



**PUBLIC NOTICE & AGENDA
BELOIT PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, April 19, 2023**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the minutes of the April 5, 2023 Plan Commission meeting
[Attachment](#)
3. REPORTS
 - 3.a. Appointment of Plan Commissioner(s) to Steering Committee for Comprehensive Plan
4. PUBLIC HEARINGS
 - 4.a. Consideration of Ordinance No 3788 amending the Zoning District Map for the City of Beloit for the property located at 2030 Porter Avenue
[Attachment](#)
 - 4.b. Consideration of Resolution 2023-017 approving a Conditional Use Permit to allow a boarding/rooming house for the property located at 1165 Madison Road
[Attachment](#)
5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
 - PUD - 1800 Gateway Boulevard*
 - Zoning Map Amendment - 1800 Gateway Boulevard*
 - Extraterritorial Plat - Carroll Wood*
6. FUTURE AGENDA ITEMS
 - Extraterritorial CSMs in the Towns of Beloit and Turtle*
 - Zoning Map Amendment - 400 Willowbrook Road*
 - Zoning Map Amendment - 2000 and 2001 Gateway Boulevard*
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, April 5, 2022**

1. CALL TO ORDER AND ROLL CALL

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

2. MINUTES

2.a. Consideration of the minutes of February 8, 2022 Plan Commission meeting

Commissioner Flesch moved to approve the Minutes, seconded by Commissioner Anderson. Motion prevails, voice vote (6-0).

3. PUBLIC HEARINGS

3.a. Consideration of Resolution 2023-16 Establishing the Boundaries of and Approving the Project Plan for Tax Incremental District No. 15

Drew Pennington, Economic Development Director, presented Greg Johnson, Ehlers, Inc., the City's financial consultant. Greg provided an overview of Tax Increment Financing (TIF) in general and summarized the City's proposed new TIF district.

Chairperson Ramsden opened and closed the public hearing.

Commissioner Flesch made a motion to approve the Resolution 2023-16, seconded by Commissioner Janke. Motion approved, voice vote (6-0).

3.b. Consideration of a Planned Unit Development (PUD) Master Land Use Plan for the property located at 2651 Fuller Drive

Julie Christensen, Community Development Director, presented the staff report and recommendation for both the PUD Master Land Use Plan and the Zoning Map Amendment to PUD. She indicated that one of the neighbors had submitted a list of questions and comments for the Commission's consideration.

Chairperson Ramsden asked if Plan Commission could make a motion to add a condition for the PUD stating that the development will have a barrier fence, spruce trees on the berm, and improvements made to Fuller Drive. Ms. Christensen said that Plan Commission can make a condition related to improvements to the developer's property, but cannot condition approval on improvements to Fuller Drive. Chairperson Ramsden asked if the developer has received that list. Ms. Christensen said that she gave the list to the developer and his engineers and that the developer would have to respond to the other questions.

Commissioner Jacobsen asked if the city has done work with Legacy Turtle Creek LLC in the past. Ms. Christensen said that they have done other development in the City of Beloit.

Chairperson Ramsden opened the public hearing.

Jim Reseburg, 2975 Fuller Drive, stated that there are 30 condos in the Fuller Woods Condo Development with the first being constructed in 2003. Mr. Reseburg said the sanitary hook up is right outside his home, and he assumes this development will connect from there. They have had sewer back-ups in the past, and he is concerned that it will get worse if this is approved. Mr. Reseburg said Fuller Drive has become a waste dump, and they have to clean up the trash and call DPW close to every week to clean it up. Mr. Reseburg said they are asking for a fence on the development side because people cut through the condo association area. Mr. Reseburg stated his concerns about the condition of Fuller Road. He also asked if the buildings would be sprinklered and whether there would be a full-time manager.

Ms. Christensen explained that the buildings would be sprinklered, if required by code. If not, Gary Schenck would ensure that fire hydrants would be installed in the appropriate locations. Ms. Christensen also explained that many of the concerns listed on the sheet he handed out would be addressed through the site plan or Final Plan process.

Chairperson Ramsden said that Plan Commission does not have any say in repairing the road on Fuller Road. Mr. Reseburg said that he just wanted to put that on the record, and he will let City Council know as well.

Anthony Weirich, 2715 East Ridge Rd, indicated that he had similar concerns to Mr. Reseburg, but that he is also concerned about the wildlife in the area, as there are turkeys, deer, and coyotes that live in this area. He also expressed concern about the potential for increased traffic on Fuller Drive, as cars currently speed down this street.

Zachary Knutson, 430 East Grand, Suite 103, Next Generation Holdings, stated that he owns the property and can answer any questions. Mr. Knutson said they are capable of doing this project. He indicated that Beloit is his hometown, and he would really like to do a project in Beloit. Mr. Knutson bought the property with R-3 Zoning, and wants to decrease the density if it is approved. He said they will work along side the neighbors in their town.

Mr. Knutson said there is going to be an onsite property manager. He said that he is the owner of Next Generation Holdings, and he does 75 units a year all over the state of Wisconsin and Illinois.

Commissioner Flesch asked if the PUD approval would include the location and size of signage. Ms. Christensen indicated that the PUD does approve the signage. He indicated that he did not think the signage on the backside of the clubhouse was needed. Mr. Knutson said that he wants one on the front, and does not think that was the intent to put one on the back. Ms. Christensen said that there is condition about limiting the sign for the clubhouse to the entrance, and Mike Flesch responded that there are two entrances. Commissioner Flesch expressed concerns about pond in the tree area on the North Side of the property.

