agricultural soils, cultural resources, and woodlands:	<input type="checkbox"/>
(12) Surface water features:	<input type="checkbox"/>
(13) Drainageways:	<input type="checkbox"/>
(14) Detention or retention areas:	<input type="checkbox"/>
(15) Cemeteries:	<input type="checkbox"/>
(16) Bridges/culverts:	<input type="checkbox"/>
(17) Rock outcroppings:	<input type="checkbox"/>
h. Approximate location, dimension, name (if applicable), and purpose of all dedicated public parks or outdoor recreation lands, or any other public or private reservation, including any conditions, in the land division area:	<input type="checkbox"/>
i. Preliminary concept for connection with existing public sanitary sewer and water supply system or an alternative means of providing water supply and treatment and disposal of sewage, in the land division area:	<input type="checkbox"/>
j. Preliminary concept for collecting and discharging stormwater in the land division area:	<input type="checkbox"/>

AGENCY REVIEW	
	Missing Information
k. Scale, north arrow, and date of creation:	<input type="checkbox"/>
l. Any other information required by the Agency:	<input type="checkbox"/>
7b. Map prepared at a scale not to exceed two hundred (200) feet to the inch, with the map pages numbered in sequence if more than one (1) page is required, and total map pages identified on each page:	<input type="checkbox"/>
7c. Map prepared by a land surveyor licensed in Wisconsin:	<input type="checkbox"/>
7d. All required application form information and required party's signature on the application form:	<input type="checkbox"/>
7e. A hard copy of the application form and the map, an electronic copy of the map in a format compatible with the Agency's Geographic Information System (GIS), and application fee:	<input type="checkbox"/>
8. Preliminary minor land division application is complete:	<input checked="" type="checkbox"/> Yes
9. Preliminary minor land division application has been provided to other reviewing parties for review and comment, and if these parties have comments, said comments have been provided to the Agency: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you answered No , the application must be provided to other reviewing parties before completing any further sections of this form.	

AGENCY RECOMMENDATION	
10. Agency recommendation: <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
11. If you answered Approve With Conditions to 10., list conditions (Use additional sheet (2a) if necessary):	
1. Acceptable soil and site evaluation report received on Lot 1.	
2. Note on Final CSM: "No driveway access allowed on STH 140" or copy of letter to guarantee State Highway Access Permit	
3. from District 1, WISDOT received before final approval of CSM.	
12. Agency recommendation rationale and findings of fact (Use additional sheet (2a) if necessary):	
AGENCY SIGNATURE: <u><i>Colin M. Brynes</i></u> TITLE: <u>Administrator - Rock County Planning, Economic & Community Development Agency</u>	DATE: <u>8/27/14</u>

TOWN ACTION	
13. Town action: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
14. If you answered Approve With Conditions to 13., list conditions (Use additional sheet (2a) if necessary):	
1.	
2.	
3.	
15. Town action rationale and findings of fact (Use additional sheet (2a) if necessary):	
TOWN SIGNATURE: _____ TITLE: _____	DATE: _____

PLEASE RETURN THIS FORM, VIA POSTAL MAIL OR EMAIL, TO:
 ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY
 51 N. MAIN ST.
 JANESVILLE, WI 53545
 EMAIL: BRYNES@CO.ROCK.WI.US

ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION	
16. Committee action: <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
17. If you answered Approve With Conditions to 16., list conditions (Use additional sheet (2a) if necessary):	
1.	
2.	
3.	
18. Committee action rationale and findings of fact (Use additional sheet (2a) if necessary):	
COMMITTEE SIGNATURE: _____ TITLE: <u>Chair – Rock County Planning & Development Committee</u>	DATE: _____

AGENCY RECOMMENDATION

11. If you answered **Approve With Conditions to 10.**, list conditions:

- 3. Utility easements put on lot as requested by utility companies.
- 4. Final CSM submitted to and approved by the Planning and Development Agency one year from from Committee approval.
- 5. CSMs that are subject to local approval must be recorded within 6 months of their last approval and 24 months of first approval in a Exclusive Agricultural District.
- 6.
- 7.
- 8.
- 9.
- 10.

12. Agency recommendation rationale and findings of fact:

The land division creates a lot for "Commercial Highway Interchange" land uses via the Town of Clinton zoning ordinance. The proposed lot is within the Extraterritorial Plat review jurisdiction of the Village of Clinton. At this time Staff is not aware of any annexation application to the Village. Access to the lot is controlled by WIDOT. Staff has been informed by WIDOT that they will no longer accept road dedications.

TOWN ACTION

14. If you answered **Approve With Conditions to 13.**, list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

15. Town action rationale and findings of fact:

ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION

17. If you answered **Approve With Conditions to 16.**, list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

18. Committee action rationale and findings of fact:



Application Number: LD 2014 042 Blue

PRELIMINARY MINOR LAND DIVISION – APPLICATION: REVIEW, RECOMMENDATION, AND ACTION FORM

AGENCY REVIEW

1. Applicant has contacted Town, Rock County Planning and Development Agency, and City(s)/Village (if applicable) officials and these parties have determined land division is feasible: Yes No
 2. Land division is consistent with Town's Comprehensive Plan – Future Land Use Map: Yes No
 3. Land division is located in a Farmland Preservation zoning district certified by the State of Wisconsin: Yes No
If you answered Yes, proceed to 4. If you answered No, proceed to 5.
 4. Land division meets Town Base Farm Tract and any other applicable Farmland Preservation zoning district requirement: Yes No
 5. Land division is in an Agricultural Resources Priority Area, per the *Rock County Farmland Preservation Plan*: Yes No
 6. Land division will require a zoning change: Yes No
 7. Preliminary minor land division application is complete: Yes No
- If you answered Yes to 7., proceed to 9. If you answered No to 7., indicate the missing information below, 7a. – 7e. After all missing information is supplied, proceed to 8. An Agency recommendation (10.) will not be provided until all missing information has been supplied by the applicant.

	Missing Information
7a. A map clearly marked "PRELIMINARY PLAT OF SURVEY OR CERTIFIED SURVEY MAP", identifying the land division area and containing all of the following information:	<input type="checkbox"/>
a. Location of the land division area by section, township, and range:	<input type="checkbox"/>
b. Approximate location and dimension of all EXISTING streets and property lines, including name and ownership (if applicable), in and adjacent to the land division area:	<input type="checkbox"/>
c. EXISTING/PROPOSED County, Town, and City/Village (if applicable) zoning designations of all EXISTING/PROPOSED lot(s) and outlot(s), in and adjacent to the land division area:	<input type="checkbox"/>
d. Approximate location and dimension of all EXISTING/PROPOSED lot(s), outlot(s), and block(s), numbered for reference, in the land division area:	<input type="checkbox"/>
e. Indication of all PROPOSED lot(s) and outlot(s) use if other than single-family residential, in the land division area:	<input type="checkbox"/>
f. Distance from all PROPOSED lot(s) and outlot(s) point of beginning to section corner or quarter corner, in the land division area:	<input type="checkbox"/>
g. Approximate location, dimension and name (if applicable) of all of the following, whether EXISTING or PROPOSED, in the land division area:	<input type="checkbox"/>
(1) Buildings:	<input type="checkbox"/>
(2) Streets, alleys, and public ways:	<input type="checkbox"/>
(3) Driveways:	<input type="checkbox"/>
(4) Rail lines:	<input type="checkbox"/>
(5) Private water wells or water supply systems:	<input type="checkbox"/>
(6) Private onsite wastewater treatment systems or public sanitary sewer systems:	<input type="checkbox"/>
(7) Any other public utilities:	<input type="checkbox"/>
(8) Easements (Utility, drainageway, pedestrian way, etc.):	<input type="checkbox"/>
(9) Vegetative land cover type:	<input type="checkbox"/>
(10) Environmentally sensitive areas (Floodplain, steep slope, etc.):	<input type="checkbox"/>
(11) Productive agricultural soils, cultural resources, and woodlands:	<input type="checkbox"/>
(12) Surface water features:	<input type="checkbox"/>
(13) Drainageways:	<input type="checkbox"/>
(14) Detention or retention areas:	<input type="checkbox"/>
(15) Cemeteries:	<input type="checkbox"/>
(16) Bridges/culverts:	<input type="checkbox"/>
(17) Rock outcroppings:	<input type="checkbox"/>
h. Approximate location, dimension, name (if applicable), and purpose of all dedicated public parks or outdoor recreation lands, or any other public or private reservation, including any conditions, in the land division area:	<input type="checkbox"/>
i. Preliminary concept for connection with existing public sanitary sewer and water supply system or an alternative means of providing water supply and treatment and disposal of sewage, in the land division area:	<input type="checkbox"/>
j. Preliminary concept for collecting and discharging stormwater in the land division area:	<input type="checkbox"/>

