



**PUBLIC NOTICE & AGENDA  
BELOIT PLAN COMMISSION  
City Hall Forum - 100 State Street, Beloit, WI 53511  
7:00 PM  
Tuesday, November 22, 2022**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
  - 2.a. Consideration of the minutes of the October 19, 2022 Plan Commission meeting  
[Attachment](#)
3. PUBLIC HEARINGS
  - 3.a. Consideration of an amendment to the Future Land Use Map of the Comprehensive Plan from Single Family Residential - Urban to Neighborhood Commercial for the property located at 1118 Garfield Avenue  
[Attachment](#)
  - 3.b. Consideration of an amendment to the Future Land Use Map of the Comprehensive Plan from Parks and Open Spaces to Two-Family/Townhouse Residential for the property located at 113 Bluff Street  
[Attachment](#)
  - 3.c. Consideration of an Ordinance amending the Zoning District Map from R-1B, Single-Family Residential District to R-2, Two-Family Residential District for the property located at 113 Bluff Street  
[Attachment](#)
4. REPORTS
  - 4.a. Consideration of an Extraterritorial One-Lot Certified Survey Map in the Town of Beloit for the property located on the 1000 block of West Street  
[Attachment](#)
  - 4.b. Consideration of a Permanent Water Main Easement over the western 20 feet of 1475 Office Park Lane and 2525 Kennedy Drive  
[Attachment](#)
5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS  
*Conditional Use Ordinance Amendment*
6. FUTURE AGENDA ITEMS  
*Certified Survey Map - Ridgeway Street*

## 7. ADJOURNMENT

\*\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511.



**MINUTES  
PLAN COMMISSION  
City Hall Forum - 100 State Street, Beloit, WI 53511  
7:00 PM  
Wednesday, October 19, 2022**

**1. CALL TO ORDER AND ROLL CALL**

Chairperson Weeden called the meeting to order at 7:00 PM. Chairperson Weeden, Commissioners Ramsden, Jacobsen, Flesch, Anderson, and Councilor Dunkin were present. Commissioners Janke and Toral were absent.

**2. MINUTES**

**2.a. Consideration of the minutes of September 21, 2022 Plan Commission meeting**

Motion was made by Commissioner Ramsden seconded by Commissioner Jacobsen to approve the minutes. Motion prevailed, voice vote (5-0).

**3. REPORTS**

**3.a. Consideration of an Extraterritorial Two-Lot Certified Survey Map located on W Marilyn Parkway in the Town of Beloit**

Julie Christensen, Community Development Director, presented the staff report and recommendation.

Commissioner Flesch moved to approve the Extraterritorial Two-lot Certified Survey Map located on W Marilyn Parkway, seconded by Commission Anderson. Motion prevails, voice vote (5-0).

**4. PUBLIC HEARINGS**

**4.a. Consideration of an amendment to the future Land Use Plan of the City's Comprehensive Plan from Single Family Residential – Urban to Planned Mixed Use for the Property located at 825 Liberty Ave**

Julie Christensen, Community Development Director, presented the staff report and recommendation.

Chairperson Weeden asked if there were any changes to the scope of the services that would be provided by the owner would that need to come back to Plan Commission or Council. Ms. Christensen said that any changes to the uses listed would require approval, so if a for-profit landlord would buy the property and would decide they are only doing housing and not daycare then it would need to come back for approval.

Commissioner Jacobson asked Ms. Christensen to elaborate on the PUD process if it is to stay with the property and not the owner. Ms. Christensen said that they would need to come back to the City if anything in the PUD Master Land Use Plan changes.

Commissioner Flesch asked if the City is requiring annual inspections of the units, and asked about exterior maintenance and upkeep. Ms. Christensen said that exterior conditions are covered by the property maintenance code now, but the City cannot do annual rental inspections anymore.

Commissioner Anderson asked what would happen if the City finds something wrong at the annual rental inspection. Ms. Christensen said the City would issue the owner a violation notice, with time to correct the issue. Commissioner Anderson asked if there is a process during the annual inspection where the neighbors have a complaint that could end up in the City sending a notice of violation.

Ms. Christensen said that the complaint has to be from someone living in the unit, and that the neighbors cannot file a complaint unless they saw something on the inside. Ms. Christensen said that they could always call on exterior issues, and if a tenant has a complaint on the inside conditions, then the inspection can take place.

Councilor Dunkin was concerned about the signage and lighting for this location, and how it would work for the residents. Ms. Christensen said that there cannot be an electronic message sign at that property, so they are looking at a normal sign that is not flashing. Ms. Christensen said that the lighting is required to light up the parking lot only and cannot shine onto the neighboring properties.

Councilor Dunkin asked if this property can impact neighboring properties taxes. Ms. Christensen said she is not sure since that is with the Assessor's department, but typically if there are improvements in the neighborhood, property values typically go up.

Chairperson Weeden opened the public hearing.

Joe Stadelman, Angus Young Associates, 555 S River St, Janesville, Wisconsin, said this project is funded by a couple of different organizations like Rock County and the City of Beloit. Mr. Stadelman said that one of the concerns raised by Rock County was the one-bedroom apartments since this project will be serving families. Mr. Stadelman said they have redesigned the space so that the apartments can have two bedrooms.

Mr. Stadelman stated that this does not change the size of the building just the size of the rooms. Mr. Stadelman said the brick will remain, a new roof, windows will be installed, and they are reducing the amount of pavement on the site with a turn lane and a drop off lane.

Robert Johnson, 844 Lincoln Ave, stated that he does not think that they got enough input from the neighborhood. Mr. Johnson said that putting a multi-family development in a small space is not a good use, and people deserve a better place. Mr. Johnson does not oppose the childcare and offices, and indicated that this was turned down once before. Mr. Johnson said that he thinks the project is being rushed.

John Pfleiderer, Executive Director of Family Services, 416 College Street, said that they have a plan for a living environment that treats families with respect, and provides a safe environment that will help them with the next step in their life. Mr. Pfleiderer wants to mention that as a resident that they should be concerned about foreclosures. Mr. Pfleiderer said that shelters that cause problems are the ones that allow residents to come in for the night and leave the next day. Mr. Pfleiderer said that they will be monitoring the site, and it is for them to be able to move onto the next chapter in their life.

Councilor Dunkin asked Mr. Pfleiderer what partnerships and services they will be offering that will help lead people to be in the right direction to be self-sufficient. Mr. Pfleiderer said they look at a self-sufficiency scale with people, and their goal is to help them move up the ladder. Mr. Pfleiderer stated that they will have a case managers, counselors, and financial counselors.

Chairperson Weeden asked if Mr. Pfleiderer can elaborate on on-site staff and security. Mr. Pfleiderer there will be staff at the facility ten hours a day and resources for the families. Chairperson Weeden mentioned that he was an overnight volunteer at the House of Mercy for many years, and mentions there was issues with security mostly with boyfriends or dads coming to the shelter during the day causing problems. Mr. Pfleiderer said resident's safety is important and if visitors will help improve their situation.

Mr. Pfleiderer said that being in a relationship is not a problem in the facility, and they should not be distracted by a visitor as long as they meet their goals to move forward in their life. Chairperson Weeden asked if the building will be secured. Mr. Pfleiderer said that there will be a key to enter.

Commissioner Anderson asked what success looks like with the proposed program, and how long would they stay. Mr. Pfleiderer said that they would stay at least two years, and they want people to be economically self-sufficient and want the children to thrive. Councilor Dunkin asked if a resident was to get an apartment, and things were not working out or they were not following protocol, will there be things in place that can help the residents or do you say this is not working.

Mr. Pfleiderer stated that responsibility is an adult attribute and part of being self-sufficient, and it is difficult to succeed in life if there is no responsibility. Mr. Pfleiderer said that having a team approach is great, and he does not have a concern as long as they are able to make sure they are providing support to the family.

Lisa Thompson, 1335 Jackson Street, stated that she was a former worker at Aramark when Royce was open, serving breakfast and lunch. Ms. Thompson said that the Transitional Living Program (TLP) program would be great for the people in the community, and it is a good location. Ms. Thompson said it will help the community and the kids, and it is better that they have childcare for the adults on site to help the families. Ms. Thompson said that

there is crime already there, with vandalism to the building, and with having the building occupied, it would help keep the crime down.

Kathy Pohl, 1202 Eleventh Street, wanted to say she supports the endeavor and loves the way the property will look and the improvement to the neighborhood. Ms. Pohl used to work for the school district and says this will help the children since a lot of them are homeless. Ms. Pohl asked about how the health concerns will be addressed.

Kelsey Hood Christiansen, Family Services Program Director, stated that as of September 19<sup>th</sup>, 2022 there were 96 families with children waiting for housing resources. Ms. Christiansen said that the average wait time for the families is 125 days to escape homelessness and provide stability to children. Ms. Christiansen said that they are at capacity and are consistently full, and this could solve a lot of problems and answer prayers for these families.

Ms. Christiansen the program is familiar with HUD standards and will adhere to those, and including how many people can reside in each bedroom and they will not cram a family of ten in a two-bedroom apartment. Ms. Christiansen said that all the alarms for security are attached to her phone, and she will be alarmed in case of emergency such as any glass shattering or of a fire. Ms. Christiansen said that in 2022 they have had a 68 percent increase in self-sufficiency for the families they are currently serving, 88 percent increase in employment, and 87 percent in community involvement.

Commissioner Ramsden asked what the current capacity of the existing shelters. Ms. Christiansen that for their emergency shelter they have ten bedrooms, so they house one family per bedroom. Ms. Christiansen went on to explain that the communal spaces would be office spaces or supportive services, and they would maintain and clean the spaces.

Chairperson Weeden asked if there would be fees charged for the child care services for residents or would it be open to public. Ms. Christiansen said that they intend to serve both tenants on site as well as the general public, and for the children from the general public, they will set a fee that will be affordable to the community members.