Councilor Dunkin wanted to thank the members of the Condo Association and said that it is important that the City and Developer work with partnership with the neighbors. Councilor Dunkin stated she understands the concerns about the traffic and trash.

Chairperson Ramsden closed the public hearing.

Commissioner Anderson moved to approve the PUD Master Land Use Plan, seconded by Commissioner Jacobsen. Motion approved, roll call vote (5-1).

3.c. **Consideration of an amendment to the Zoning District Map from R-3, Low-Density Multi-family Residential District, to PUD, Planned Unit Development District, for the property located at 2651 Fuller Drive**

Chairperson Ramsden opened and closed the public hearing.

Commissioner Janke moved to approve the Zoning District Map amendment, seconded by Commissioner Flesch. Motion approved, roll call vote (5-1).

4. **REPORTS**

4.a. **Consideration of an Extraterritorial Final Subdivision Plat of Carroll Woods in the Town of Beloit**

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

Commissioner Flesch moved to approve the Extraterritorial Final Subdivision Plat of Carroll Woods, seconded by Commissioner Anderson. Motion approved, voice vote (6-0).

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 April 19, 2023.

6. **FUTURE AGENDA ITEMS**

Julie Christensen outlined the future agenda items.

7. **ADJOURNMENT**

Commissioner Janke moved to adjourn the meeting, seconded by Commissioner Flesch at 8:27 PM. Motion carried, voice vote (6-0).

Mike Ramsden, Chairperson



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: April 19, 2023

Agenda Item: 4.a.

File Number: ZMA-2023-03

General Information

Applicant: City staff on behalf of Plan Commission

Owner: JJG Wellnitz Holdings, LLC

Address/Location: Lots 14 & 15 of Spyreas Addition (2030 Porter Avenue)

Applicant's Request/Proposal: City staff has submitted an application for a Zoning Map Amendment from temporary M-2, General Manufacturing District, to permanent M-2, General Manufacturing District, for the property located at 2030 Porter Avenue in the City of Beloit.

Staff Analysis

Existing Site Conditions: On August 2, 2021, the subject property was annexed to the City from the Town of Beloit. Section 4 of the Ordinance approving the annexation assigned a temporary zoning classification of M-2, General Manufacturing District, to the property and directed Plan Commission to initiate an amendment to the Zoning Ordinance setting forth a permanent zoning classification (see attached Ordinance). City staff initiated the Zoning Map Amendment on behalf of the Plan Commission.

Surrounding Land Use and Zoning: To the east of the subject properties is Avid Pallet, a large industrial user in the City of Beloit zoned M-2. There is vacant land to the north of the subject property, and single-family dwellings to the west and south, all in the Town of Beloit.

City of Beloit Comprehensive and Strategic Plan: The Comprehensive Plan's Future Land Use Map recommends General Industrial; the permanent rezoning is consistent with the Comprehensive Plans recommendation and supports Strategic Goal #3 - Create and Sustain Economic and Residential Growth.

Zoning Map Amendment Findings of Fact: Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

1. **The existing use of property within the general area of the subject property.**
The surrounding uses include a mix of industrial to the north and east and residential to the south and west.
2. **The zoning classification of property within the general area of the subject property.**
The proposed zoning map amendment is consistent with the adjacent industrial uses to the north and east. The subject parcels are underutilized and any redevelopment would need to meet the current zoning and landscape code, including a requirement of a 20-foot-wide landscape buffer planted with at least 20 landscape units per linear foot along the boundary line with residential properties to ensure adequate separation between the more intense land use.
3. **The suitability of the subject property for the uses permitted under the existing zoning classification.**
The existing zoning classification is temporary M-2, General Manufacturing District and is a suitable zoning classification for this property. Section 4 of the attached Ordinance requires assignment of a permanent zoning district classification for the property.
4. **The trend of development and zoning map amendments in the general area of the subject property.**
This area is partially developed with residential and industrial uses. The only substantial growth has been to the adjacent industrial use at Avid Pallet.

STAFF RECOMMENDATION – ZONING MAP AMENDMENT:

The Planning and Building Services Division recommends approval of a Zoning Map Amendment to change the zoning district classification from temporary M-2, General Manufacturing District, to permanent M-2, General Manufacturing District, for the property located at 2030 Porter Avenue in the City of Beloit.

ATTACHMENTS: Location and Zoning Map, Application, Annexation Ordinance, Public Notice, Mailing List, and Ordinance.

ORDINANCE NO. 3788

**AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF THE CITY OF БЕЛОIT**

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

Section 1. The Zoning District Map of the City of Beloit, mentioned in the Zoning Code, Chapter 19 of the Code of General Ordinances of the City of Beloit, is amended as follows:

The following described land is hereby changed from temporary M-2, General Manufacturing District to permanent M-2, General Manufacturing District:

LOTS 14 AND 15, BLOCK 3 OF SPYREAS' ADDITION, TOWN OF БЕЛОIT, NOW CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN. SAID PARCELS CONTAIN 0.289 ACRE, MORE OR LESS. A/K/A 2030 PORTER AVENUE.

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

Adopted this ____ day of _____, 2023.