AGENCY REVIEW	
	Missing Information
k. Scale, north arrow, and date of creation:	<input type="checkbox"/>
l. Any other information required by the Agency:	<input type="checkbox"/>
7b. Map prepared at a scale not to exceed two hundred (200) feet to the inch, with the map pages numbered in sequence if more than one (1) page is required, and total map pages identified on each page:	<input type="checkbox"/>
7c. Map prepared by a land surveyor licensed in Wisconsin:	<input type="checkbox"/>
7d. All required application form information and required party's signature on the application form:	<input type="checkbox"/>
7e. A hard copy of the application form and the map, an electronic copy of the map in a format compatible with the Agency's Geographic Information System (GIS), and application fee:	<input type="checkbox"/>
8. Preliminary minor land division application is complete:	<input checked="" type="checkbox"/> Yes
9. Preliminary minor land division application has been provided to other reviewing parties for review and comment, and if these parties have comments, said comments have been provided to the Agency: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you answered No , the application must be provided to other reviewing parties before completing any further sections of this form.	

AGENCY RECOMMENDATION	
10. Agency recommendation: <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
11. If you answered Approve With Conditions to 10., list conditions (Use additional sheet (2a) if necessary):	
1. Acceptable soil and site evaluation report received on lot.	
2. 33' half road right of way dedicated along W. Topp Rd. at the discretion of the Town of Center	
3. Utility easements put on lot as requested by utility companies.	
12. Agency recommendation rationale and findings of fact (Use additional sheet (2a) if necessary):	
AGENCY SIGNATURE: <u>Colin M. Brynes</u>	DATE: <u>9/8/14</u>
TITLE: <u>Administrator - Rock County Planning, Economic & Community Development Agency</u>	

TOWN ACTION	
13. Town action: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
14. If you answered Approve With Conditions to 13., list conditions (Use additional sheet (2a) if necessary):	
1.	
2.	
3.	
15. Town action rationale and findings of fact (Use additional sheet (2a) if necessary):	
TOWN SIGNATURE: _____	DATE: _____
TITLE: _____	

PLEASE RETURN THIS FORM, VIA POSTAL MAIL OR EMAIL, TO:
 ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY
 51 N. MAIN ST.
 JANESVILLE, WI 53545
 EMAIL: BRYNES@CO.ROCK.WI.US

ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION	
16. Committee action: <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Conditions <input type="checkbox"/> Deny	
17. If you answered Approve With Conditions to 16., list conditions (Use additional sheet (2a) if necessary):	
1.	
2.	
3.	
18. Committee action rationale and findings of fact (Use additional sheet (2a) if necessary):	
COMMITTEE SIGNATURE: _____	DATE: _____
TITLE: <u>Chair – Rock County Planning & Development Committee</u>	

AGENCY RECOMMENDATION

11. If you answered Approve With Conditions to 10., list conditions:

- 3. Driveway access to proposed Lot 1 will be located 50 feet east of the proposed west property line. Location of access shall
- 4. be shown on the Final CSM.
- 5. Final CSM submitted to and approved by the Planning and Development Agency one year from from Committee approval.
- 6. CSMS that are subject to local approval must be recorded within 6 months of their last approval and 24 months of first approval in a Exclusive Agricultural District.
- 7.
- 8.
- 9.
- 10.

12. Agency recommendation rationale and findings of fact:

The land division creates an approximately 4 acre lot on land that historical airphotos indicate was used as pasture or non-tilled land. The parent parcel has a field entrance remaining to the east of the safe access to this proposed lot. The Town of Center will consider rezoning this new lot to A-3 Small Scale Agriculture.

TOWN ACTION

14. If you answered Approve With Conditions to 13., list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

15. Town action rationale and findings of fact:

ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION

17. If you answered Approve With Conditions to 16., list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

18. Committee action rationale and findings of fact:

COMMITTEE APPROVAL REPORT

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
13-1730-0000-64702	SEC CORNER MONUM	P1403294	10/08/2014	AMERICAN INDUSTRIAL STEEL AND	155.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	732.00	548.70	0.00	155.00	28.30
				SURVEYOR PROG TOTAL	155.00

I have examined the preceding bills and encumbrances in the total amount of **\$155.00**

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: **NOV 13 2014**

Dept Head _____

Committee Chair _____

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
64-6400-0000-63107	PUBL & LEGAL	P1400198	09/30/2014	JANESVILLE GAZETTE INC	143.93
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	570.00	47.46	0.00	143.93	378.61
64-6400-0000-63200	PUBL/SUBCR/DUES	P1403469	10/22/2014	HOMETOWN NEWS GROUP	27.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	1,588.00	1,221.47	0.00	27.00	339.53
64-6400-0000-63201	BOOKS	P1403443	10/21/2014	WISCONSIN TAXPAYERS ALLIANCE	32.95
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	150.00	12.50	0.00	32.95	104.55
PLANNING PROG TOTAL				203.88	
64-6465-2013-64913	HOME REHAB ACTIV	P1403412	10/20/2014	THERMO SCIENTIFIC PORTABLE	19.50
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	2,070,000.00	143,238.82	0.00	19.50	1,926,741.68
2013-16 HEALTHY HOMES/LEAD HAZ PROG TOTAL				19.50	
64-6900-0000-63107	PUBL & LEGAL	P1400198	09/30/2014	JANESVILLE GAZETTE INC	124.34
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	306.00	275.69	0.00	124.34	(94.03)
BOARD OF ADJUSTMENT PROG TOTAL				124.34	

I have examined the preceding bills and encumbrances in the total amount of **\$347.72**
 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: **NOV 13 2014**

Dept Head _____

Committee Chair _____



Telephone: 608-754-1700

Facsimile: 608-754-1900

October 28, 2014

RECEIVED

OCT 29 2014

ROCK CO. PLANNING, ECONOMIC AND
COMMUNITY DEVELOPMENT AGENCY

Rock County Planning and Development Agency
Attn: Colin Byrnes, Acting Director
Room 266
51 South Main Street
Janesville, WI 53545

RE: 723 Ellendale Road, Edgerton, Wisconsin

Dear Mr. Byrnes:

I represent Rosati's Pizza Pub Development - Edgerton, LLP. My client recently purchased real estate located at 723 Ellendale Road, Edgerton, Wisconsin (location of the former Dockside restaurant and prior to that, Fins on the Beach). In the process of acquiring this property, title work revealed the existence of certain restrictive covenants which had been entered into in 2011 by previous owners of the property (Fins and its principals, Patrick and Susan Hagan). It appears the restrictive covenants were a condition of a Community Development Block Grant - (Emergency Assistance Program) through the Rock County Planning and Development Agency (copy enclosed).