Dan Schultz, 1159 Ninth Street, said he appreciates the hard work they put toward homeless people and the children within the community. Mr. Schultz said that his concern is putting this development in his community, and this development will have an impact on the value of his home. Mr. Schultz explained his concern for the parking that is on the street, and in that parking lot. Mr. Schultz also expressed his concerns for families co-sleeping with their kids. Mr. Schultz said that he wants to see their business plan.

Steve Howland, 1617 Emerson Street, said that he serves on the Beloit Area Homeless Task Force. Mr. Howland said there is a need to address homelessness. Mr. Howland said that he thinks the plan includes to engage the community as much as possible. Mr. Howland

said that this will provide wrap-around services that are essential to help people get out of homelessness.

Chairperson Weeden closed the public hearing.

Commissioner Jacobsen moved to approve the amendment to the Future Land Use Plan of the City's Comprehensive Plan, seconded by Commissioner Anderson. Motion prevails, roll call vote (5-0).

4.b. **Consideration of a Planned Unit Development (PUD) Master Land Use Plan to allow a multi-family residential, a day care center, and community service uses on the property located at 825 Liberty Ave**

Chairperson Weeden opened and closed the public hearing.

Commissioner Anderson moved to approve the PUD Master Land Use Plan, seconded by Commissioner Flesch. Motion prevails, voice vote (5-0).

4.c. **Consideration of a Zoning Map Amendment from PLI, Public Lands and Institutions District, to PUD, Planned Unit Development District, for the property located at 825 Liberty Ave**

Chairperson Weeden opened and closed the public hearing.

Commissioner Jacobsen moved to approve the Zoning Map Amendment from PLI to PUD, seconded by Commissioner Anderson. Motion prevails, voice vote (5-0).

5. **STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS**

Ms. Christensen updated the Plan Commission on the actions taken by City Council related to a variety of items previously reviewed by Plan Commission. Ms. Christensen said the next Plan Commission meeting is scheduled for November 22, 2022.

6. **FUTURE AGENDA ITEMS**

Julie Christensen outlined the future agenda items.

7. **ADJOURNMENT**

Commissioner Flesch moved to adjourn the meeting, seconded by Commissioner Jacobsen at 8:45 PM. Motion carried, voice vote (5-0).

---

Tim Weeden, Chairperson



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** November 22, 2022

**Agenda Item:** 3.a.

**File Number:** RPB-2022-06

### **General Information**

---

**Applicant:** Angus-Young Architects

**Owner:** Samra Investments, Inc.

**Address/Location:** 1118 Garfield Avenue

**Current Zoning:** R-1B, Single Family Residential and WPO, Wellhead Protection Overlay

**Applicant's Request/Proposal:** Angus-Young Architects, on behalf of Samra Investments, Inc., has submitted an application to amend the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan from Single-Family Residential – Urban to Neighborhood Commercial for the property located at 1118 Garfield Avenue.

This request is related to a proposed redevelopment of the applicant's Mobil convenience store located at 1407 Liberty Avenue. This project involves the replacement of the existing store with a larger 6,000 square-foot convenience store with an improved parking layout as shown on the attached site plan. The gas pumps and canopy will not be altered. The applicant has also submitted a PUD Master Use Plan and a request for a Zoning Map Amendment to PUD which will be considered by Plan Commission on December 21.

### **Staff Analysis**

---

**Background:** The owner of the Mobil Convenience Store located at 1407 Liberty Avenue is proposing to expand its existing store. In 2021, the owner submitted the proposal to expand the store onto 1112 Garfield Avenue, an adjacent residential property to the north of the store. The plan at that time identified a proposed 3,650 square foot convenience store, which was an increase in footprint from the current store which is 2,700 square feet.

Consequently, on September 20, 2021, the City Council approved an amendment to the Future Lane Use Map of the Comprehensive Plan for 1112 Garfield Avenue from Single-Family Residential – Urban to Neighborhood Commercial, and then on December 6, 2021, the City Council approved a Zoning Map Amendment from R-1B, Single-Family Residential District, to C-2, Neighborhood Commercial District, for the same property.

At this point, the owner of the store is proposing a larger convenience store (6,000 square feet) and has purchased the property at 1118 Garfield Avenue, a residential property immediately to the north of 1112 Garfield Avenue. In order to develop the larger convenience store, the owner



is proposing to amend the Future Land Use Map (Map 10) of the City's Comprehensive Plan from *Single Family Residential-Urban* to *Neighborhood Commercial*.

**Existing Site Conditions:** The subject property is a 50-foot residential lot (0.15 acres) with an existing single-family dwelling and detached garage zoned R-1B, Single-Family Residential. This property was recently purchased by Samra Investments, Inc. with the intention to expand its existing business use onto the property.

**Surrounding Land Use and Zoning:** There are residential properties to the north of the subject property, and Hinckley Park zoned PLI, Public Lands and Institutions to the east. The applicant's adjacent commercial property is part of a large C-2 district that runs along Madison Road to the northwest.

**City of Beloit Comprehensive and Strategic Plan:** Wisconsin's Comprehensive Planning Law, §66.1001 of the Wisconsin Statutes, was signed into law in 1999. The Comprehensive Planning law requires all cities, towns, and villages that regulate land use through land use ordinances (e.g. zoning) to adopt a Comprehensive Plan. This plan is intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the plan. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan.

Compliance with the Comprehensive Planning law's consistency requirement is the impetus for this request. Consideration of this request supports Strategic Goal #3 to Create and Sustain Economic and Residential Growth of the City's Strategic Plan by allowing for the expansion of an existing business.

**Land Use Analysis:**

As stated above, this request is related to a proposed redevelopment of the adjacent Mobil convenience store located at 1407 Liberty Avenue which involves the replacement of the existing store with a larger 6,000 square-foot convenience store that is proposed to be located over 1407 Liberty Avenue, 1112 Garfield Avenue, and 1118 Garfield Avenue. The convenience store property and 1112 Garfield Avenue currently have a future land use designation of Neighborhood Commercial.

Although this redevelopment will involve an encroachment of a commercial structure into the residential neighborhood, staff believes that the overall project will greatly improve the aesthetics and functionality of the site. The proposed plan shows a 15-foot setback from the remaining residential neighborhood, which will be discussed once the Planned Unit Development applications are before Plan Commission. The applicant and owner are proposing a reduced setback along the back property line; however, they are proposing a landscape buffer which includes a solid fence between the neighborhood commercial site and the adjacent residential neighborhood.

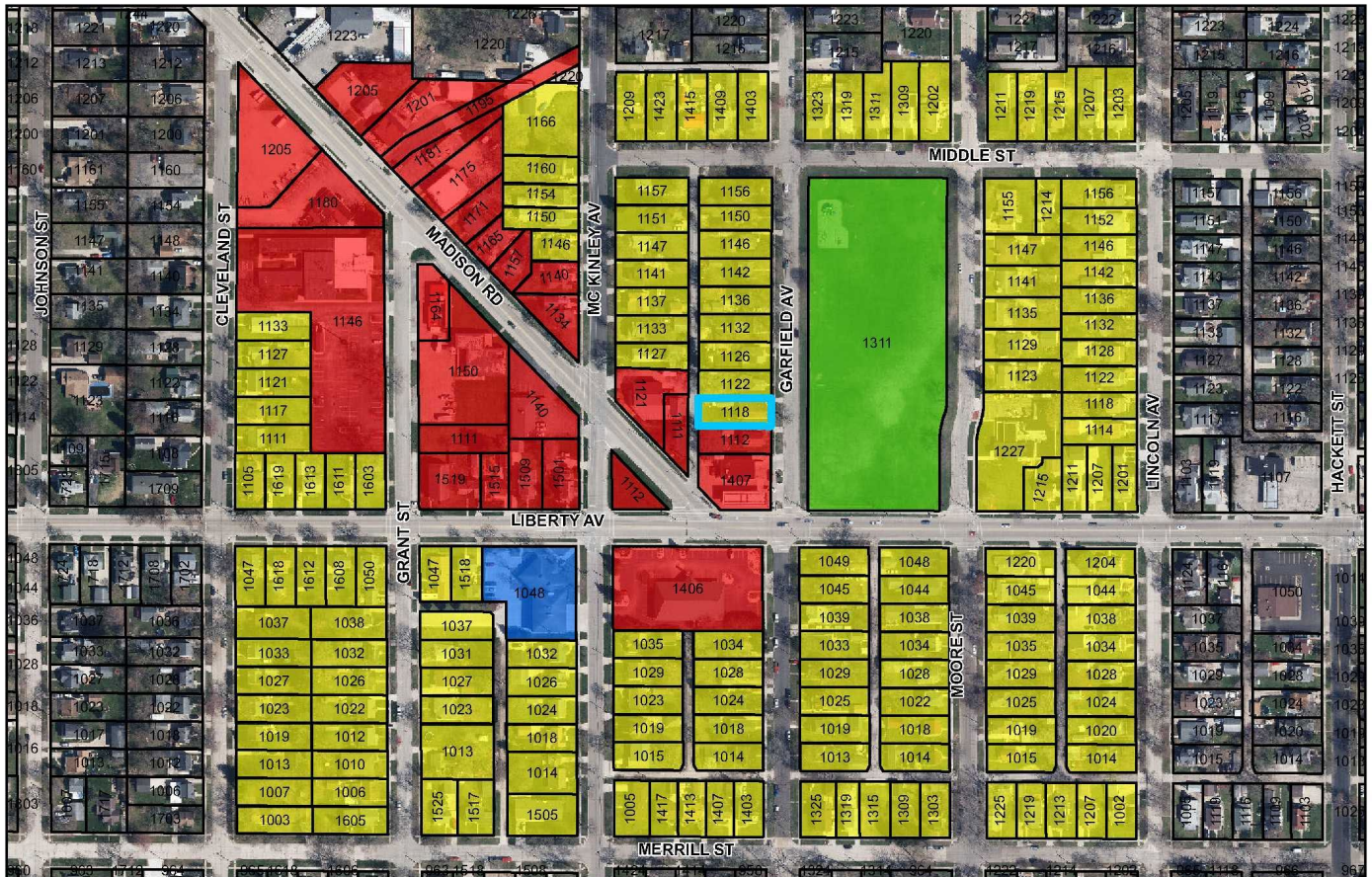
**STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **approval** of a Comprehensive Plan Amendment to change the future land use classification from *Single Family Residential-Urban* to *Neighborhood Commercial* for the property located at 1118 Garfield Avenue in the City of Beloit.