City Council of the City of Beloit

Regina Dunkin, Council President

Attest:

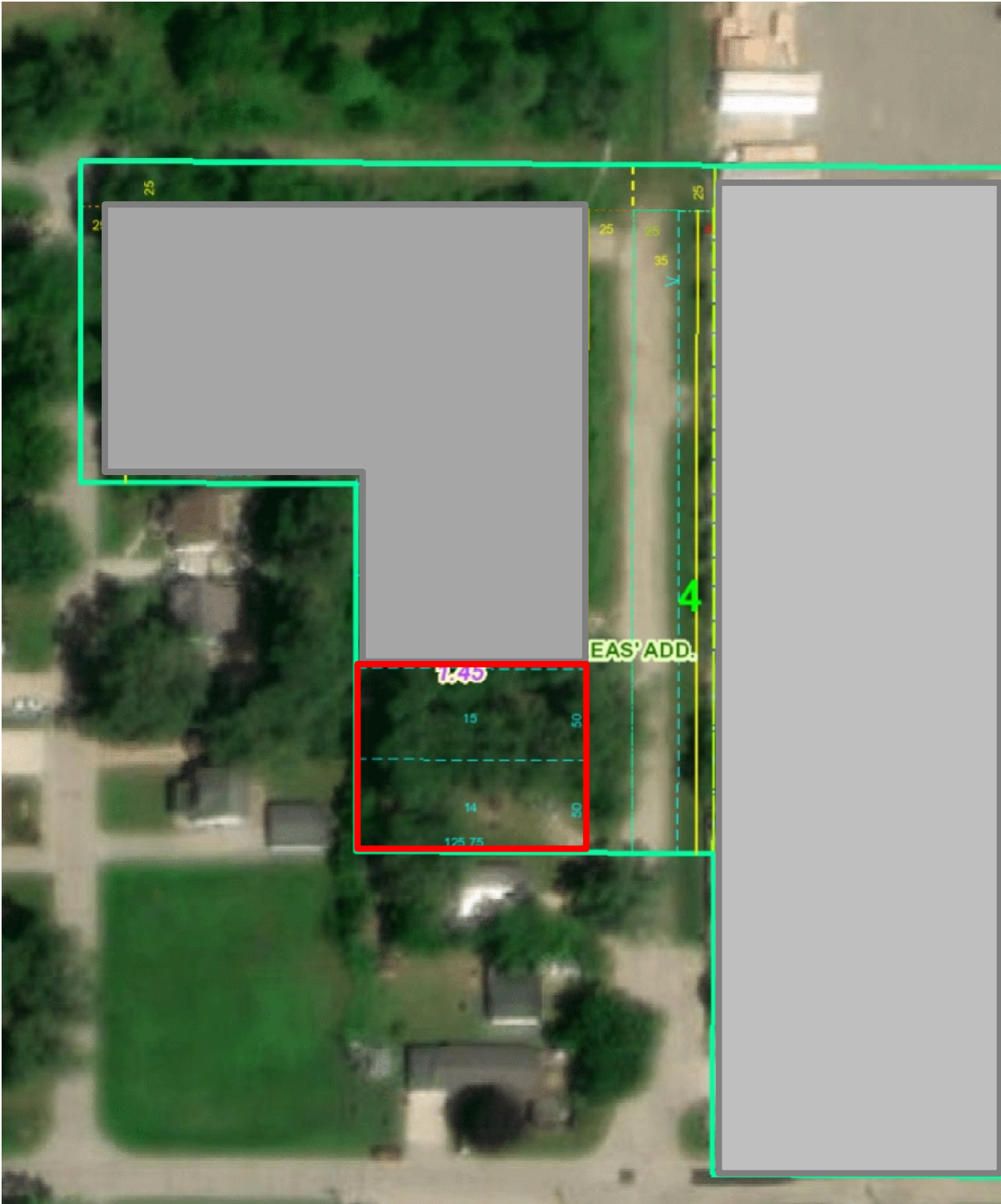
Marcy J Granger, City Clerk-Treasurer



Published this ____ day of _____, 2023

Effective this ____ day of _____, 2023

01-611100-5231-_____

ZONING MAP



-  Existing M-2, General Manufacturing District
-  Subject Area for Permanent M-2 Zoning

LOCATION MAP



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.: _____

1. Address of subject property: 2030 Porter Ave
2. Legal description: Lot: 1445 Block: 3 Subdivision: Spyreas Addition
(If property has not been subdivided, attach a copy of the complete legal description from deed.)
Property dimensions are: 100 feet by 125.75 feet = 12,575 square feet.
If more than two acres, give area in acres: _____ acres.
3. Tax Parcel Number(s): 12441810
4. Owner of record: JG Wellnitz Holdings Phone: _____
1964 Porter Beloit WI 53511
(Address) (City) (State) (Zip)
5. Applicant's Name: COB Planning + Building Services
100 State Street Beloit WI 53511
(Address) (City) (State) (Zip)
608-364-1055 / (Office Phone #) (Cell Phone #) 1.planning@beloit.wi.gov (E-mail Address)

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

Change zoning district classification from: Temp M-2 to: permanent M-2

All existing uses on this property are: Vacant / Commercial Parking

7. All the proposed uses for this property are:

Principal use(s): Industrial Services

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: _____

(X) Other, explain: City of Beloit initiation

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

Name(s): _____ Phone: _____

(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.

[Signature] / Jerry Fabrietatos / 4.3.23
(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.