I have reviewed the restrictive covenants, and given the sequence of events since their implementation, I am of the opinion that there is no longer a basis for them to remain of record against the property. Accordingly, Rosati's is requesting that the Rock County Planning and Development Agency release the covenants.

The restrictive covenants were signed February 25, 2011 (recorded May 19, 2011), and I presume the CDB grant was issued around the same time. It is important to note that the covenants do not function as a mortgage to secure the repayment of the grant/loan. Rather, the covenants required Fins to maintain certain conditions for a period of five years, or risk a default under the grant/loan terms. The restrictions are few and seem primarily focused upon requiring the grant recipients to maintain ownership of the property, and to continue operating the property as a business. If the covenants were breached, the County/Department could declare the underlying grant in default and demand immediate repayment.

October 28, 2014

Page 2

Shortly after the grant was received, the Fins business failed. The mortgage lender foreclosed upon the property, and it was later sold via Sheriff's Sale. As I interpret the covenants, these events constitute a default, and would allow the County/Department to pursue the Fins parties pursuant to whatever default remedies exist under the covenants and/or the loan agreement referenced therein. Unfortunately, recoupment of those grant funds seems unlikely. Public records indicate that the corporate entity Fins on the Beach, Inc. was dissolved on May 11, 2011, and the Hagans received a discharge of debts through an order of the Bankruptcy Court of the Western District of Wisconsin in 2012 (documentation enclosed).

In short, the default has already occurred and the covenants are no longer necessary. They served their intended purpose by establishing events of default (which subsequently occurred), and thereafter, enabling the County to pursue its available remedies. However, those remedies (repayment of the loan) are not an obligation of the current owner (Rosati's). Accordingly, it is my opinion that the restrictive covenants are no longer of any meaningful use to the County/Department.

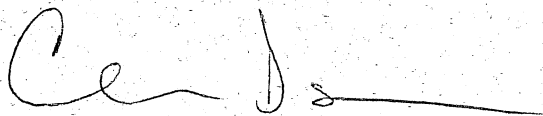
As mentioned previously, my interpretation is that the covenants would expire naturally after the five year period set forth in the document. Rather than let the matter sit and expire on its own in 2016, however, my client would prefer to clear the title presently. For that to occur, the County/Department would need to release the restrictive covenants.

I understand this request will be put on the next available Planning and Development agenda. I am planning to attend that meeting.

Thank you for your attention to this matter.

Sincerely,

CARNEY THORPE, LLC



Christina Isackson

CMI:pp

Enclosures


pc: Mr. Dave Naskrent

19

RESTRICTIVE COVENANTS

WHEREAS, Fins on the Beach, a Wisconsin Corporation, Through Susan J. Hagan and Patrick Hagan, President and Vice-President (hereinafter, OWNERS), own record title to real estate described as:

SEE ATTACHED LEGAL DESCRIPTION:

 * 1 9 1 9 9 3 0 *	
1919930	
RANDAL LEYES REGISTER OF DEEDS ROCK COUNTY, WI RECORDED ON 05/19/2011 09:05:55AM	
REC FEE: 30.00 EXEMPT #: EXCLUSION CODE: PAGES: 3	
RETURN TO: Rock County Planning and Development Department 51 S. Main Street Janesville, WI 53545	

3
30-

6-6-113.2 012-030003

Parcel Identification Number

and as consideration for the receipt of a grant to OWNERS under the U.S. Department of Housing & Urban Development (HUD) Community Development Block Grant – Emergency Assistance Program, administered by the State of Wisconsin – Department of Commerce (hereinafter, "EAP") Program, administered by ROCK COUNTY, acting through the Rock County Planning and Development Agency, subject to requirements of the State of Wisconsin and HUD, does hereby declare that the above described real estate shall be subject to the specific conditions and restrictions contained herein, which conditions and restrictions shall be binding upon, restrict and encumber, and run uninterrupted with the land during the time set forth below and shall be binding upon each and every of OWNERS' heirs, successors, conveyees, and assigns, commencing upon the date of execution of this covenant.

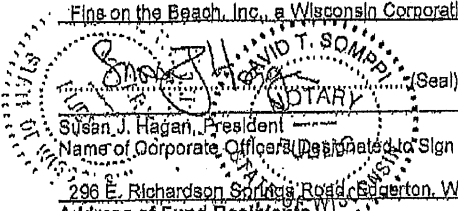
1. Owners are required to maintain ownership.
 2. Owners are required to maintain the property as a business in its current location.
 3. Owners are to not sell or transfer the property to any party that is not an owner of the property at the time that this agreement is entered .
1. These covenants are to run with the Land.
 2. These covenants are not transferable to any other party.
2. OWNERS will follow the requirements herein for a period of not less than five (5) years from the date of this mortgage; except to the degree released therefrom by a written amendment to the alone agreement approved in writing by Rock County and recorded in the same manner as these covenants.
 3. OWNERS will assist Rock County with an annual verification of activities to document that the terms of these "Restrictive Covenants" and the "Note Terms and Grantee Certifications" are met.
 4. OWNERS will notify Rock County upon change corporate officers designated to represent the Company.

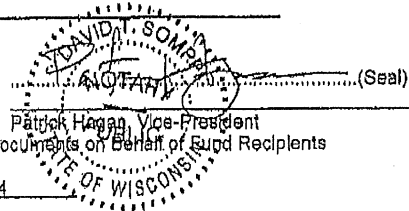
5. OWNERS will not convert the property to a non-commercial use or other type of use that is not eligible to receive EAP Program funds as directed by the U.S. Department of Housing & Urban Development.

6. In the event that OWNERS breach any of the requirements herein, Rock County may declare the loan in default and demand repayment in full of the unpaid balance. No delay in enforcing the provisions of these covenants for any breach or violation shall impair, damage or waive the right of Rock County to enforce the provisions hereof.

7. Rock County shall have the same remedies and causes of action for default of any of the requirements herein as it has for default in payment of amounts due under the loan agreement separately entered into between OWNERS and Rock County.

Fls on the Beach, Inc., a Wisconsin Corporation

 (Seal)
Susan J. Hagan, President
Name of Corporate Officer(s) Designated to Sign Legal Documents on Behalf of Fund Recipients

 (Seal)
Patrick Hagan, Vice-President
Name of Corporate Officer(s) Designated to Sign Legal Documents on Behalf of Fund Recipients

296 E. Richardson Springs Road, Edgerton, WI 53534
Address of Fund Recipients

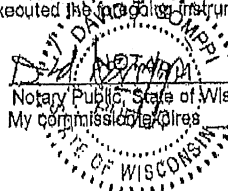
723 E. Ellendale Road, Edgerton, WI 53534
Address of Property

EXECUTION DATE: February 25, 2011.

STATE OF WISCONSIN)
COUNTY OF ROCK)

Personally came before me this 25th day of February, 2011, the above named Fls on the Beach, Inc., a Wisconsin Corporation, through Susan J. Hagan, President and Patrick Hagan, Vice President 296 E. Richardson Spring Road, Edgerton, WI 53534, for the property at 723 E. Ellendale Road, Edgerton, WI 53534 known to be the persons who executed the foregoing instrument and acknowledge the same.