**ATTACHMENTS:** Existing Site Plan, Proposed Site Plan, Comprehensive Plan Future Land Use Map, Application, Public Notice, Mailing List, and Resolution.

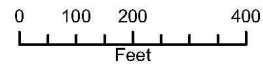






### Comprehensive Plan Future Land Use Map 1118 Garfield Avenue

- Institutional and Community Services
- Parks and Open Spaces
- Single-Family Residential - Urban
- Neighborhood Commercial
- Parcels
- 1118 Garfield Ave



# CITY of BELOIT

## PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Comprehensive Plan Amendment Application Form

(Please Type or Print)

File No.: \_\_\_\_\_

1. Applicant's Name: FARAAS MANNAN

555 SOUTH RIVER STREET

JANESVILLE

WI

53548

(Address)

(City)

(State)

(Zip)

608 756 2326

(Office Phone #)

/ /

(Cell Phone #)

f.mannan@angusyoung.com

(E-mail Address)

2. Type:  Text Amendment

Map Amendment

3. The following Text Amendment is requested:

Chapter: \_\_\_\_\_, Section: \_\_\_\_\_, Subsection(s): \_\_\_\_\_

Proposed Amendment: \_\_\_\_\_

4. The following Map Amendment is requested:

Map No. & Title: \_\_\_\_\_

Address of Affected Property: 1118 GARFIELD AVE

Tax Parcel Number(s): 12740585

Owner of record: SAMRA INVESTMENTS INC Phone: \_\_\_\_\_

1985 PEBBLE DR

BELOIT

WI

53511

(Address)

(City)

(State)

(Zip)

Proposed Amendment: \_\_\_\_\_

Our intent is to change the land use from Single Family Residential to Neighborhood Commercial to allow

for the owners to expand their Mobil Gas Station + C-Store over their residential parcels. Existing Parcels: 12740570 & 12740580

5. I/we represent that I/we have a vested interest in this property in the following manner:

Owner

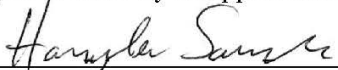

Leasehold, Length of lease: \_\_\_\_\_

Contractual, Nature of contract: \_\_\_\_\_

Other, explain: \_\_\_\_\_

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/we, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/we also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

	/	Harjinder Samra	/	10.20.2022
(Signature of Owner)		(Print name)		(Date)
	/	Faraas Mannan	/	10.20.2022
(Signature of Applicant, if different)		(Print name)		(Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Planning & Building Services Division. This application must be submitted with the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant, and it is typically between \$5.00 and \$20.00.

To be completed by Planning Staff

Filing Fee: **\$275.00** Amount Paid: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

Number of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_

Application accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Date Notice Published: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_

---

COMMUNITY DEVELOPMENT DEPARTMENT

**NOTICE TO THE PUBLIC**

November 14, 2022

To Whom It May Concern:

Angus-Young Architects, on behalf of Samra Investments, Inc., has filed an application requesting the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan for the property located at:

1118 Garfield Avenue - From *Single-Family Residential-Urban* to *Neighborhood Commercial*. This request is related to a proposed redevelopment of the adjacent Mobil convenience store located at 1407 Liberty Avenue involving replacement of the existing store with a larger 6,000 square-foot convenience store with improved parking layout. The gas pumps will not be altered. If the requested amendment is approved, the residential property at 1118 Garfield Avenue must be rezoned to commercial and combined with the existing Mobil station property. The following public meetings will be held regarding this proposed amendment:

**City Plan Commission:** Tuesday, November 22, 2022, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Tuesday, January 3, 2023, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**We are interested in your opinion.**

**Anyone bringing handouts to the Plan Commission meeting must bring 10 copies and submit them to City staff before the meeting begins.**

**You may also mail your comments to the attention of Julie Christensen at 100 State Street or via email to [planning@beloitwi.gov](mailto:planning@beloitwi.gov). You may also call (608) 364-6703 to provide your comments over the phone.**



Karry DeVault, Clerk  
Town of Beloit  
2871 S. Afton Rd.  
Beloit 53511

Frank Management Inc.  
2501 Morse Street  
Janesville, WI 53545

Dr. Keyser, Superintendent  
School District of Beloit  
1500 Fourth Street  
Beloit, WI 53511

Deb Bennett, Clerk  
Town of Turtle  
6916 S. County Rd. J.  
Beloit, WI 53511

Rock County Planning Director  
51 S. Main Street, Room 266  
Janesville, WI 53545

Dr. Dennis McCarthy, Superintendent  
Beloit-Turner School District  
1237 Inman Parkway  
Beloit, WI 53511

City Clerk  
City of South Beloit  
519 Blackhawk Blvd. Suite 2  
South Beloit, IL 61080

Mr. Jim Brewer, District Administrator  
Clinton Community School District  
112 Milwaukee Road  
Clinton, WI 53525

Brad Austin  
Corporate Contractors Inc.  
3800 Gateway Blvd #200  
Beloit, WI 53511

Peter Herreid  
Div. of Intergovernmental Relations  
Department of Administration  
[peter.herreid@wisconsin.gov](mailto:peter.herreid@wisconsin.gov)

Nick Dimassis  
Beloit Public Library Director  
For Public Posting

**RESOLUTION  
RECOMMENDING APPROVAL OF AN AMENDMENT TO THE  
CITY OF BELOIT COMPREHENSIVE PLAN**

**WHEREAS**, the Plan Commission of the City of Beloit recommended approval of the Comprehensive Plan of the City of Beloit (the Plan) on September 5, 2018, and the City Council of the City of Beloit approved an Ordinance adopting the Plan on November 5, 2018; and

**WHEREAS**, the Plan may be amended and changed in the years following adoption, particularly in instances where the Plan is becoming irrelevant or contradictory to emerging policies or trends, or does not provide specific advice or guidance on an emerging issue; and

**WHEREAS**, “Amendments” are generally defined as minor changes to the Plan’s maps or text; and

**WHEREAS**, the City Council of the City of Beloit approved a Resolution to Adopt a Process for Amending the City of Beloit Comprehensive Plan on February 1, 2010; and

**WHEREAS**, the approved process directs the Plan Commission to hold a public meeting on the proposed amendment, and following said public meeting, make a recommendation by Resolution to the City Council by majority vote of the entire Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the Plan Commission of the City of Beloit, Rock County, Wisconsin, hereby recommends approval of the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1118 Garfield Avenue - From *Single-Family Residential-Urban* to *Neighborhood Commercial*.

Adopted this 22nd day of November 22.

**Plan Commission**

\_\_\_\_\_  
Tim Weeden, Chairman

ATTEST:

\_\_\_\_\_  
Julie Christensen,  
Community Development Director



**ORDINANCE NO. 3722**  
**AN ORDINANCE AMENDING THE**  
**CITY OF БЕЛОIT COMPREHENSIVE PLAN**

The City Council of the City of Beloit, Rock County, Wisconsin do ordain as follows:

**Section 1.** The Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan adopted in §12.015 of the Code of General Ordinances of the City of Beloit, is hereby amended as follows:

The future land use category of the following described land is hereby changed from Single-Family Residential-Urban to Neighborhood Commercial:

LOT 10 OF SMILEY AND MERRIMAN'S ADDITION, CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN (ALSO KNOWN AS 1112 GARFIELD AVENUE). SAID PARCEL CONTAINS 0.149 ACRE, MORE OR LESS.


**Section 2.** This Ordinance shall take effect and be in force upon its passage and publication.

Adopted this 20<sup>th</sup> day of September, 2021.

**City Council of the City of Beloit**

  
\_\_\_\_\_  
Clinton Anderson, Council President

Attest:

  
\_\_\_\_\_  
Eric R. Miller, Interim City Clerk-Treasurer  
Published this 28 day of September, 2021  
Effective this 29 day of September, 2021  
01-611100-5231-252



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** November 22, 2022

**Agenda Item:** 3.b.

**File Number:** RPB-2022-07

### **General Information**

---

**Applicant:** Mary Molique

**Owner:** Mary D Molique and Owen J Molique

**Address/Location:** 113 Bluff Street

**Current Zoning:** R-1B, Single Family Residential

**Applicant's Request/Proposal:** Mary Molique has submitted an application to amend the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan from Parks and Open Spaces to Two-Family/Townhouse Residential for the property located at 113 Bluff Street.

This request is related to the owner's desire to sell the existing structure as a two-family dwelling. The subject property lost its nonconforming status as a duplex in 2018 (see attachments). The subject property may be used as a single-family dwelling – rental or owner-occupied.

### **Staff Analysis**

---

**Background:** According to the City's rental records, this duplex was owner-occupied, with one rental unit through 2018. Therefore, the property was considered a legal nonconforming property under the Zoning Ordinance and state law. Under Wis. Stats §62.23(7)(h) and the City's Zoning Ordinance, a legal nonconforming use can continue as long as the use is not discontinued for a period of 12 months. If it is discontinued for 12 months, any future use of the building, premises, structure, or fixture shall conform with the ordinance. In this case, the owner passed away, and the niece purchased it in 2017 (see attached notes and Affidavit of Vacancy/Non-Rental Property). In 2018, the owner signed a statement that the unit was not rented, but was being repaired. Consequently, the property lost its ability to be used as a duplex. In 2019, the current owner was notified of this loss of nonconforming status (see attached letter)

**Existing Site Conditions:** The subject property sits at the corner of Bluff Street and Shirland Avenue and includes a 2,040 square-foot building, two attached garages, and one accessory structure. The northern portion of the building has a tenant and the southern portion is vacant. The current zoning is R-1B, Single-Family Residential. If the requested amendment is approved, the applicant has also submitted an application to rezone the subject property to R-2, Two-Family Residential District to utilize the property as a duplex.