To be completed by Planning Staff

Filing Fee: \$300.00 Amount Paid: N/A Meeting Date: 4/19/2023

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

Application accepted by: _____ Date: _____

Date Notice Published: _____ Date Notice Mailed: _____



ORDINANCE NO. 3720

**AN ORDINANCE ANNEXING TWO VACANT PROPERTIES LOCATED
IMMEDIATELY SOUTH OF 2030 PORTER AVENUE
TO THE CITY OF БЕЛОИТ**

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

Section 1. Territory Annexed. In accordance with Section 66.0217(2) of Wisconsin Statutes and the *Petition for Direct Annexation* filed by JJGJ Wellnitz Holdings, LLC with the City Clerk on the 26th day of April 2021, signed by all of the owners of real property of the following described property in the Town of Beloit, Rock County, Wisconsin, the following territory is annexed to the City of Beloit, Wisconsin:

LOTS 14 AND 15, BLOCK 3 OF SPYREAS' ADDITION, TOWN OF БЕЛОИТ, ROCK COUNTY, WISCONSIN (ALSO KNOWN AS PARCELS 6-2-2258.25 & 6-2-2258.24). SAID PARCELS CONTAIN 0.289 ACRE, MORE OR LESS.

Section 2. Effect of Annexation. From and after the date of this Ordinance the territory described in Section 1 shall be part of the City of Beloit for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all Ordinances, rules, and regulations governing the City of Beloit.

Section 3. Payment to Town of Beloit. The City of Beloit agrees to pay the Town of Beloit, for five (5) years, an amount equal to the annual amount of property taxes levied on the annexed territory by the Town of Beloit as shown on the Town of Beloit's tax roll prepared pursuant to Section 70.65 Wisconsin Statutes.

Section 4. Temporary Zoning Classification. A) The territory annexed to the City of Beloit by this Ordinance is temporarily designated to be part of the following district of the City for zoning purposes and subject to all provisions of Chapter 19 of the Code of General Ordinances of the City of Beloit, entitled "*The City of Beloit Zoning Ordinance*" relating to such district classifications and to zoning in the City: M-2, General Manufacturing District. B) The boundaries of these designated districts are established as shown on the map filed in the office of the City Clerk. C) The Plan Commission is directed to initiate an amendment to the Zoning Ordinance not later than 30 days from the effective date of this Ordinance setting forth a permanent classification and regulations for the zoning of the attached area and to submit its recommendations to the City Council.

Section 5. Ward Designation. The territory described in Section 1 of this Ordinance is hereby made a part of the Fifteenth (15th) Ward of the City of Beloit, subject to the Ordinances, rules, and regulations of the City, governing ward districts.

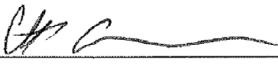
Section 6. Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance, which can be

given effect without the invalid or unconstitutional provision or application.

Section 7. Effective Date. This Ordinance shall take effect and be in force upon its passage and publication.

Adopted this 2nd day of August, 2021.

CITY COUNCIL FOR THE CITY OF BELOIT

By: 
Clinton Anderson, President

ATTEST:

By: 
Lorena Rae Stottler, City Clerk-Treasurer

PUBLISHED: 8-10-21
EFFECTIVE DATE: 8-11-21
01-611100-5231- 250



CITY HALL • 100 STATE STREET • BELOIT, WI 53511
Office: 608/364-6700 • Fax: 608/364-6609
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NOTICE TO THE PUBLIC

April 6, 2023

To Whom It May Concern:

The Planning and Building Services Division has submitted an application for review and consideration for a Zoning Map Amendment to rezone Lots 14 and 15 of 2030 Porter Avenue from Temporary M-2, General Manufacturing to Permanent M-2, General Manufacturing District.

The following public hearings will be held regarding these applications:

City Plan Commission: Wednesday, April 19, 2023 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: Monday, May 15, 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 Hilary Rottmann at 100 State Street or via email to planning@beloitwi.gov. You may also call (608) 364-6708 to provide your comments over the phone.

BACKYARD PROPERTIES OF ROCK
COUNTY LLC
PO BOX 1135
JANESVILLE, WI 53547-1135

TOWN OF BELOIT
2445 S. AFTON RD.
Beloit 53511

COREY L COLBORN
TONYA COLBORN
2046 S NELSON AVE
BELOIT WI 53511-3056

CHRISTINE M ELDER
1309 E EDDY ST
BELOIT WI 53511-3042

ELIAS RENTAL PROPERTIES LLC
7016 E COUNTY ROAD J
CLINTON WI 53525-8844

LA DONNA M KNAPP
RODNEY L KNAPP
2640 S HIGH CREST RD
BELOIT WI 53511-2116

PETRA MEDINA-HERNANDEZ
BRANDON E MARTINEZ
2034 S NELSON AVE
BELOIT WI 53511-3056

KENNETH F & CLIFFONA P SERVIN
REVOCABLE TRUST
2033 S NELSON AVE
BELOIT WI 53511-3055

SHEILA G FORD
2017 S NELSON AVE
BELOIT WI 53511-3055

JAY AUSTIN
1309 EDDY AVE
BELOIT WI 53511-3042

JASON REBOUT
PO BOX 840
JANESVILLE WI 53547-0840



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: April 19, 2023

Agenda Item: 4.b.

File Number: CU-2023-04

General Information

Applicant: Erick Williams

Owner: EW Holdings, LLC

Address/Location: 1165 Madison Road

Applicant's Request: The applicant has applied for a Conditional Use Permit to allow for a *Boarding/Rooming House* in the C-2, Neighborhood Commercial District for property located at 1165 Madison Road.

Background

The Zoning Ordinance indicates that a *Boarding/Rooming House* in the C-2, Neighborhood Commercial District is only allowed if reviewed and approved in accordance with the Conditional Use Permit procedures.