(seal)

 David Somppi
Notary Public, State of Wisconsin
My commission expires June 2, 2013

This instrument drafted by: Rock County Planning & Development Agency

Fins on the Beach, Inc.
723 N. Ellendale Rd.
Edgerton, WI 53534

Legal Description of the Property at :
723 N. Ellendale Rd.
Edgerton, WI 53534

Part of Government Lot 5 in the West ¼ of the Northeast ¼ of Section 12, Township 4 North, Range 12 East of the 4th P.M., Town of Fulton, County of Rock and State of Wisconsin, lying South of Rock River, and described as follows: Beginning at a point in the centerline of State Trunk Highway No. 69, N 73° W, 402.2 feet from the intersection of said highway with the East line of Government Lot 5 and 50 feet along a 12° curve to the right as the point of beginning of this description:

Thence continuing Northwesterly, along said centerline and along said 12° curve, 360 feet;
Thence N. 32° 39' W., along said center line, 68 feet to the bank of Rock River;
Thence Westerly, along said river bank, 283 feet to the center of the old bridge abutment;
Thence S. 3° 59' W., along the centerline of the abandoned road, 180.8 feet to an iron stake;
Thence S. 62° 13' E., along the center of highway, 149.5 feet to an iron stake;
Thence S. 83° 21' E., along center of highway, 268.5 feet to an iron stake;
Thence N. 33° 32' E., 82.5 feet to the place of beginning.

EXCEPTING THEREFROM, all that part thereof acquired by the State of Wisconsin, as set forth in an Award of Damages dated March 20, 1967, recorded December 6, 1967, at 1:30 P.M., as Document #724326, in Volume 269 of Records, on Page 171, in the office of the Register of Deeds for Rock County, Wisconsin.

FURTHER EXCEPTING THEREFROM, all that part thereof conveyed to Consolidated Koshkonong Sanitary District by a Warranty Deed dated October 30, 1974, recorded November 18, 1974, at 8:00 A.M. as Document #823012, in Volume 635 of Records, on Page 467, in said Register's Office;

FURTHER EXCEPTING THEREFROM, all that part thereof conveyed to State of Wisconsin, Department of Transportation, by a Warranty Deed executed October 1, 1988, recorded December 15, 1988 at 11:23 A.M. as Document #1083918, on Card 377, as Image 237, in said Register's Office;

Wisconsin Department of Financial Institutions

Strengthening Wisconsin's Financial Future

Search for:

fins on the beach

[Search](#)
[Advanced Search](#)
[Name Availability](#)

Search Records

Corporate Records

Result of lookup for **F039902** (at 10/28/2014 8:28 AM)

FINS ON THE BEACH INC.

You can: [File an Annual Report](#) - [Request a Certificate of Status](#) - [File a Registered Agent/Office Update Form](#)

Vital Statistics

Entity ID F039902

Registered Effective Date 12/04/2006

Period of Existence PER

Status Administratively Dissolved [Request a Certificate of Status](#)

Status Date 05/11/2011

Entity Type Domestic Business

Annual Report Requirements Business Corporations are required to file an Annual Report under s.180.1622 WI Statutes.

Addresses

Registered Agent Office SUSAN J HAGAN
358 LAKESHORE DR
EDGERTON , WI 53534

[File a Registered Agent/Office Update Form](#)

Principal Office

Historical Information

Annual Reports None

Certificates of Newly-elected Officers/Directors None

Old Names None

Chronology

Effective Date	Transaction	Filed Date	Description
12/04/2006	Incorporated/Qualified/Registered	12/07/2006	
10/01/2008	Delinquent	10/01/2008	

10/11/2010	Notice of Administrative Dissolution	10/11/2010	RTND UNDELIVERABLE
12/21/2010	Notice of Administrative Dissolution	12/21/2010	RTND UNDELIVERABLE
03/11/2011	Notice of Administrative Dissolution	03/11/2011	PUBLICATION
05/11/2011	Administrative Dissolution	05/11/2011	PUBLICATION

Order a Document Copy

B18 (Official Form 18) (12/07)

United States Bankruptcy Court

Western District of Wisconsin, <http://www.wiwb.uscourts.gov>

Case No. 3-11-16754-rdm

Chapter 7

In re Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Neil Patrick Hagan
aka Neil Hagan, aka Patrick Hagan, fdba
Fin's on the Beach Inc, fdba Fin's Bar &
Grill, Inc.
7926 East Solano Drive
Scottsdale, AZ 85250

Susan Jane Hagan
fdba Fin's on the Beach Inc., fdba Fin's Bar
& Grill, Inc.
7926 East Solano Drive
Scottsdale, AZ 85250

Social Security / Individual Taxpayer ID No.:

xxx-xx-0450

xxx-xx-7906

Employer Tax ID / Other nos.:

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge,

IT IS ORDERED:

The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

This order does not affect any pending adversary proceeding to determine dischargeability.

BY THE COURT

Dated: 2/23/12

Robert D. Martin
United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

RESOLUTION NO. _____

AGENDA NO. _____

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Planning & Development Committee
INITIATED BY

Colin Byrnes; Acting Planning &
Development Director
DRAFTED BY

Planning & Development Committee
SUBMITTED BY



November 5, 2014
DATE DRAFTED

**AMENDING THE 2014 COMMUNITY DEVELOPMENT HOME PROGRAM BUDGET AND
AUTHORIZING REIMBURSEMENT OF COMMUNITY DEVELOPMENT
HOME PROGRAM FUNDS**

- 1 **WHEREAS**, Rock County Community Development, along with the cities of Beloit and Janesville, is a
2 member of the Rock County HOME Consortium for the receipt of HOME Investment Partnerships Program
3 Funds (HOME Funds). These Federal block grants are awarded to state and local governments and are
4 designed exclusively to create affordable housing for low-income households; and,
5
6 **WHEREAS**, in November of 2013, the lead Consortium member (City of Janesville) conducted a monitoring
7 of Rock County's HOME Program. The monitoring resulted in Findings that cited program deficiencies in the
8 area of determining program eligibility. Fourteen (14) projects were identified as having HOME funds
9 expended on costs or activities that did not meet the eligibility requirements for funding under the HOME
10 Program, and in order to continue to conduct the program are required to be repaid; and,
11
12 **WHEREAS**, these funds, plus the administrative funds that were used in support of these projects, must now
13 be allocated to the appropriate entity and repaid to both the HOME Investment Trust Fund Treasury account
14 and to the locally held Program Income account from which they were drawn from. As indicated by the lead
15 Consortium member, the repayment of these funds must come from non-federal funds; and,
16
17 **WHEREAS**, a total of \$44,797.50 in funding is required to be reimbursed to the HOME Investment Trust
18 Fund Treasury and a total of \$151,801.18 is required to be reimbursed to the local Rock County HOME
19 Program Income account funds. The funding that is to be reimbursed to the local Program Income account will
20 be used for future Rock County HOME Program projects and the funding that is to be reimbursed to the
21 HOME Investment Trust Fund Treasury will be applied to and be used for joint HOME consortium funded
22 projects conducted within Rock County (including the Cities of Beloit and Janesville); and,
23
24 **WHEREAS**, administrative and staffing fees associated with these 14 projects were collected and totaled
25 \$17,872.61. These administrative funds total ten percent (10%) of the project costs and are not recoverable for
26 being paid back to the County General Fund account, and,
27
28 **WHEREAS**, when the \$178,726.07 of HOME Program funds provided as loans are repaid through monthly
29 installment repayments, upon sale or transfer, or when it is no longer the homeowner's primary place of
30 residence, these funds will be repaid to the Rock County General Fund account; and,
31
32 **WHEREAS**, reimbursement of funding for ineligible projects will serve towards the closing out of the
33 remaining monitoring Findings and additionally provide Program Income funds that will create future
34 affordable housing opportunities for low-income Rock County residents.
35
36 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors duly assembled this
37 _____ day of _____, 2014, hereby authorizes disbursements of Rock County General Funds for
38 reimbursement in the amount of \$44,797.50 to the HOME Investment Trust Fund Treasury and \$151,801.18 to
39 be reimbursed to the locally held Rock County HOME Program Income account.
40
41 **BE IT FURTHER RESOLVED**, that the Rock County Planning & Development Department 2014 Budget be
42 amended as follows:
43