**Surrounding Land Use and Zoning:** To the east of the subject property is the Rock River, there are residential properties to the north and west, zoned R1-B, Single-Family Residential. To the south are vacant buildings zoned IL, Light Industrial located in the City of South Beloit, Illinois.

**City of Beloit Comprehensive and Strategic Plan:** Wisconsin's Comprehensive Planning Law, §66.1001 of the Wisconsin Statutes, was signed into law in 1999. The Comprehensive Planning law requires all cities, towns, and villages that regulate land use through land use ordinances (e.g. zoning) to adopt a Comprehensive Plan. This plan is intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the plan. The Beloit City Council approved the City's Comprehensive Plan update in November 2018 after an extensive public participation program. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan.

The Comprehensive Plan recommends Parks and Open Spaces for the subject property, with the long-term goal being to extend the open space uses along the west side of the Rock River from the existing park and open space to the north to the stateline (see attached map). Goal 1 of the City's Strategic Plan is to Create and Sustain Safe and Healthy Neighborhoods, with one of the objectives being to reduce the density of rental units. Therefore, this request is inconsistent with both the City's Comprehensive Plan and its Strategic Plan.

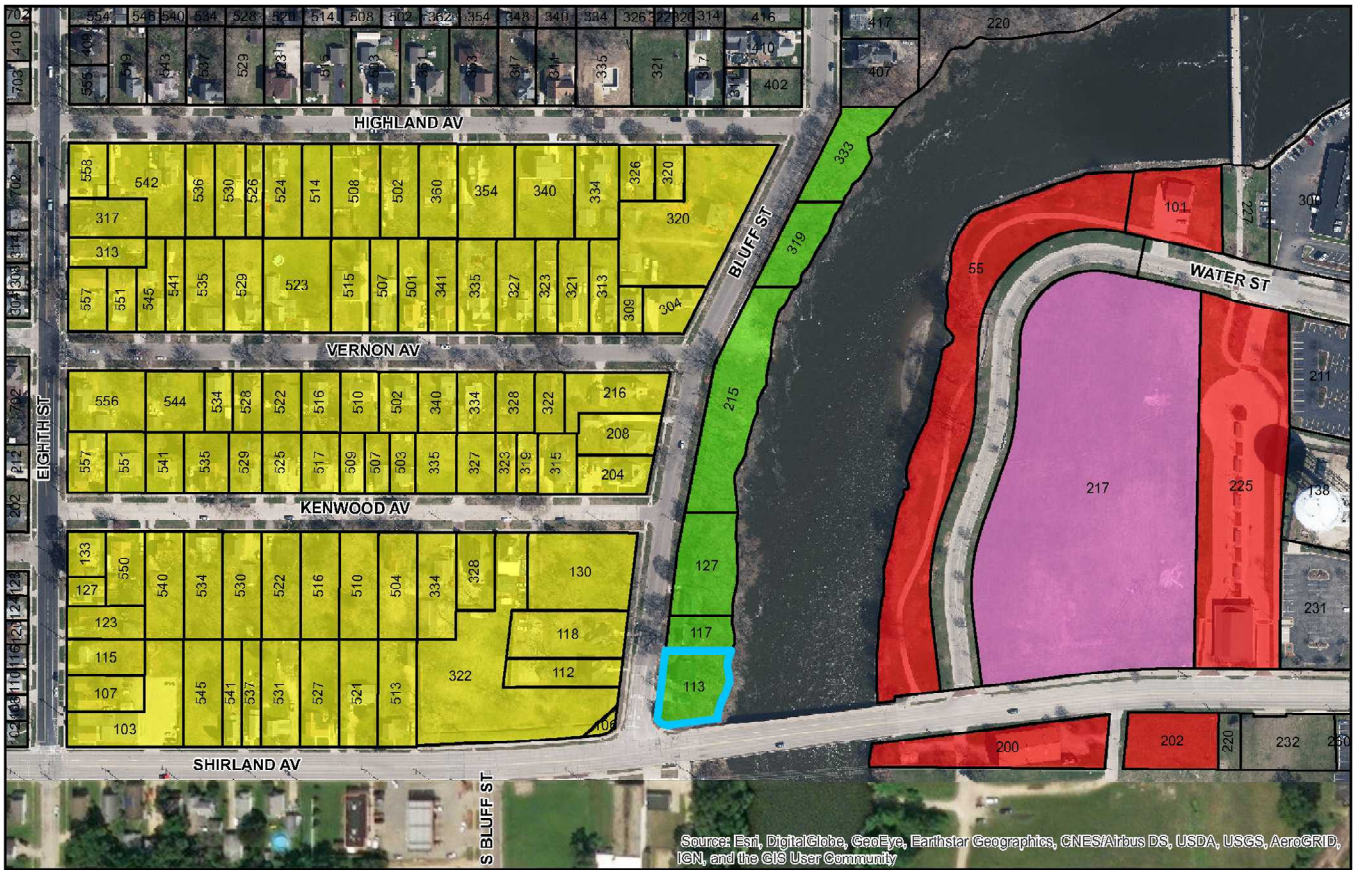
**Land Use Analysis:** As stated above, the City's Comprehensive Plan recommends parks and open spaces for the subject property. This land use category includes parks, public open space, and conservation areas. Recreational facilities along the rock river are key assets for the City of Beloit, not only for recreation but also contributing to aesthetic beauty and economic development. The City has a few properties along the Rock River north of the subject property. The long-term goal is to continue to acquire park and open space lands along the river in advance of or in coordination with development. The request to increase the residential density at this location long-term is not consistent with the goals and objectives to create public space along the Rock River.

**STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **denial** of a Comprehensive Plan Amendment to change the future land use classification from *Single Family Residential-Urban* to *Two Family/Townhouses Residential* for the property located at 113 Bluff Street in the City of Beloit.

**ATTACHMENTS:** Future Land Use Map, Documents from File, Application, Public Notice, Mailing List, and Resolution.

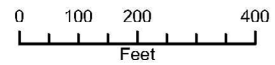
# FUTURE LAND USE MAP



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## Comprehensive Plan Future Land Use Map 113 Bluff Street

- Downtown
- Planned Mixed Use
- Parks and Open Spaces
- Single-Family Residential - Urban
- 113 Bluff St
- Parcels



## PROPERTY MASTER TEXT

6/14/12 - ONE OWNER-OCCUPIED UNIT, ONE RENTAL UNIT. JAC  
1-17-13 - 1 UNIT O/O - JMC  
1-22-15 - 1 UNIT O/O - JMC  
1-15-16 - 1 UNIT O/O - AMR  
1-16-17---OWNER IS DECEASED. NIECE, MARY MOLIQUE, IS ATTEMPTING TO SELL THE  
PROPERTY. I TOLD MARY THAT IF BOTH UNITS WERE NOT RENTED OUT, THE PROPERTY WOULD  
LOSE IT'S NON-CONFORMING STATUS NEXT YEAR---AMR  
MARY MOLIQUE  
2349 RIVERSIDE DR  
BELOIT, WI 53511  
608-364-4086

1/12/18---PROPERTY IS BEING FIXED UP TO BE RENTED. NOT OCCUPIED AT THIS  
TIME---AMR



100 State Street  
Phone (608) 364-6650

**Housing Services Division**  
Beloit, Wisconsin 53511  
Fax (608) 364-6609

**AFFIDAVIT OF VACANCY/NON-RENTAL PROPERTY**

DATE: 1-3-18 PROPERTY ADDRESS: 111 @ 113 Bluff St.

TAX PARCEL NUMBER: \_\_\_\_\_

PROPERTY OWNER: Mary Melique

OWNER'S ADDRESS: 2349 S. Riverside Dr PHONE: 608-364-4086

CITY: Beloit STATE: WIS. ZIP CODE: 53511

State of Wisconsin )  
County of Rock )  
Mary Melique being first duly sworn on oath, alleges under  
(name of property owner)

*\*Preparing the property. Not  
living here per phone  
conversation 1-12-18\**

penalty of perjury as follows:

1. I am the owner of the property located at 111 Bluff, in the City of Beloit, Wisconsin.

2. I have been the owner of said property since 2017.

3. I am aware that § 14.06 of the Beloit General Code of Ordinances requires a Rental Registration Certificate from the City of Beloit prior to the rental of a residential dwelling unit in the City of Beloit.

4. I acknowledge that the purpose of this affidavit is to secure an exemption from the provisions of § 14.06.

[Choose **one** of the following by **initialing** the line in front of the statement.]

a. \_\_\_\_\_ I hereby state that the above-referenced property is not being rented. The property was last used as a rental property on: \_\_\_\_\_.

b. MM I hereby state that the above-listed property is owner-occupied and not used as rental property and will not be used as a rental dwelling in the future.

5. **If I decide to rent this property in the future**, I will comply with the requirements of § 14.06 and obtain a rental registration certificate from the City of Beloit **prior to** the entry of any oral or written lease for tenancy of said property and that the failure to comply is a violation of the ordinance.

6. I understand that any person who makes a false affidavit regarding the occupancy of a dwelling unit or fails to report occupancy of a dwelling unit after filing an affidavit is subject to a forfeiture of not less than \$100 plus costs nor more than \$500 plus costs, in addition to penalties of perjury.

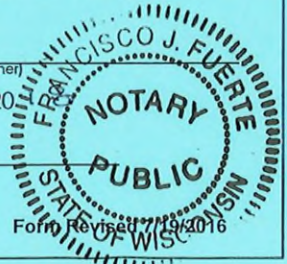
In witness whereof, under penalties of perjury, I hereby affix my signature this 8<sup>th</sup> day of JANUARY, 2018.