Staff Analysis

Existing Conditions: The property at 1165 Madison Road is zoned C-2, Neighborhood Commercial District and has been various commercial uses in the past. City records show that previously the building was used an art gallery, and that more recently the building has been used for general office uses and storage.

The Zoning Ordinance does not contain specific additional conditions related to a *Boarding/Rooming House* use. Off-street parking is required, and staff believes the standard for "Group Living" is appropriate at one-half space per resident room. The total lot area is approximately 0.104 acres, and the existing building is 1,768 square feet.

Surrounding Land Use and Zoning: The property is adjacent to the C-2, Neighborhood Commercial District on the west, east and south. To the north, the property is zoned R-1B, Single Family Residential District. Adjacent land uses the west, east and north are residential, and to the south across Madison Road are commercial uses including a restaurant and a vacant building.

Proposed Use: The applicant recently purchased the property and proposes to use it as a *Boarding/Rooming House*. To allow this, a Conditional Use Permit is needed. The applicant

indicated that four bedrooms are available with common kitchen, dining and bath facilities (one full and one half-bath). Rooming Houses must comply with Property Maintenance regulations outlined in Chapter 7.32. Those requirements include:

- The owner and operator of a rooming house shall supply water closets, lavatory basins, bathtubs and showers as required by the Plumbing Code.
- The operator of every rooming house shall supply bed linen and towels to each rooming unit at least once each week and prior to the letting of any room to a new occupant. The operator shall maintain all supplied bedding in a clean and sanitary manner.
- Every window of every rooming unit shall be supplied with a shade, draw drapes or other devices or material which, when properly used, will afford privacy to the occupant of the rooming unit.
- The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings and for the sanitary maintenance of every other part of the rooming house and operator shall further be responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.
- Every water closet, flush urinal, lavatory basin, bathtub and shower located within a rooming house shall: afford privacy; be separate from habitable rooms; be accessible from a common hall located inside the rooming house; and be inaccessible from any other room within the rooming house.

The applicant will also have a small office included in the building (approximately 155 square feet), which is permitted by right and not the subject of the Conditional Use Permit. The applicant intends to provide a supervised independent living program with case management for the screened residents. Residents that meet eligibility requirements of the program will have either aged out of the Child Protective Services (CPS) system or are exiting juvenile corrections and do not have family support. This programming is also not the subject of the Conditional Use Permit.

Public Notice

In addition to a Class 2 Newspaper Notice published in the Beloit Daily News on April 5 and 12, the attached Public Notice was sent out to surrounding property owners.

City of Beloit Comprehensive and Strategic Plan: The City's Comprehensive Plan recommends *Neighborhood Commercial* for the subject property. Section 66.1001(2m) (b) of Wisconsin Statutes specifies that conditional use permits do not need to be consistent with the Comprehensive Plan.

Municipal Utilities: The subject property receives the full range of municipal services.

Review Agent Comments: A copy of the application was sent to City of Beloit staff and utility contacts. Planning staff received the following comments:

- The Fire Department has no issues with the concept or occupancy type.

- Engineering and Water Resources indicated they have no comments.
- No other comments were received from City staff or utility contacts.

Findings of Fact: Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - The proposed *Boarding/Rooming House* use is along a commercial corridor and WIS 81. The area is zoned for higher intensity uses than what is being proposed. This environment includes noise, vehicle traffic and foot traffic. The proposed use will comply with all applicable zoning, property maintenance and other codes and ordinances, and will not impede the general public.
- Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - Adjacent properties are either residential or commercial. As a residential use, the proposed *Boarding/Rooming House* is not anticipated to be injurious to the use and enjoyment of other property, including those in the immediate vicinity. All adjacent property owners have been notified of the request.
- Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The conditional use involves investment in the area, specifically in a commercially zoned property that has otherwise been underused in recent years.
- Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The surrounding area is fully developed.
- Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - This property, although zoned commercial, looks like a house and is visually compatible with adjacent residential uses.
- Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - The property already has the necessary utilities and facilities. The existing driveway includes sufficient space for off-street parking. Up to three spots are needed and three vehicles can fit in the driveway.
- Whether adequate measures will be taken to minimize traffic congestion; and*
 - As a four-bedroom *Boarding/Rooming House* with few vehicles onsite at any time, there are no traffic congestion concerns, especially since this is located on WIS-81, a principal arterial designed for heavy traffic.

- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
- The proposed use will comply with all other applicable regulations.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of a Conditional Use Permit to allow a *Boarding/Rooming House* in the C-2, Neighborhood Commercial District for property located at 1165 Madison Road based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes a *Boarding/Rooming House* use.
2. Three parking spots will be provided on the driveway.
3. The proposed Boarding/Rooming House shall comply with Section 7.32 of the Code of General Ordinances of the City of Beloit.
4. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission by amending this Conditional Use Permit. The Director of Planning and Building Services may approve minor changes administratively.

ATTACHMENTS: Resolution 2023-017, Conditional Use Permit Decision Form, Site Exhibit Map, Building Exhibit, Application, Public Notice and Mailing List.