AMENDING THE 2014 COMMUNITY DEVELOPMENT HOME PROGRAM BUDGET AND
AUTHORIZING REIMBURSEMENT OF COMMUNITY DEVELOPMENT HOME PROGRAM
FUNDS

Page 2

44		BUDGET AT	INCREASE	AMENDED
45	<u>A/C DESCRIPTION</u>	<u>11/01/2014</u>	<u>(DECREASE)</u>	<u>BUDGET</u>
46				
47				
48	<u>Source of Funds:</u>			
49	19-1921-0000-47010	\$0	\$196,599	\$196,599
50	Supplemental Appropriation			
51	From the General Fund			
52				
53	<u>Use of Funds:</u>			
54	64-6600-0000-64604	\$0	\$196,599	\$196,599
55	Program Expense			

Respectfully Submitted,

PLANNING & DEVELOPMENT COMMITTEE

Alan Sweeney, Chair

Mary Mawhinney, Vice Chair


Wayne Gustina

Jason Heidenreich

Wes Davis

ADMINISTRATIVE NOTE:

Recommended.


Josh Smith
County Administrator

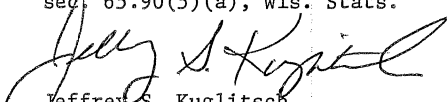
FISCAL NOTE:

This resolution authorizes the use of \$196,599 from the General Fund for the repayment of HOME program loans and administrative costs that did not meet eligibility requirements. Of this amount, \$178,726 will be repaid over time by homeowners and deposited back into the General Fund.


Sherry Oja
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action pursuant to § 59.01 and 59.51, Wis. Stats. As an amendment to the adopted 2014 County Budget, this Resolution requires the 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

**AMENDING THE COMMUNITY DEVELOPMENT HOME PROGRAM BUDGET AND
AUTHORIZING REIMBURSEMENT OF COMMUNITY DEVELOPMENT
HOME PROGRAM FUNDS**

EXECUTIVE SUMMARY

Rock County Community Development, along with the Cities of Beloit and Janesville, is a member of the Rock County HOME Consortium for the receipt of HOME Investment Partnerships Program Funds (HOME Funds). The HOME Program funds a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership to low-income people. It is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households. The Rock County Community Development Housing Program currently provides these funds to eligible property owners in the form of a 0% deferred payment loan that is repaid through either: monthly installment payments, upon sale or transfer of the property, or when the property is no longer the homeowner's primary place of residence.

In November of 2013, the lead Consortium member (City of Janesville) conducted a monitoring of Rock County's HOME Program. The monitoring resulted in Findings that cited program deficiencies in the area of determining program eligibility. Fourteen (14) projects were identified as having HOME funds expended on costs or activities that did not meet the eligibility requirements for funding under the HOME Program. In order to continue to conduct the program, the ineligible costs are required to be repaid.

Funding for HOME projects comes from one of two sources: either Program Income or Entitlement monies. Program Income are the loan funds that have been repaid to the County's HOME Program upon sale or transfer of an assisted property or when the property ceases to be the homeowner's primary place of residence. Entitlement/Grant monies are federally awarded funds that have yet to be drawn down for HOME Program use. In addition to the funds used to pay for material and labor for housing projects the Department is authorized to draw on funds up to ten percent (10%) of the project cost as administration fees. These fees were used to offset Department operational costs and are included in the figures for reimbursement.

A funding analysis of the fourteen (14) identified projects indicates that:

- Program Income was exclusively used on eleven (11) projects for a total reimbursement of \$151,801.18. This Program Income reimbursement will be repaid to the locally held Community Development Program Income Fund and will be expended on future Rock County HOME Program projects.
- Entitlement/Grant monies were utilized on three (3) projects for a total reimbursement of \$44,797.50. This Entitlement/Grant monies reimbursement will be repaid to the HOME Investment Trust Fund Treasury and will be applied to and used for joint HOME Consortium funded projects conducted within Rock County (including the Cities of Beloit and Janesville).

Administrative fees in the amount of \$17,872.61 were collected for these fourteen (14) projects. These operational/staffing costs are not recoverable for being paid back to County General Fund accounts. In contrast, when the \$178,726.07 of HOME Program funds provided as loans are repaid through monthly installment repayments, upon sale or transfer, or when it is no longer the homeowner's primary place of residence, these funds will be repaid to the Rock County General Fund account.

As indicated by the lead Consortium member, any money disbursed for project costs or administrative expenses for these ineligible projects must be reimbursed from non-federal funds. This Resolution proposes to reimburse these funds from the Rock County General Fund account in an effort to address and close out the monitoring Findings and additionally provide Program Income funds that will create future affordable housing opportunities for low-income Rock County residents. Therefore, funds in the amount of \$196,598.68 will be an outright supplemental appropriation from the General Fund.

SUMMARY OF HOME CONSORTIUM PROGRAM REPAYMENT

	Funding Source: Program Income	Funding Source: Entitlement \$\$	Total Funds
HOME Project Funds	\$138,001.07	\$40,725.00	\$178,726.07
Admin. (10%)	<u>\$ 13,800.11</u>	<u>\$ 4,072.50</u>	<u>\$ 17,872.61</u>
	<u>\$151,801.18</u>	<u>\$44,797.50</u>	<u>\$196,598.68</u>



October 9, 2014

LEGAL NOTICE

Notice is hereby given that the Rock County Planning & Development Committee will hold a Public Hearing for the Rock County Farmland Preservation Plan 2013 Update. The Planning & Development Committee will review and make a recommendation to the Rock County Board for adoption.

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, November 13, 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

LG2014013 Rock Co Farmland Preservation 2013

RESOLUTION NO. _____

AGENDA NO. _____

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Planning and Development Agency
INITIATED BY



Colin Byrnes
DRAFTED BY

Planning & Development Committee
SUBMITTED BY

October 28, 2014
DATE DRAFTED

**ADOPTING THE ROCK COUNTY AGRICULTURE PRESERVATION PLAN
2013 UPDATE AS AN ELEMENT OF THE ROCK COUNTY COMPREHENSIVE
PLAN**