Mary Melique  
(signature of property owner)

Subscribed and sworn to before me this 8 day of JANUARY, 2018

Notary Public, County of Rock, State of WISCONSIN

My commission is permanent or expires: April 9th, 2021







---

COMMUNITY DEVELOPMENT DEPARTMENT

Via U.S. Mail

February 20, 2019

Mary Moliue  
2349 Riverside Drive  
Beloit WI 53511

**Re: Notice of Loss of Legal Non-Conforming Status at 111 Bluff Street**

Dear Ms. Moliue:

Our official records indicate that you are the owner of the property at 111 Bluff Street in the City of Beloit. Prior to 2018, the subject property was allowed to be used as a two-family dwelling due to its status as a legally non-conforming use. The subject property is located in the R-1B Zoning District – a district intended to accommodate single-family detached dwellings.

This letter serves as notice that the subject property may no longer be used as a two-family dwelling. According to Section 9.2.1(a) of the Zoning Code (Chapter 19), if the non-conforming use is discontinued for a period of 12 months, any future use of the property shall conform to the ordinance. The property has been vacant for over a period of 12 months. Therefore, the property may now only be used/rented as a single-unit.

If you do not intend to combine this structure into one larger unit, then the second unit must be left vacant. You and your brother can reside in the units if an internal connection between the units is added. You have the right to appeal administrative decisions under 2-1000 of the Zoning Code (Chapter 19).

If you have any questions, feel free to contact me at (608) 364-6708.

Sincerely,

  
Hilary Rottmann  
Planner II

c: File, Property

# CITY of BELOIT

## PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Comprehensive Plan Amendment Application Form

(Please Type or Print)

File No.:

*R PB-0002-07*

1. Applicant's Name: *MARY Molique*

*2349 S. Riverside Dr. Beloit*  
(Address) (City)

*WI 53511*  
(State) (Zip)

(Office Phone #)

(Cell Phone #)

(E-mail Address)

2. Type:  Text Amendment  
 Map Amendment

3. The following Text Amendment is requested:

Chapter: \_\_\_\_, Section: \_\_\_\_, Subsection(s): \_\_\_\_\_

Proposed Amendment: \_\_\_\_\_

4. The following Map Amendment is requested:

Map No. & Title: *From Single Family to Two Family*

Address of Affected Property: *111 e 113 Bluff St.*

Tax Parcel Number(s): *206 13550330*

Owner of record: *MARY Owen Molique* Phone: *608-364-4086*

*2349 S. Riverside Dr. Beloit*  
(Address) (City) (State) (Zip)

Proposed Amendment: \_\_\_\_\_

5. I/we represent that I/we have a vested interest in this property in the following manner:

Owner

Leasehold, Length of lease: \_\_\_\_\_

Contractual, Nature of contract: \_\_\_\_\_

Other, explain: \_\_\_\_\_

**City of Beloit Comprehensive Plan Amendment Application Form (continued)**

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/we, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/we also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

Mary Molique Owen Molique / MARY Molique Owen Molique / 10-27-22  
 (Signature of Owner) (Print name) (Date)

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
 (Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Planning & Building Services Division. This application must be submitted with the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant, and it is typically between \$5.00 and \$20.00.

OK #1337

To be completed by Planning Staff	
Filing Fee: <b>\$275.00</b>	Amount Paid: <u>275.00</u> Meeting Date: <u>11/22/22</u>
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: _____	Date: _____
Date Notice Published: _____	Date Notice Mailed: _____



CITY HALL • 100 STATE STREET • BELOIT, WI 53511  
Office: 608/364-6700 • Fax: 608/364-6609  
www.beloitwi.gov  
Equal Opportunity Employer

## **NOTICE TO THE PUBLIC**

November 15, 2022

To Whom It May Concern:

Mary Molique has submitted an application for review and consideration of a zoning map amendment for the property located at **113 Bluff Street** from R1-B Single-Family Residential, to Two-Family Residential and an amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan from Single-Family Residential to Two-Family/Townhouse Residential.

The following public hearings will be held regarding these applications:

**City Plan Commission:** Tuesday November 22, 2022 at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Tuesday January 3, 2023 at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**We are interested in your opinion. \***

**You may mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to [rottmannh@beloitwi.gov](mailto:rottmannh@beloitwi.gov). You may also call (608) 364-6708 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

Karry DeVault, Clerk  
Town of Beloit  
2871 S. Afton Rd.  
Beloit 53511

Frank Management Inc.  
2501 Morse Street  
Janesville, WI 53545

Dr. Keyser, Superintendent  
School District of Beloit  
1500 Fourth Street  
Beloit, WI 53511

Deb Bennett, Clerk  
Town of Turtle  
6916 S. County Rd. J.  
Beloit, WI 53511

Rock County Planning Director  
51 S. Main Street, Room 266  
Janesville, WI 53545

Dr. Dennis McCarthy, Superintendent  
Beloit-Turner School District  
1237 Inman Parkway  
Beloit, WI 53511

City Clerk  
City of South Beloit  
519 Blackhawk Blvd. Suite 2  
South Beloit, IL 61080

Mr. Jim Brewer, District Administrator  
Clinton Community School District  
112 Milwaukee Road  
Clinton, WI 53525

Brad Austin  
Corporate Contractors Inc.  
3800 Gateway Blvd #200  
Beloit, WI 53511

Peter Herreid  
Div. of Intergovernmental Relations  
Department of Administration  
[peter.herreid@wisconsin.gov](mailto:peter.herreid@wisconsin.gov)

Nick Dimassis  
Beloit Public Library Director  
For Public Posting

**RESOLUTION  
RECOMMENDING APPROVAL OF AN AMENDMENT TO THE  
CITY OF БЕЛОIT COMPREHENSIVE PLAN**

**WHEREAS**, the Plan Commission of the City of Beloit recommended approval of the Comprehensive Plan of the City of Beloit (the Plan) on September 5, 2018, and the City Council of the City of Beloit approved an Ordinance adopting the Plan on November 5, 2018; and

**WHEREAS**, the Plan may be amended and changed in the years following adoption, particularly in instances where the Plan is becoming irrelevant or contradictory to emerging policies or trends, or does not provide specific advice or guidance on an emerging issue; and

**WHEREAS**, “Amendments” are generally defined as minor changes to the Plan’s maps or text; and

**WHEREAS**, the City Council of the City of Beloit approved a Resolution to Adopt a Process for Amending the City of Beloit Comprehensive Plan on February 1, 2010; and

**WHEREAS**, the approved process directs the Plan Commission to hold a public meeting on the proposed amendment, and following said public meeting, make a recommendation by Resolution to the City Council by majority vote of the entire Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the Plan Commission of the City of Beloit, Rock County, Wisconsin, hereby recommends approval of the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

113 Bluff Street - From *Single Family Residential-Urban* to *Two Family/Townhouses Residential*.

Adopted this 22<sup>nd</sup> day of November, 2022.

**Plan Commission**

\_\_\_\_\_  
Tim Weeden, Chairman

ATTEST:

\_\_\_\_\_  
Julie Christensen,  
Community Development Director

## REPORT TO THE PLAN COMMISSION

**Plan Commission Meeting Date:** November 22, 2022

**Agenda Item:** 3.c.

**File Number:** ZMA-2022-06

### **General Information**

---

**Applicant:** Mary Moliq

**Owner:** Mary D and Owen J Moliq

**Address/Location:** 113 Bluff Street

**Applicant's Request:** Amend the Zoning District Map from R1-B, Public Single-Family Residential District to R-2, Two-Family Residential District

### **Staff Analysis**

---

**Project Summary:** Mary Moliq has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential District to R-2, Two-Family Residential District, for the property located at 113 Bluff Street.

**Background:** The applicant is in the process of selling the subject property and would like to sell the existing structure as a two-family dwelling. The building is structurally divided into two units. Prior occupancy of both units within the building on the subject property constituted a legal nonconforming use of the property. The applicant was informed of the requirements to continue the legal nonconforming use in January of 2017 and in 2018, signed an affidavit of vacancy stating that the property is owner occupied and will not be utilized as a rental in the future (see attachments). According to Section 9.2 of the City of Beloit Zoning Ordinance, which adopts and incorporates Section 62.23(7)(h) of Wisconsin Statutes, once a nonconforming use is discontinued for a period of 12 months, any future use of the building and premises must conform to the Zoning Ordinance. The nonconforming status lapsed after the south unit remained vacant for more than one year, notification was sent to the owner in February of 2019 regarding the loss of nonconforming status.

The neighborhood was downzoned to single-family residential zoning in 1999, but there are still a few legal nonconforming duplexes in the immediate area. The City-wide downzoning in 1999 applied to all structures, including those like the subject property that were constructed as duplexes. Prior to 1999, the area was zoned R-3, Two-Family Residence District, and permitted both single-family and two-family residential uses.

Section 4-202 of the Zoning Ordinance incorporates Table 6.1-1 as the "Use Table" outlining the uses permitted by right, allowed with a Conditional Use Permit, and prohibited in the City's residential, commercial, and industrial zoning districts. Duplexes are prohibited in the R-1B district that this property is a part of.

**City of Beloit Comprehensive Plan:** The Comprehensive Plan recommends Parks and Open Space uses for the subject property. **Therefore, this proposed Zoning Map Amendment is not consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes.** Planning staff recommends retaining the R-1B classification until or unless this property is purchased for parks/open space uses. Planning staff has advised the applicant that staff will be recommending denial of their application.

**Findings of Fact:** Based on Section 2-304 of the Zoning Ordinance, the Plan Commission is required to make a recommendation based on the following considerations:

1. **The existing use of property within the general area of the subject property.**  
The surrounding neighborhood consists of single-family dwellings, with some remaining nonconforming duplexes and multifamily dwellings, along with some industrial uses to the south in Illinois.
2. **The zoning classification of property within the general area of the subject property.**  
To the east of the subject property is the Rock River, there are residential properties to the north and west, zoned R1-B, Single-Family Residential. To the south are vacant buildings zoned IL, Light Industrial in the City of South Beloit, Illinois. There are no adjacent or nearby R-2 properties. Therefore, rezoning the subject property would constitute unlawful spot zoning and should be avoided.
3. **The suitability of the subject property for the uses permitted under the existing zoning classification.**  
The subject property is suitable for single-family residential uses. The applicants can use the property as a single-family residence at this time, and housing rehabilitation funding is available through the City of Beloit to assist with structural changes that would need to be made to convert the structure physically to be a single-family house.
4. **The trend of development and zoning map amendments in the general area of the subject property.**  
The subject property is located in an established neighborhood, with the most recent redevelopment being the Riverbend Stadium on the opposite side of the Rock River.

**STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **denial** of a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential District to R-2, Two-Family Residential District, for the property located at 113 Bluff Street, based upon the above Findings of Fact and the City's adopted Comprehensive Plan.

**ATTACHMENTS:** Location and Zoning Map, Documents from File, Application, Public Notice, and Mailing List.




# Location and Zoning Map



## Legend

### Zoning Districts

 <all other values>

### Classification

 R-1A

 R-1B

 R-2

 R-3

 R-4

 C-1

 C-2

 C-3

 CBD-1

 CBD-2

 MRO

 PUD

 M-1

 M-2

 DH

 PLI

 WPO

PROPERTY MASTER TEXT

6/14/12 - ONE OWNER-OCCUPIED UNIT, ONE RENTAL UNIT. JAC  
1-17-13 - 1 UNIT O/O - JMC  
1-22-15 - 1 UNIT O/O - JMC  
I-15-16 - 1 UNIT O/O - AMR  
1-16-17---OWNER IS DECEASED. NIECE, MARY MOLIQUE, IS ATTEMPTING TO SELL THE  
PROPERTY. I TOLD MARY THAT IF BOTH UNITS WERE NOT RENTED OUT, THE PROPERTY WOULD  
LOSE IT'S NON-CONFORMING STATUS NEXT YEAR---AMR  
MARY MOLIQUE  
2349 RIVERSIDE DR  
BELOIT, WI 53511  
608-364-4086

1/12/18---PROPERTY IS BEING FIXED UP TO BE RENTED. NOT OCCUPIED AT THIS  
TIME---AMR



100 State Street  
Phone (608) 364-6650

**Housing Services Division**  
Beloit, Wisconsin 53511  
Fax (608) 364-6609

**AFFIDAVIT OF VACANCY/NON-RENTAL PROPERTY**

DATE: 1-3-18 PROPERTY ADDRESS: 111 @ 113 Bluff St.

TAX PARCEL NUMBER: \_\_\_\_\_

PROPERTY OWNER: Mary Melique

OWNER'S ADDRESS: 2349 S. Riverside Dr PHONE: 608-364-4086

CITY: Beloit STATE: WIS. ZIP CODE: 53511

State of Wisconsin )  
County of Rock )  
Mary Melique being first duly sworn on oath, alleges under  
(name of property owner)

\*Preparing the property. Not  
living there per phone  
conversation 1-12-18\*

penalty of perjury as follows:

1. I am the owner of the property located at 111 Bluff, in the City  
of Beloit, Wisconsin.

2. I have been the owner of said property since 2017.

3. I am aware that § 14.06 of the Beloit General Code of Ordinances requires a Rental Registration  
Certificate from the City of Beloit prior to the rental of a residential dwelling unit in the City of Beloit.

4. I acknowledge that the purpose of this affidavit is to secure an exemption from the provisions of  
§ 14.06.

[Choose **one** of the following by **initialing** the line in front of the statement.]

a. \_\_\_\_\_ I hereby state that the above-referenced property is not being rented. The property was  
last used as a rental property on: \_\_\_\_\_

b. MM I hereby state that the above-listed property is owner-occupied and not used as  
rental  
property and will not be used as a rental dwelling in the future.

5. **If I decide to rent this property in the future**, I will comply with the requirements of § 14.06 and obtain a  
rental registration certificate from the City of Beloit **prior to** the entry of any oral or written lease for  
tenancy of said property and that the failure to comply is a violation of the ordinance.

6. I understand that any person who makes a false affidavit regarding the occupancy of a dwelling unit  
or fails to report occupancy of a dwelling unit after filing an affidavit is subject to a forfeiture of not  
less than \$100 plus costs nor more than \$500 plus costs, in addition to penalties of perjury.

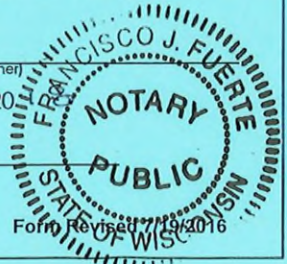
In witness whereof, under penalties of perjury, I hereby affix my signature this 8<sup>th</sup> day of  
JANUARY, 2018.

Mary Melique  
(signature of property owner)

Subscribed and sworn to before me this 8 day of JANUARY, 2018

Notary Public, County of Rock, State of WISCONSIN

My commission is permanent or expires: April 9th, 2021





---

COMMUNITY DEVELOPMENT DEPARTMENT

Via U.S. Mail

February 20, 2019

Mary Moliue  
2349 Riverside Drive  
Beloit WI 53511

**Re: Notice of Loss of Legal Non-Conforming Status at 111 Bluff Street**

Dear Ms. Moliue:

Our official records indicate that you are the owner of the property at 111 Bluff Street in the City of Beloit. Prior to 2018, the subject property was allowed to be used as a two-family dwelling due to its status as a legally non-conforming use. The subject property is located in the R-1B Zoning District – a district intended to accommodate single-family detached dwellings.

This letter serves as notice that the subject property may no longer be used as a two-family dwelling. According to Section 9.2.1(a) of the Zoning Code (Chapter 19), if the non-conforming use is discontinued for a period of 12 months, any future use of the property shall conform to the ordinance. The property has been vacant for over a period of 12 months. Therefore, the property may now only be used/rented as a single-unit.

If you do not intend to combine this structure into one larger unit, then the second unit must be left vacant. You and your brother can reside in the units if an internal connection between the units is added. You have the right to appeal administrative decisions under 2-1000 of the Zoning Code (Chapter 19).

If you have any questions, feel free to contact me at (608) 364-6708.

Sincerely,

  
Hilary Rottmann  
Planner II

c: File, Property

# CITY of BELOIT

## PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2022-06

1. Address of subject property: 111 e 113 Bluff St

2. Legal description: Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

(If property has not been subdivided, attach a copy of the complete legal description from deed.)

Property dimensions are: \_\_\_\_\_ feet by \_\_\_\_\_ feet = \_\_\_\_\_ square feet.

If more than two acres, give area in acres: \_\_\_\_\_ acres.

3. Tax Parcel Number(s): 206 13550 330

4. Owner of record: MARY Owen Moliqve Phone: 608-364-4086

2349 S. Riverside Dr. Beloit W.I. 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: MARY Moliqve

2349 S. Riverside Dr. Beloit W.I. 53511  
(Address) (City) (State) (Zip)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
(Office Phone #) (Cell Phone #) (E-mail Address)

6. **THE FOLLOWING ACTION IS REQUESTED:**

Change zoning district classification from: R1B to: R2

All existing uses on this property are: 113 is Rented

7. All the proposed uses for this property are:

Principal use(s): Two Rental Units

Secondary use(s): \_\_\_\_\_

Accessory use(s): \_\_\_\_\_

8. I/we represent that I/we have a vested interest in this property in the following manner:
- Owner
  - Leasehold, Length of lease: \_\_\_\_\_
  - Contractual, Nature of contract: \_\_\_\_\_
  - Other, explain: \_\_\_\_\_

9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

Name(s): MARY & Owen Molique Phone: 608-364-4086  
2349 S. Riverside Dr Beloit WV 53511  
(Address) (City) (State) (Zip)

**The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.**

I/we, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/we represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/we also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

Mary Molique Owen Molique / MARY Molique Owen Molique / 10-27-22  
(Signature of Owner) (Print name) (Date)

\_\_\_\_\_/ \_\_\_\_\_ / \_\_\_\_\_  
(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with the \$300.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant, and it is typically between \$5.00 and \$20.00.

*CIG# 1337*

To be completed by Planning Staff		
Filing Fee: <b>\$300.00</b>	Amount Paid: <u>300.00</u>	Meeting Date: <u>11/22/22</u>
Number of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: _____		Date: _____
Date Notice Published: _____	Date Notice Mailed: _____	



CITY HALL • 100 STATE STREET • BELOIT, WI 53511  
Office: 608/364-6700 • Fax: 608/364-6609  
www.beloitwi.gov  
Equal Opportunity Employer

## **NOTICE TO THE PUBLIC**

November 16, 2022

To Whom It May Concern:

Mary Molique has submitted an application for review and consideration of a zoning map amendment for the property located at **113 Bluff Street** from R1-B Single-Family Residential, to Two-Family Residential and an amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan from Single-Family Residential to Two-Family/Townhouse Residential.

The following public hearings will be held regarding these applications:

**City Plan Commission:** Tuesday November 22, 2022 at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Tuesday January 3, 2023 at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**We are interested in your opinion. \***

**You may mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to [rottmanh@beloitwi.gov](mailto:rottmanh@beloitwi.gov). You may also call (608) 364-6708 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

FOSLER LIVING TRUST  
ROBERT C & LYNN I FOSLER  
6824 ST LAWRENCE AVE  
BELOIT WI 35311

BAYLON, CELSO  
BAYLON, RICHARD  
516 KENWOOD AVE  
BELOIT WI 35311

RODRIGUEZ, RUBEN  
322 KENWOOD AVE  
BELOIT WI 35311

MCCAULEY, GLEN H  
PO BOX 725  
BELOT WI 53512-0725





## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** November 22, 2022

**Agenda Item:** 4.a.

**File Number:** CSM-2022-13

### **General Information**

---

**Applicant:** Combs and Associates

**Owner:** Jamie and Susan Campbell

**Address:** 1000 Block S. West Street/Parcels 6-2-2200.7 and 6-2-2200.1A

**Jurisdiction:** Town of Beloit

**Applicant's Request:** One-lot Extraterritorial Certified Survey Map (CSM)

### **Staff Analysis**

---

**Proposed Land Division:** The intent of the proposed extraterritorial CSM is to combine the two lots to allow for the construction of a single-family home. City water is available for this site, but we are unable to provide sewer to the property.

**Surrounding Land Use and Zoning:** The properties are subject to Town zoning and are zoned R1, Single-Family Residential District. The subject properties are surrounded by R1 zoning and rural residential uses.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Comprehensive Plan's Future Land Use Map recommends Single-Family Residential-Urban uses for the subject properties. Land use cannot be considered when reviewing Extraterritorial CSM applications according to state law, however.

**Review Agent Comments:** No comments were submitted.

### **STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **approval** of the attached one-lot Extraterritorial Certified Survey Map (CSM) for parcel numbers 6-2-2200.7 and 6-2-2200.1A on the 1000 Block of S. West Street in the Town of Beloit, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

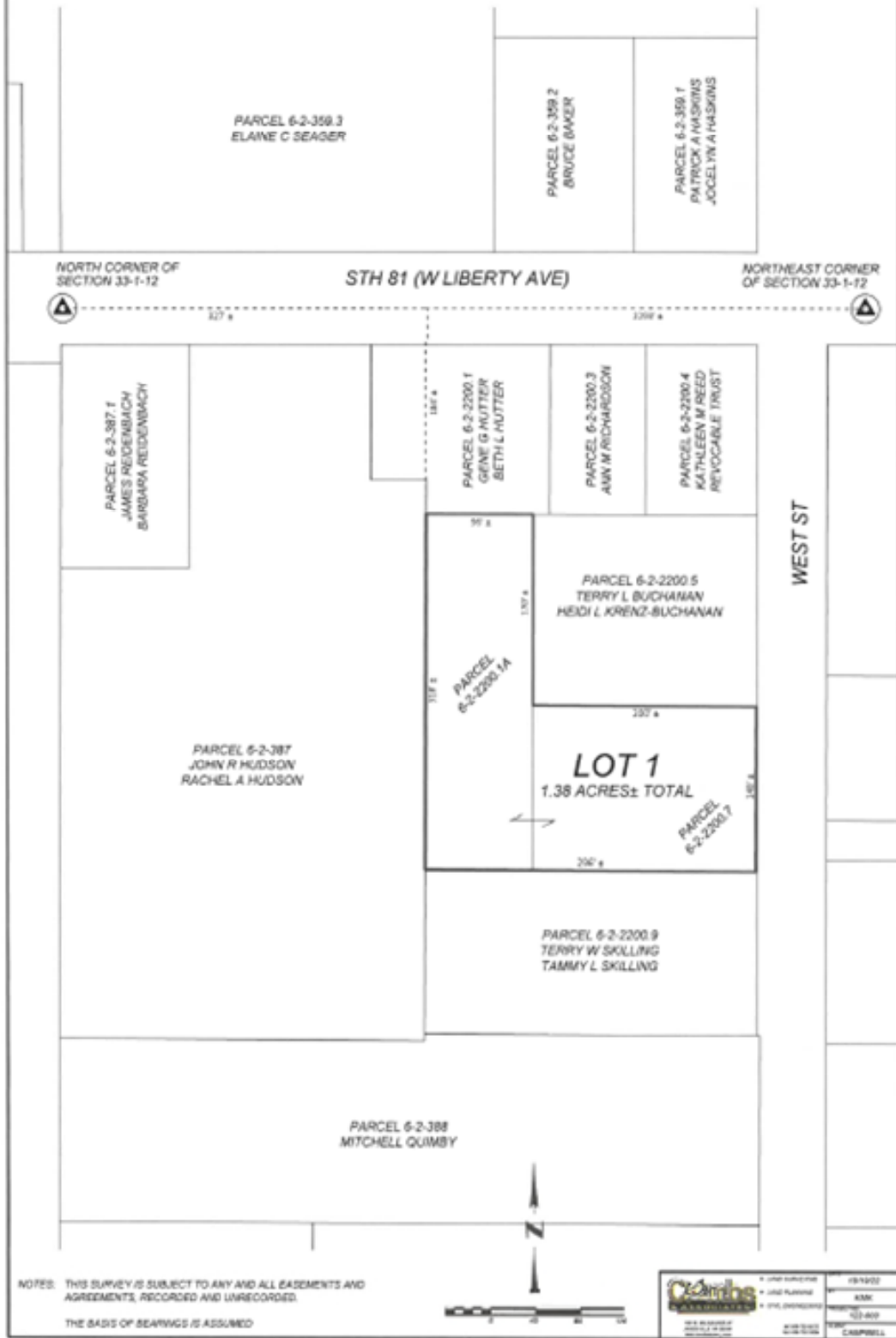
**ATTACHMENTS:** Location Map, Certified Survey Map, Application, Resolution, and Site Layout.

# LOCATION MAP



# PRELIMINARY CERTIFIED SURVEY MAP

PART OF THE NW1/4 OF THE NE 1/4 OF SECTION 33, T.1N., R.12E., TOWN OF BELOIT, ROCK COUNTY, WISCONSIN.



**CITY of BELOIT**  
**Neighborhood Planning Division**

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

**Application for Review of a Minor Subdivision**

(Please Type or Print) File Number: \_\_\_\_\_

1. Address of property: ROUSSELLE'S HEIGHTS LOTS 1,7&8
2. Tax Parcel Number(s): 6-2-2200.7 & 6-2-2200.1A
3. Property is located in (circle one): City of Beloit or Town of: Turtle Beloit Rock or LaPrairie  
In the NE Quarter of Section 33, Township 1 North, Range 12 East of the 4th P.M.
4. Owner of record: JAMIE & SUSAN CAMPBELL Phone: 608-751-9091  
1762 MARY ST BELOIT WI 53511  
(Address) (City) (State) (Zip)
5. Surveyor's name: COMBS & ASSOCIATES, INC Phone: 608-752-0575  
109 W. MILWAUKEE ST JANESVILLE WI 53548  
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 1 lot(s).
7. Total area of land included in this map: 1.38 AC
8. Total area of land remaining in parent parcel: 0 AC
9. Is there a proposed dedication of any land to the City of Beloit? NONE
10. The present zoning classification of this property is: R1
11. Is the proposed use permitted in this zoning district: YES

**12. THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**

- Site Assessment Checklist;** is required if the total area of CSM is over 5 acres.
- Pre-application meeting;** a pre-application meeting was held on \_\_\_\_\_ with City of Beloit Staff.
- Developer's Statement;** as required by section 12.02(7) of the Subdivision Ordinance.
- Phase One Environmental Assessment;** as per section 12.05(1)(c) of the Subdivision Ordinance.
- Certified Survey Map;** one copy as required by section 12.05(1) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission or City Council for approval of this Certified Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

 KATHRYN KNECKER 10-20-22  
(Signature of applicant) (Name of applicant) (Date)

**This application must be submitted at least 21 days prior to the Plan Commission meeting date.**

Review fee: <u>\$150 plus \$10 per lot</u> Amount paid: _____
Scheduled meeting date: _____
Application accepted by: _____ Date: _____

**RESOLUTION**

**APPROVING A ONE-LOT CERTIFIED SURVEY MAP  
ON THE 1000 BLOCK OF S. WEST STREET  
IN THE TOWN OF BELOIT**

**WHEREAS**, Section 12.05(1)b of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Plan Commission of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the extraterritorial jurisdiction of the City; and

**WHEREAS**, the attached one-lot Certified Survey Map for part of parcel numbers 6-2-2200.7 and 6-2-2200.1A on the 1000 Block of S. West Street in the Town of Beloit, containing 1.38 acres, more or less, is located within the extraterritorial jurisdiction of the City of Beloit; and

**WHEREAS**, the City Plan Commission of the City of Beloit has reviewed the attached one-lot Certified Survey Map, which pertains to the following described land:

PART OF THE NW ¼ OF THE NE ¼ OF SECTION 33, T.1N., R.12E., TOWN OF BELOIT, ROCK COUNTY WISCONSIN.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Plan Commission of the City of Beloit does hereby conditionally approve the attached one-lot Extraterritorial Certified Survey Map for parcel numbers 6-2-2200.7 and 6-2-2200.1A on the 1000 Block of S. West Street in the Town of Beloit, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

Adopted this 22<sup>nd</sup> day of November, 2022.

**Plan Commission**

---

Tim Weeden, Chairperson

**ATTEST:**

---

Julie Christensen,  
Community Development Director



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** July 20, 2022

**Agenda Item:** 4(b)

**File Number:** RPB-2022-03

### **General Information**

---

**Applicant:** City of Beloit

**Owner:** Michael L Ross

**Address/Location:** 1475 Office Park Lane and 2525 Kennedy Drive

**Applicant's Request:** The City of Beloit has an existing water main along the western edge of 1475 Office Park Lane and 2525 Kennedy Drive. The City has requested a 20 feet easement to allow the City access to the main and the ability to maintain the existing facilities.

### **Staff Analysis**

---

**Background:** In 2013, the City of Beloit sold 1475 Office Park Lane and 2525 Kennedy Drive to Michael Ross to allow for the construction of an 18,000 square foot building to expand the current operations of Beloit Precision located at 1525 Office Park Lane.

Earlier this year, site plans were submitted for the construction of a 40,000 square foot light industrial building on the properties located at 1475 Office Park Lane and 2525 Kennedy Drive (see attached). It was discovered that the existing water main was on these private properties, so an easement was requested from the owner who is willing to provide one to the City.

**Existing Conditions:** The site plans for the proposed building have been approved, but the properties are currently vacant lots in the I-90 Business Park. The existing water main is located approximately 12 feet from the property line.

**Surrounding Land Use and Zoning:** These properties are located in the I-90 Business Park which is mostly developed with the exception of these vacant lots. The subject properties and the adjacent properties are zoned M-2, General Manufacturing District. Properties nearby to the northwest are zoned C-3, Community Commercial, and PLI, Public Lands and Institutions District.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Future Land Use Map recommends Institutional and Community Service uses for the subject parcels. This request supports Strategic Goal #5 by creating and sustaining high quality infrastructure and connectivity.