- 1 **WHEREAS**, the Wisconsin Legislature adopted the Chapter 91 Farmland Preservation Act as an
2 incentive for property owners to preserve agricultural land; and,
3
4 **WHEREAS**, the Rock County Board of Supervisors, through Resolution 10-5B-049 (May 27, 2010),
5 authorized acceptance of \$30,000 grant funding from Wisconsin Department of Agriculture, Trade and
6 Consumer Protection (DATCP) to develop the Plan and tasked the Agency with coordinating Plan
7 development; and,
8
9 **WHEREAS**, a working group of technical and policy representatives from the Towns and Rock County
10 worked together in preparing the draft of this proposed plan which was reviewed and recommended for a
11 public hearing by the Planning and Development Committee; and,
12
13 **WHEREAS**, the Agriculture Preservation Plan 2013 Update is comprised of the Towns' land use plans
14 then prepared by Rock County Planning and Development Department; and,
15
16 **WHEREAS**, the plan will help to facilitate Farmland Preservation for the benefit of the citizens and the
17 economy of Rock County; and,
18
19 **WHEREAS**, those Towns who choose to participate need to update their respective Town Zoning
20 Ordinances and have those Ordinances certified by DATCP in order for landowners to be eligible for
21 Farmland Preservation Tax Credits; and,
22
23 **WHEREAS**, The Wisconsin Department of Agriculture, Trade and Consumer Protection issued an order
24 certifying the Agricultural Preservation Plan under s. 91.16 Wis. Stats.; and,
25
26 **WHEREAS**, a Public Hearing was held on November 13, 2014 by the Rock County Planning and
27 Development Committee.
28
29 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled
30 this ____ day of _____, 2014 does hereby approve and adopt the Rock County Agriculture
31 Preservation Plan 2013 Update as an element of the Rock County Comprehensive Plan.
32
33 **BE IT FURTHER RESOLVED** that if the Town Board of a Town participating in this plan rezones a
34 parcel of land, the appropriate amendment to the plan shall be automatically made so as to reflect the
35 Town zoning change without the need for additional County action.

ADOPTING THE ROCK COUNTY AGRICULTURE PRESERVATION PLAN 2013 UPDATE AS
AN ELEMENT OF THE ROCK COUNTY COMPREHENSIVE PLAN

Page 2

Respectfully submitted,

Planning and Development Committee

Alan Sweeney, Chair

Mary Mawhinney, Vice Chair

Wayne Gustina

Jason Heidenreich

Wes Davis

FISCAL NOTE:

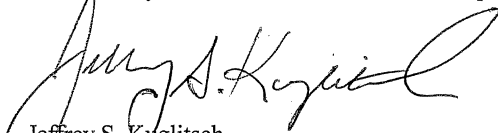
This resolution approves the Rock County Agriculture Preservation Plan 2013 Update. No fiscal impact in and by itself.



Sherry Oja
Finance Director

LEGAL NOTE:

Rock County is authorized to take this action pursuant to Secs. 59.01, 59.51 and 91.10, Wis. Stats.



Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Josh Smith
County Administrator

Executive Summary

ROCK COUNTY AGRICULTURE PRESERVATION PLAN 2013 UPDATE AS AN ELEMENT OF THE ROCK COUNTY COMPREHENSIVE PLAN

The Rock County Agriculture Preservation Plan was last updated in 2005. The purpose of an agriculture preservation plan is to help preserve our high quality agricultural lands and to help farmland owners qualify for the Wisconsin Farmland Preservation Program. This plan was drafted in accordance with Wisconsin Statutes Chapter 91 Farmland Preservation which requires it to do the following:

State the county's policy related to farmland preservation and agricultural development, including the development of enterprises related to agriculture.

Identify, describe, and document all of the following:

1. Agricultural uses of land in the county at the time that the farmland preservation plan is adopted, including key agricultural specialties, if any.
2. Key agricultural resources, including available land, soil, and water resources.
3. Key infrastructure for agriculture, including key processing, storage, transportation, and supply facilities.
4. Significant trends in the county related to agricultural land use, agricultural production, enterprises related to agriculture, and the conversion of agricultural lands to other uses.
5. Anticipated changes in the nature, scope, location, and focus of agricultural production, processing, supply, and distribution.
6. Goals for agricultural development in the county, including goals related to the development of enterprises related to agriculture.
7. Actions that the county will take to preserve farmland and to promote agricultural development.
8. Key land use issues related to preserving farmland and to promoting agricultural development and plans for addressing those issues.
9. Clearly identify areas that the county plans to preserve for agricultural use and agriculture related uses, which may include undeveloped natural resource and open space areas but may not include any area that is planned for nonagricultural development within 15 years after the date on which the plan is adopted.

Once adopted, the Plan provides an opportunity for Wisconsin Farmland Preservation Program financial incentives to farmland owners, who may apply for agricultural preservation income tax credits, as part of their Wisconsin income taxes. To claim a tax credit, landowners must be located in an area zoned and certified for farmland preservation and must have \$6,000 in gross farm revenue in the past year or \$18,000 in the past three years.

The Rock County Agriculture Preservation Plan was certified by the State of Wisconsin Department of Agriculture, Trade and Consumer Protection on April 11, 2014.



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

April 15, 2014

Colin Byrnes, Acting Director
Rock County Planning, Economic and Community Development Agency
51 South Main Street
Janesville, WI 53545

Dear Colin:

Re: Certification of the Rock County Farmland Preservation Plan

Attached is a department order certifying Rock County's Farmland Preservation Plan under s. 91.16, Wis. Stats. Once the plan is adopted and the county has sent confirmation of the plan's adoption, the certification of the county plan will then be complete. Once Rock County adopts the plan please send us a copy of the plan and proof that it was adopted.

We look forward to working with you in the future on farmland preservation in Rock County. If you have any questions, feel free to contact me.

Sincerely,

Alison Volk
Land Management Section
608-224-4634

Agriculture generates \$59 billion for Wisconsin

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • 608-224-5012 • Wisconsin.gov

An equal opportunity employer

**STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION**

**ROCK COUNTY FARMLAND
PRESERVATION PLAN**

DATCP DOCKET NO. 14-F-11-53-PLA

DARM DOCKET NO. 105-00000-P-14 F-0314

**ORDER CERTIFYING PLAN THROUGH
DECEMBER 31, 2024.**

INTRODUCTION

Rock County has asked the Department of Agriculture, Trade and Consumer Protection ("DATCP") to certify a proposed comprehensively revised county farmland preservation plan pursuant to s. 91.16, Wis. Stats. DATCP has considered the request and adopts the following decision:

FINDINGS OF FACT

- (1) DATCP is an agency of the State of Wisconsin, and is responsible for administering Wisconsin's farmland preservation law under ch. 91, Wis. Stats., as repealed and recreated by 2009 Wis. Act 28.
- (2) Rock County is a county of the State of Wisconsin.
- (3) In order for a county and its residents to participate in the farmland preservation program, a county must have a state-certified farmland preservation plan. Among other things, the certified plan must clearly designate farmland preservation areas that the county plans to preserve for agricultural use.
- (4) Rock County has a state-certified farmland preservation plan that expires on December 31, 2015.
- (5) Under s. 91.16(8), Wis. Stats., the certification of a farmland preservation plan does not cover any subsequent plan revision (adopted after July 1, 2009) unless DATCP certifies that plan revision.
- (6) On June 6, 2013, DATCP received from Rock County a request to certify a comprehensively revised county farmland preservation plan under s. 91.16, Wis. Stats. The county submitted the application in the form required under s. 91.20, Wis. Stats. The application included the certifications required under s. 91.20(3), Wis. Stats.
- (7) Under s. 91.16(3)(a), Wis. Stats., DATCP may certify a county plan based on the county's certification under s. 91.20(3), Wis. Stats., that the plan meets applicable certification standards under s. 91.18, Wis. Stats.
- (8) DATCP may certify a farmland preservation plan if the plan meets applicable statutory standards under s. 91.18, Wis. Stats. DATCP may certify based on the representations contained in the county's application, but may conduct its own review and verification as it deems appropriate.
- (9) Under s. 91.10(2), Wis. Stats., the farmland preservation plan must be consistent with the Rock County Comprehensive Plan, and the County must include the farmland preservation plan in the County Comprehensive Plan.