**Easement:** The proposed easement grants to the City the ability to construct, maintain, inspect, operate, repair, move, remove, replace and reconstruct the underground water main and related above ground and underground facilities and appurtenances; to cut, trim or remove trees, bushes and roots as may be reasonably required; and for ingress and egress to exercise the rights and privileges of the easement. The City shall have the right to come upon the Easement Area at any time and for all purposes relating to the exercise of its rights hereunder.

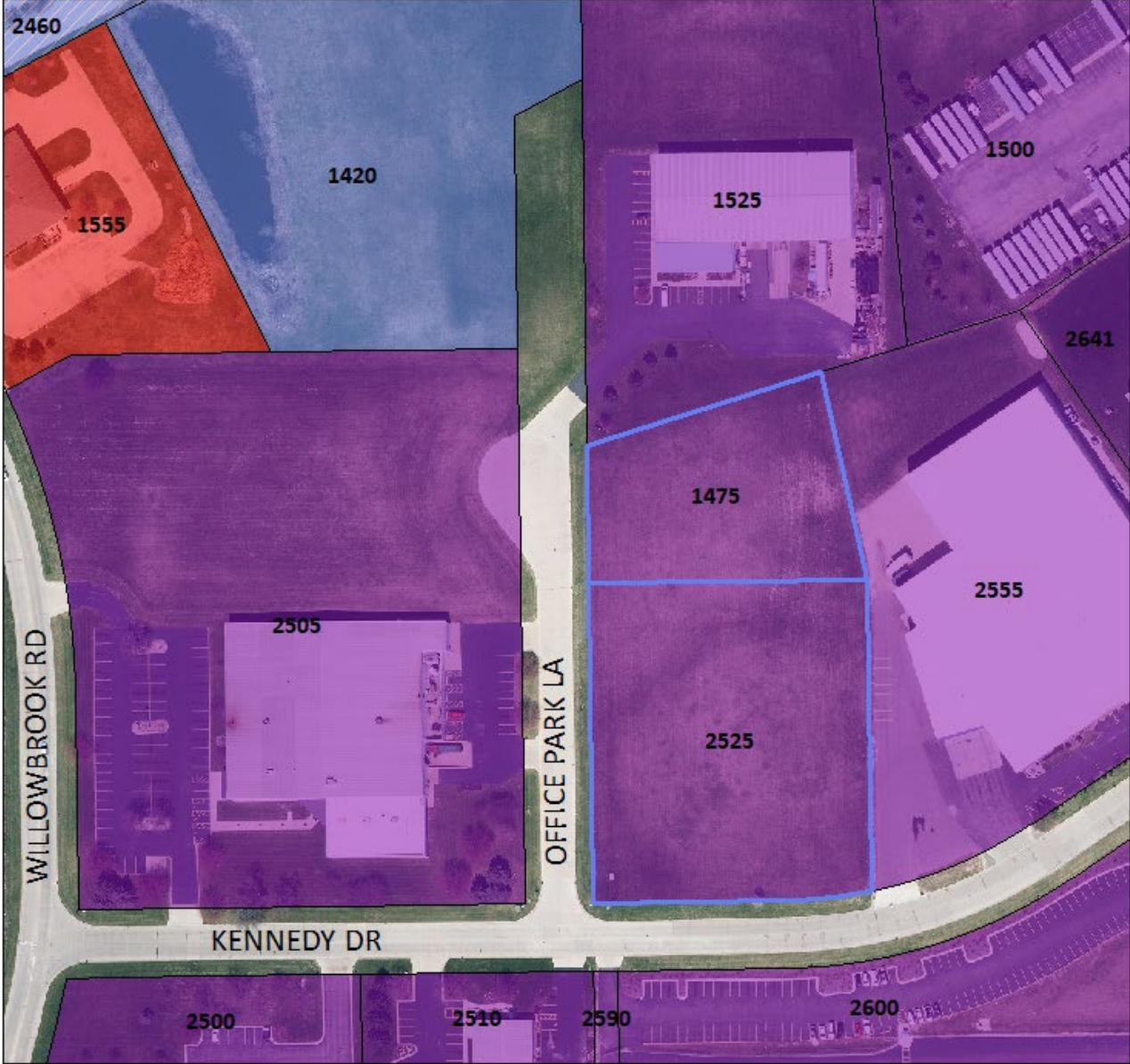
**STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **approval** of the attached Permanent Water Main Easement across the western edge of the City-owned water tower property located at 2337 Ute Court.

**ATTACHMENTS:** Location Maps, Proposed Easement, and Easement Exhibit.

# Location and Zoning Map

## 1475 Office Park Lane and 2525 Kennedy Drive



**Legend**

<b>Zoning Districts</b>		R-2	C-3	M-1
<all other values>	R-3	CBD-1	M-2	
<b>Classification</b>		R-4	CBD-2	DH
R-1A	C-1	MRO	PLI	
R-1B	C-2	PUD	WPO	



**PERMANENT WATER MAIN EASEMENT**

Document Number

Title of Document

THIS **PERMANENT WATER MAIN EASEMENT AGREEMENT** ("Agreement") made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the **CITY OF БЕЛОIT**, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City," and **MICHAEL L. ROSS**, owner, (including heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called "Grantor," (If more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

**RECITALS:**

**WHEREAS**, Grantor is the owner and holder of record title to certain real property described on **Exhibit A** which is attached hereto and incorporated herein (the Properties); and

**WHEREAS**, the City desires to acquire a permanent easement, hereinafter referred to as "Easement Area," over, under and across the Properties, particularly described in **Exhibit B** attached hereto and incorporated herein by reference with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter called "Facilities" in, upon and across said portion of the Properties; a water main and associated facilities and appurtenances; and

**WHEREAS**, the initial construction and installation of the Facilities was made by City at City's expense and the Facilities shall be the property of the City and be deemed dedicated to the City subject to the terms and conditions set forth below:

**NOW, THEREFORE**, in consideration of the grant of the easement hereinafter described and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described does hereby grant unto the City a permanent easement in the manner and form as follows:

1. Grantor hereby grants, conveys, transfers and assigns unto City a permanent non-exclusive easement over, under and across the Easement Area for the following purposes: (i) to construct, maintain, inspect, operate, repair, move, remove, replace and reconstruct an underground water main and related above ground and underground facilities and appurtenances; (ii) to cut, trim or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and (iii) for ingress and egress to exercise the rights and privileges granted herein. The City shall have the right to come upon the Easement Area at any time and for all purposes relating to the exercise of its rights hereunder.

2. That said Facilities shall be maintained and kept in good order and condition by the City. Responsibility for maintaining the ground cover and landscaping within the Easement Area shall be that of the Grantor (including heirs, executors, administrators, successors and assigns).

Recording Area

Name and Return Address

City Attorney  
100 State Street  
Beloit, WI 53511

206-2296-0014 and 206-2296-0020

Parcel Identification Number (PIN)

This (is) (~~is not~~) homestead property.

3. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the Properties as may be disturbed, will at the expense of the City be replaced in substantially the same condition as it was prior to such disturbance (vacant land), and the acceptance of this easement by Grantor and the installation or construction of such water main and appurtenances shall constitute an express acceptance by the Grantor of this condition to the granting of this easement.
4. That no structure may be placed within the limits of the easement by the Grantor except that improvements such as walks, pavements for driveways and parking lot surfacing may be constructed or placed within the Easement Area.
5. That, in connection with the construction by the Grantor of any structure or building abutting said Easement Area, the Grantor will assume all liability for any damage to the Facilities in the Properties. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence of the Grantor or person other than the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said easement defined limits, and shall reimburse the City for the full amount of such loss or damage.
6. That no charges will be made against said Properties for the cost of maintenance or operation of said Facilities in the Properties. Whenever the Grantor makes application for a service connection, the regular and customary service connection charge in effect at the time of the application shall be charged and paid. The Grantor shall be responsible for the routine maintenance of land on which the easement is located.
7. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the Easement Area, which approval shall not be unreasonably withheld, conditioned or delayed.
8. That the Grantor shall submit plans for all surface alterations of plus or minus 1 foot or greater within the limits of said easement. Said alterations shall be made only with the approval of the City Engineer, which approval shall not be unreasonably withheld, conditioned or delayed.
9. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.
10. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.
11. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
12. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
13. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
14. It is understood that in the event the Properties may become portions of public streets; in which event, in the proceedings for the acquisition of the Properties needed for such streets by purchase, dedication or by condemnation, said lands shall be considered the same as though this easement had not been executed or any rights granted thereby exercised.





## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

#### **Parcel 1 - 1475 Office Park Lane**

Lot 3 of a Certified Survey Map as recorded in Volume 19, Pages 54 and 55 of Certified Survey Maps of Rock County, Wisconsin as Document No. 1287193 located in the NW 1/4 of the SW 1/4 Of Section 29, Township 1 North, Range 13 East of the 4TH P.M., City of Beloit, Rock County, Wisconsin

#### **Parcel 2 - 2525 Kennedy Drive**

Lot 1 of a Certified Survey Map as recorded in Volume 35, Pages 442 Through 444 of Certified Survey Maps of Rock County, Wisconsin as document No. 1988389 located in the NW 1/4 of the SW 1/4 Of Section 29, Township 1 North, Range 13 East of the 4TH P.M., City of Beloit, Rock County, Wisconsin.

## **EXHIBIT B**

### **LEGAL DESCRIPTION OF EASEMENT AREA**

The West 20 feet of Lot 3 of a Certified Survey Map as recorded in Volume 19, Pages 54 and 55 of Certified Survey Maps of Rock County, Wisconsin as Document No. 1287193 located in the NW 1/4 of the SW 1/4 Of Section 29, Township 1 North, Range 13 East of the 4TH P.M., City of Beloit, Rock County, Wisconsin.

Also, The West 20 feet of Lot 1 of a Certified Survey Map as recorded in Volume 35, Pages 442 Through 444 of Certified Survey Maps of Rock County, Wisconsin as Document No. 1988389 located in the NW 1/4 of the SW 1/4 Of Section 29, Township 1 North, Range 13 East of the 4TH P.M., City of Beloit, Rock County, Wisconsin.