(10) Under s. 91.16(2)(a), Wis. Stats., DATCP may certify a county farmland preservation plan for a specified period of up to 10 years. Under s. 91.16(6), Wis. Stats., DATCP may make its certification contingent upon the county adoption of the certified plan text and maps, in the form certified.

(11) Under s. 91.16(9), Wis. Stats., DATCP may withdraw its certification at any time if DATCP finds that the certified plan materially fails to meet applicable certification standards under s. 91.18, Wis. Stats.

CONCLUSIONS OF LAW

(1) Based on Rock County's certification that the attached county farmland preservation plan meets applicable certification requirements under s. 91.18, Wis. Stats., DATCP may certify that plan for up to 10 years.

(2) DATCP may make its certification contingent upon the county adoption of the certified plan text and maps, in the form certified, and contingent upon its adoption as part of the County comprehensive plan.

(3) Certification does not apply to plan amendments made after the certification date, unless DATCP certifies those amendments.

(4) DATCP may withdraw its certification at any time if DATCP finds that the certified plan text and maps materially fail to meet applicable certification standards under s. 91.18, Wis. Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT:

(1) The attached Rock County Farmland Preservation Plan text (March 11, 2014) and maps (February 24, 2014) are hereby certified under s. 91.16, Wis. Stats., contingent upon county adoption of the plan, included as part of the County comprehensive plan, in the form submitted, before December 31, 2014.

(2) The certified farmland preservation plan areas for Rock County are titled "Farm Preservation: 15-30 Year Horizon" and "Farmland Preservation."

(3) This order takes effect on the date on which the county adoption of the plan text and maps, in the form submitted, takes effect.

(4) This certification expires at the end of the day on December 31, 2024.

Dated this 11th day of April, 2014.

STATE OF WISCONSIN,
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By Ben Brancel
Ben Brancel, Secretary

Parties for Purposes of Review Under s. 227.53, Wis. Stats.:

Colin Byrnes
Director, Rock County Planning, Economic and Community Development Agency
51 S. Main Street
Janesville, WI 53545



October 28, 2014

LEGAL NOTICE

Notice is hereby given that the Rock County Planning & Development Committee will hold a Public Hearing for amending Chapter 4 Part 2 of the Rock County Ordinance regarding the zoning of Shorelands, creating 4.218 and authorizing an Intergovernmental Agreement between Rock County and all 20 Towns in Rock County. The Planning & Development Committee will review and make a recommendation to the Rock County Board for adoption.

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, November 13, 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

LG2014015 Rock Co Shoreland Ordinance Amendment

RESOLUTION NO. _____

AGENDA NO. _____

**ORDINANCE
ROCK COUNTY BOARD OF SUPERVISORS**

COLIN BYRNES
INITIATED BY



JODI TIMMERMAN
DRAFTED BY

PLANNING & DEVELOPMENT
COMMITTEE
SUBMITTED BY

OCTOBER 17, 2014
DATE DRAFTED

AMENDING CHAPTER 4 PART 2 OF THE ROCK COUNTY ORDINANCE REGARDING
THE ZONING OF SHORELANDS, CREATING 4.218, AND AUTHORIZING AN
INTERGOVERNMENTAL AGREEMENT BETWEEN ROCK COUNTY AND
ALL 20 TOWNS IN ROCK COUNTY

1 WHEREAS, the Rock County Board of Supervisors supports the Farmland Preservation
2 Program, and

3
4 WHEREAS, the goal of the Farmland Preservation Program is to preserve Wisconsin farmland
5 through land use planning and zoning while also offering tax relief to farmland owners, and

6
7 WHEREAS, the Wisconsin Court of Appeals issued a recent decision in Hegwood v. Town of
8 Eagle Zoning Board of Appeals, 351 Wis.2d 196, 839 N.W.2d 111 (2013), holding that towns do not
9 have the authority to zone inside a county shoreland district, and

10
11 WHEREAS, landowners enrolled in the Farmland Preservation Program can only claim
12 farmland preservation tax credits on land that is covered by a certified farmland preservation zoning
13 ordinance, and

14
15 WHEREAS, the impact of the Hegwood decision is that landowners enrolled in the Farmland
16 Preservation Program in towns currently under town zoning may not be able to claim the tax credit on
17 land that is within the county shoreland district, unless action is taken to address this issue, and

18
19 WHEREAS, in order to preserve the tax credits for each landowner in Rock County in the
20 Farmland Preservation Program, Rock County needs to amend Chapter 4 Part 2 of the Rock County
21 Code to adopt and incorporate by reference the zoning ordinance for each town in Rock County, by text
22 and map, to the extent that said town ordinance does not conflict with Chapter 4, Part 2, of the Rock
23 County Code and Wisconsin Administrative Code section NR 115; and

24
25 WHEREAS, pursuant to Wis. Stat §59.692(4) and 66.0301, and by an intergovernmental
26 agreement with each town in Rock County, the County will delegate administrative and enforcement
27 authority for the incorporated terms of each town's zoning ordinances back to each respective town
28 upon incorporation of the town's zoning ordinance into Rock County's Shoreland Zoning Ordinance,
29 and

30
31 WHEREAS, Rock County shall maintain administrative authority over Chapter 4, Part 2,
32 Zoning of Shoreland, and

33
34 WHEREAS, this amendment to Chapter 4, Part 2, along with each intergovernmental
35 agreement with the respective towns in Rock County shall be repealed on December 31, 2016, unless a
36 legislative change allows for an earlier repeal or an extension is agreed upon by the parties,

37

AMENDING CHAPTER 4 PART 2 OF THE ROCK COUNTY ORDINANCE
REGARDING THE ZONING OF SHORELANDS AND AUTHORIZING AN
INTERGOVERNMENTAL AGREEMENT BETWEEN ROCK COUNTY AND
ALL 20 TOWNS IN ROCK COUNTY

Page 2

41 NOW THEREFORE, BE IT ORDAINED by the Rock County Board of Supervisors duly
42 assembled this ____ day of _____, 2014, that they amend Chapter 4 Part 2 of the Rock County
43 Ordinance regarding Zoning of Shorelands by creating 4.218 which reads as follows:

44
45 **4.218 Town Zoning in Shoreland Zoning**

- 46
47 (1) The County Board adopts and incorporates by reference, as if set forth in full, the town
48 zoning ordinances for each of the 20 respective towns in Rock County, by text and by
49 map as may be amended from time to time.
50
51 (2) The County Board authorizes the creation of an Intergovernmental Agreement with each
52 town in Rock County, pursuant to Wis. Stat. §§ 59.692(4) and 66.0301 for the purpose
53 of delegating the administration and enforcement of town zoning, as it relates to
54 shoreland areas, back to each respective town in Rock County.
55
56 (3) This subsection shall be repealed effective December 31, 2016, along with each
57 Intergovernmental Agreement, unless earlier repealed or extended upon the agreement
58 of the parties.
59

60 BE IT FURTHER ORDAINED, that the Rock County Board of Supervisors authorizes the
61 entering of an Intergovernmental Agreement with each town in Rock County, pursuant to Wis. Stat.
62 59.692(4) and 66.0301 for the purpose of delegating administration and enforcement of town zoning,
63 as it relates to shoreland areas, back to each respective town in Rock County. The County Board Chair
64 is authorized to enter into these agreements.
65

66 BE IT FURTHER ORDAINED that this amendment shall be effective upon passage and
67 publication.

Respectfully submitted:

PLANNING & DEVELOPMENT COMMITTEE

Alan Sweeney, Chair

Mary Mawhinney, Vice Chair

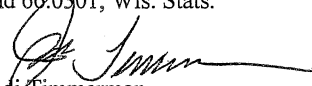
Wes Davis

Wayne Gustina

Jason Heidenreich

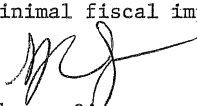
LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01, 59.02(2), 59.51, 59.692(4) and 66.0301, Wis. Stats.


Jodi Timmerman
Deputy Corporation Counsel

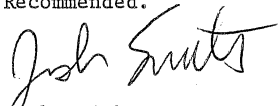
FISCAL NOTE:

Minimal fiscal impact.


Sherry Oja
Finance Director

ADMINISTRATIVE NOTE:

Recommended.


Josh Smith
County Administrator

EXECUTIVE SUMMARY

In Hegwood v. Town of Eagle Board of Appeals, the Wisconsin Court of Appeals held that, except in limited circumstances, towns have no authority to zone shorelands. The impact of this decision is that towns cannot zone for farmland preservation inside the county shoreland district. Landowners can only claim farmland preservation tax credits on land that is covered by a certified farmland preservation zoning ordinance. As a result of Hegwood, property located in a Shoreland Area that had previously been in a certified Farmland Preservation Zoning District is no longer in a certified Farmland Preservation Zoning District and may no longer be eligible for farmland preservation tax credits.

The Wisconsin Counties Association, in conjunction with the Wisconsin Towns Association is recommending that counties adopt the pre-existing town zoning in shoreland in the county's shoreland zoning by text and may reference, and enter into an agreement assigning the administration of town zoning in shoreland areas to each respective town.

The intent of this resolution is to assure that landowners enrolled in the Farmland Preservation Program continue to be eligible to receive tax credits. Additionally, it is intended that the county and each town will continue to administer and enforce zoning as has been done prior to the Hegwood decision.

The Wisconsin Counties Association and the Wisconsin Towns Association have expressed an intent to seek a legislative solution to this issue in 2015. If and when this occurs, this amendment would be repealed.

INTERGOVERNMENTAL AGREEMENT BETWEEN
ROCK COUNTY AND THE TOWN OF _____
TO ADMINISTER SHORELAND ZONING

This Agreement is made and entered into as of the ___ day of _____, 2014, by and between the County of Rock, Wisconsin, (the County) and the Town of _____, Wisconsin, (the Town), to establish the terms and conditions related to shoreland zoning in Rock County.

WHEREAS, The Town is a Wisconsin town that has in effect a zoning ordinance pursuant to Chapters 60 and 62 of the Wisconsin Statutes. The Town's zoning ordinance includes one or more Farmland Preservation Zoning Districts certified under Chapter 91 of the Wisconsin Statutes.

WHEREAS, property owners located in a Farmland Preservation Zoning District certified under Chapter 91 of the Wisconsin Statutes may be eligible for farmland preservation tax credits pursuant to Wis. Stat §71.613.

WHEREAS, The County is a Wisconsin County that has adopted a Shoreland Zoning Ordinance pursuant to Wis. Stats. §59.692 and is set forth in Chapter 4 of the Rock County Code.

WHEREAS, the Wisconsin Court of Appeals Decision in Hegwood v. Town of Eagle Zoning Board of Appeals, held that towns do not have the authority to zone inside a county shoreland district. As a result, property located in a Shoreland Area that had previously been in a certified Farmland Preservation Zoning District is no longer in a certified Farmland Preservation Zoning District and may no longer be eligible for farmland preservation tax credits.

WHEREAS, it is anticipated that future legislation will reverse the holding in Hegwood v. Town of Eagle Zoning Board of Appeals. However, until such time, the County is adopting and incorporating by reference in full, both by text and by map, the Town's zoning ordinance into Chapter 4 of the County's Shoreland Zoning Ordinance. By this Agreement, the County intends to delegate administrative and enforcement authority for the incorporated provisions of the Town's zoning ordinance back to the Town. The purpose of this Agreement is to maintain farmland preservation tax credits for property located in Shoreland Areas until a legislative change is implemented.

NOW, THEREFORE, in consideration of the above premises, pursuant to Wis. Stats. §59.592(4) and 66.0301, and in consideration of the mutual covenants hereinafter set forth, the parties agree as follows:

1. Incorporation of Town Zoning Ordinance: The County amends Chapter 4 of its Shoreland Zoning Ordinance to adopt and incorporate by reference, as if set forth in full, the Town's Zoning Ordinance, by text and by map. All provisions of the Town's zoning ordinance will apply in all Shoreland Areas located in the Town, to the extent that the

parties and their successors and shall not be deemed to give any legal or equitable right, remedy, or claim to any other person or entity. The enforceability of this Agreement shall not be affected by changes in elected officials.

8. Assignment: No party shall assign any rights or responsibilities under this Agreement to a third party without the prior written consent of the other party.

9. Term: This Agreement shall remain in effect from the date of execution until December 31, 2016, unless terminated earlier by mutual agreement of the parties. Either party may request an extension or modification of this Agreement. Any extension or modification of the terms of this Agreement shall be in writing in the form of an Addendum to this Agreement and approved by both the Town and the County.

Dated:

TOWN

Town Chair

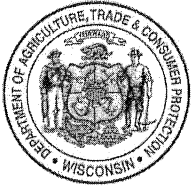
Town Clerk

Dated:

ROCK COUNTY

J. Russell Podzilni, Chair

Lorena R. Stottler, County Clerk



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

To: Towns with Certified Farmland Preservation Zoning Ordinances

From: John Petty, Administrator, Division of Agricultural Resource Management
[Handwritten Signature]

Date: August 25, 2014

Subject: Farmland Preservation and Shoreland Zoning

Recently, the Wisconsin Supreme Court denied review of court of appeals' 2013 decision in *Hegwood v. Town of Eagle Board of Appeals*, which addressed the relationship between town zoning authority and county shoreland zoning. Except in limited circumstances, towns are now unable to zone inside a county's shoreland district. Though this case may have greater implications for your town as a zoning authority, we wanted to alert you to the fact that *Hegwood* affects all towns under town zoning that wish to have a farmland preservation zoning ordinance certified by the department.

As a result of *Hegwood*, towns cannot currently zone for farmland preservation inside the county shoreland district. Because landowners can only claim farmland preservation tax credits on land that is covered by a certified farmland preservation zoning ordinance, landowners in towns under town zoning may not claim the tax credit on land that is within the county shoreland district. As you work to update your zoning ordinance, we encourage you to alert landowners to this development.

We will continue to certify maps that show the farmland preservation district for an entire parcel; however the town must ensure that it is fully complying with the *Hegwood* decision. We recommend including the county shoreland district boundaries on the zoning map submitted for certification. This will enable landowners to see whether they are affected by shoreland regulations. We also recommend including a disclaimer on the map stating that landowners whose land is covered by both a farmland preservation district and a shoreland district may not be able to claim on their entire parcel. Landowners should work with the town and the county to determine the correct number of acres covered by the farmland preservation zoning district.

When the department certifies a farmland preservation zoning ordinance, the department does not also certify that the ordinance complies with all other relevant laws. Outside of the farmland preservation district, the department defers to the interpretations of a town's attorney. Consequently, towns should work with their attorney to ensure that their ordinances are in compliance with the *Hegwood* decision. Should you have any questions about farmland preservation and shoreland zoning, please contact Keith Foye at 608-224-4603 or Alison Volk at 608-224-4634.

cc. Applicable Counties with Towns under Town Zoning containing FP zoning ordinances
Wisconsin Towns Association
Wisconsin Counties Association

Agriculture generates \$59 billion for Wisconsin

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • 608-224-5012 • Wisconsin.gov

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