RESOLUTION 2023-017

APPROVING A CONDITIONAL USE PERMIT TO ALLOW A BOARDING/ROOMING HOUSE FOR PROPERTY LOCATED AT 1165 MADISON ROAD

WHEREAS, the application of Erick Williams for a Conditional Use Permit to allow a *Boarding/Rooming House* in the C-2, Neighborhood Commercial District for property located at 1165 Madison Road having been considered by the Plan Commission of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow a *Boarding/Rooming House* in the C-2, Neighborhood Commercial District for property located at 1165 Madison Road in the City of Beloit, in the area described in the attached legal description and exhibit for the following premises:

PART OF LOTS 31 & 32 MOSELEYS ADDITION COMMENCING AT A POINT 234.5 FEET NORTHWESTERLY OF SOUTHEAST CORNER LOT 32, THENCE NORTHEASTERLY 97.3 FEET, THENCE WESTERLY 40.02 FEET, NORTHERLY 29 FEET, SOUTHWESTERLY 89.7 FEET, THENCE SOUTHEASTERLY 60 FEET TO POB, ALSO PART LOT 1 LATHERS SUB LYING SOUTHERLY OF LINE DRAWN FROM SOUTHEAST CORNER TO SOUTHWEST CORNER, TOWN 1 NORTH, RANGE 12 EAST, OF THE 4TH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN. CONTAINING 0.104 ACRES, MORE OR LESS. A/K/A 1165 MADISON ROAD.

As a condition of granting the Conditional Use Permit, the Plan Commission does hereby stipulate the following conditions and restrictions upon the Conditional Use, which are hereby deemed necessary for the public interest:

1. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission by amending this Conditional Use Permit. The Director of Planning and Building Services may approve minor changes administratively.

BE IT FURTHER RESOLVED that the applicant is formally advised of the following additional ordinance requirements:

1. This Conditional Use Permit authorizes a *Boarding/Rooming House* use.
2. Three parking spots will be provided on the driveway.
3. The proposed Boarding/Rooming House shall comply with Section 7.32 of the Code of General Ordinances of the City of Beloit.

Adopted this 19th day of April, 2023.

PLAN COMMISSION

Mike Ramsden, Chairperson

ATTEST:

Julie Christensen
Community Development Director

**Beloit Plan Commission
Conditional Use Permit Decision Form**

When reviewing an application for a conditional use, the local government must look to the requirements and conditions found in the local zoning ordinance and determine if the applicant meets those requirements and conditions. The local government must provide **substantial evidence** supporting their decision to grant or deny the permit, and to impose additional conditions on the permit. Substantial evidence means **facts and information**, directly relating to the requirements and conditions, that a reasonable person would accept in support of a conclusion. Personal preferences and speculation are not sufficient forms of evidence. All requirements and conditions imposed by the local government must be reasonable, and to the extent, practicable, measurable.

Ordinance Requirements

List ordinance requirements related to the conditional use permit:

1. This Conditional Use Permit authorizes a *Boarding/Rooming House* use

Substantial Evidence: A *Boarding/Rooming House* use requires a Conditional Use Permit in the C-2 district, and this condition articulates that the proposed uses are deemed appropriate at this location.

2. Three parking spots will be provided on the driveway.

Substantial Evidence: According to Article 8 of the Zoning Ordinance, a *Boarding/Rooming House* use requires off street parking equal to one-half space per resident room and one per 250 square feet of office per the parking standards in the Zoning Ordinance.

3. The proposed Boarding/Rooming House shall comply with the requirements outlined in Section 7.32 of the Code of General Ordinances of the City of Beloit.

Substantial Evidence: All rooming houses must comply with the standards contained within Section 7.32 of the Code of General Ordinances.

Does the applicant meet **all** of the ordinance requirements? No Yes, if the ordinances above are met.

Permit Conditions

A local government is authorized to impose conditions on the permit that relate to the purpose of the ordinance. Conditions must be **reasonable**, and to the extent, practicable and **measurable**. Conditions may limit the permit's duration, transfer, or renewal.

List conditions imposed on the permit:

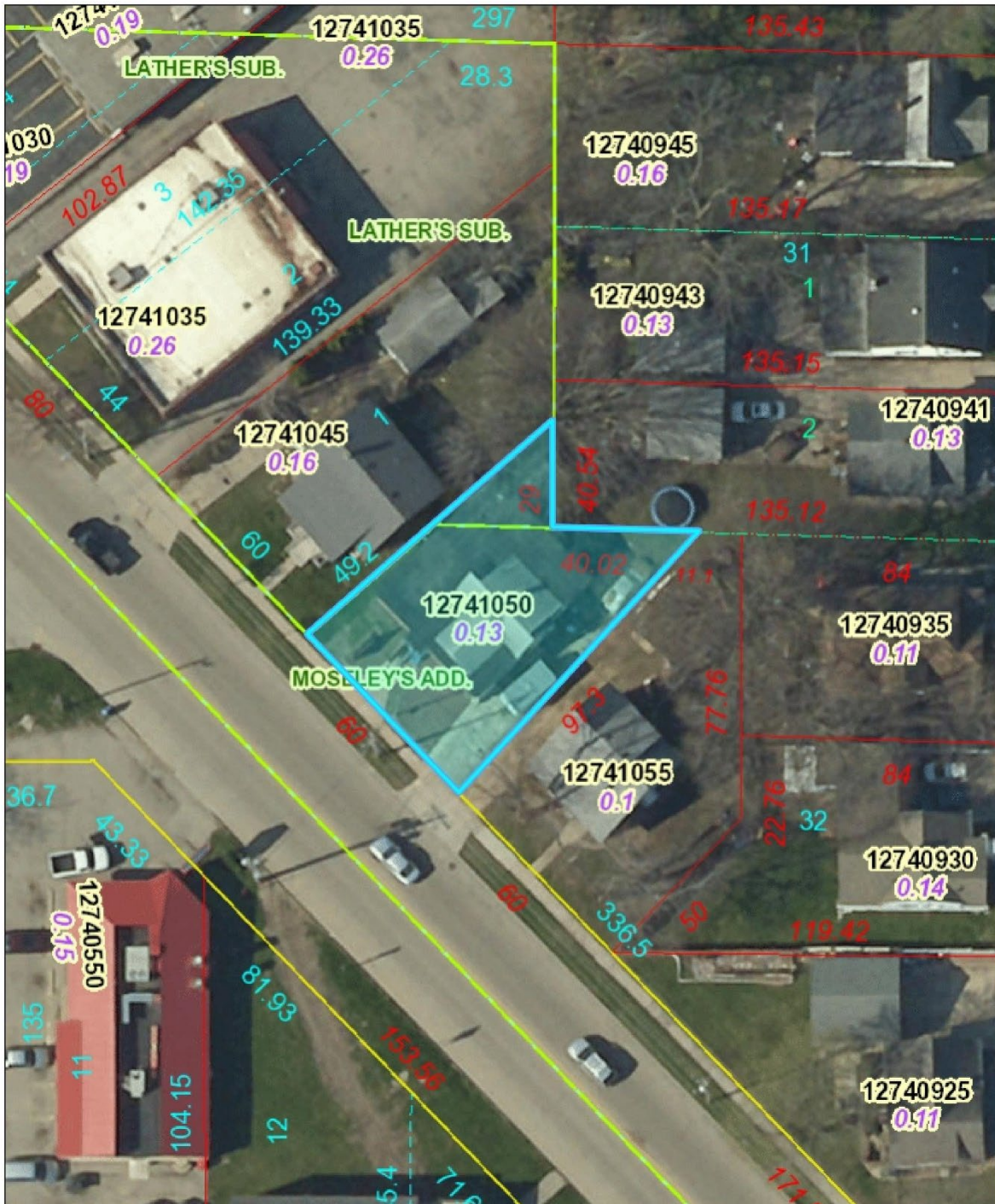
1. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission by amending this Conditional Use Permit. The Director of Planning and Building Services may approve minor changes administratively.

Substantial Evidence: Standardized condition to establish a process for future changes.

Decision: Based on the findings of fact, conclusions of law, and the record in this matter, the permit is:

- Approved, with the conditions stated above
 Denied, for the following reasons:

Site Exhibit Map



1165 Madison Road
 Web Print: 04/05/2023

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

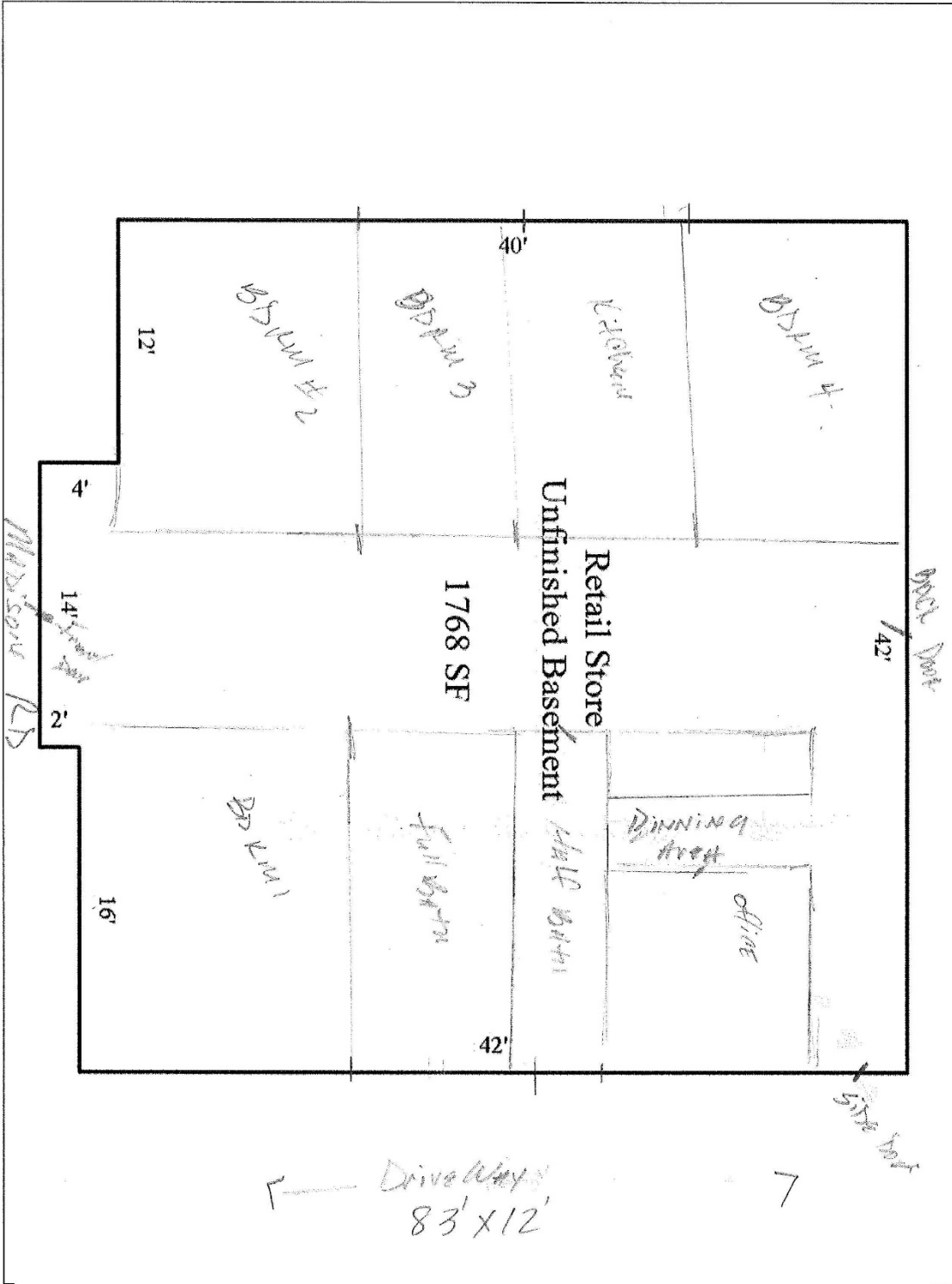


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Building Exhibit

2022 Property Records for City of Beloit, Rock County

April 5, 2023



1155 Madison Rd, City of Beloit

Tax key number: 206 12741050

Page 3 of 4

CITY of BELOIT

Planning and Building Services Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: _____

1. Address of subject property: 1145 MADISON RD

2. Legal description: OFFICE

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

Property dimensions are: _____ feet by _____ feet = 1788 square feet.

If more than two acres, give area in acres: _____ acres.

3. Tax Parcel Number(s): _____

4. Owner of record: E.W. HOLDING LLC Phone: (815) 721-5701

P.O. BOX 902 Beloit WI 53512
(Address) (City) (State) (Zip)

5. Applicant's Name: ERICK WILLIAMS

P.O. BOX 1151 Beloit WI 53512
(Address) (City) (State) (Zip)

(608) 312-2366 1 815 721-5701 1 ERICKWILLIAMS@DANNIKYSHOUSE
(Office Phone #) (Cell Phone #) (E-mail Address) LLC.COM

6. All existing use(s) on this property are: NONE

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

A Conditional Use Permit for: BOARDING / ROOMING HOUSE
in a(n) C-2 Zoning District.

8. All the proposed use(s) for this property will be:

Principal use: TEMPORARY HOUSING FOR YOUNG ADULTS
WHO AREN'T OUT OF THE CPS SYSTEM AND WHO
DON'T HAVE FAMILY SUPPORT + YOUR EXISTING IDOC

Secondary use: _____

Accessory use: _____

9. Project timetable: Start date: 4/1/23 Completion date: _____

10. 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 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.

Erick Williams / ERICK WILLIAMS / 3/24/23
 (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 and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and 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 these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff	
Filing fee: \$300.00 Amount paid: _____ Meeting date: _____	
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: _____ Date: _____	



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

April 6, 2023

To Whom It May Concern:

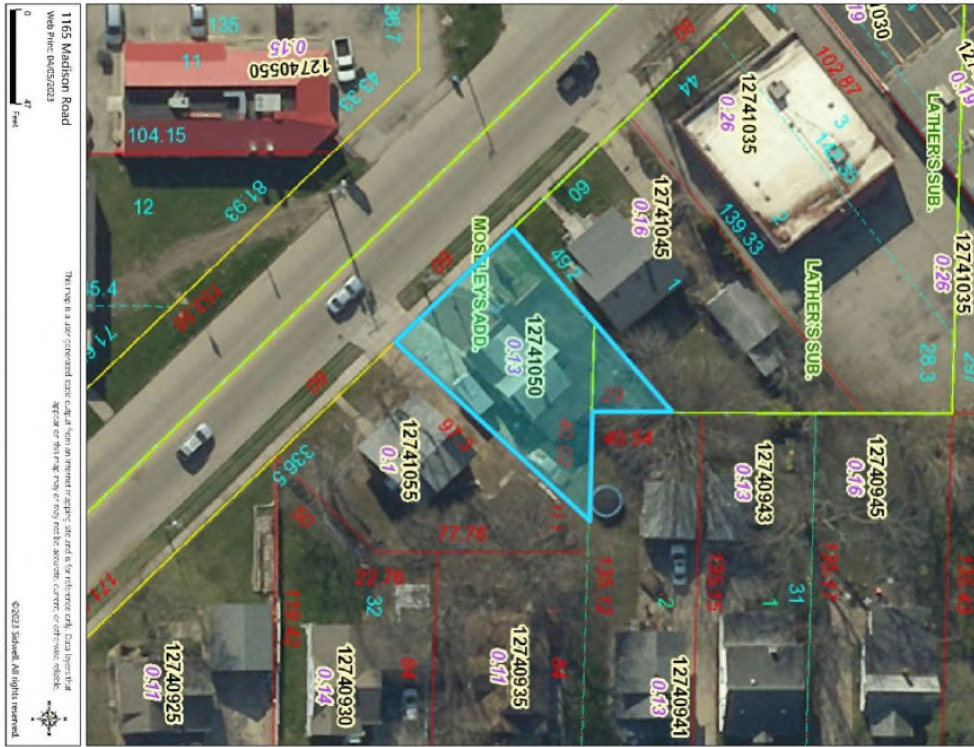
Erick Williams has filed an application for a Conditional Use Permit to allow for a Boarding/Rooming House in the C-2 Neighborhood Commercial District for the property located at **1165 Madison Road**.

The following public hearing will be held regarding this proposed Conditional Use Permit:

Plan Commission: Wednesday, April 19, 2023, at 7:00 PM, or as soon thereafter as the matter can be heard, in The Forum, Beloit City Hall, 100 State Street, Beloit, Wisconsin.

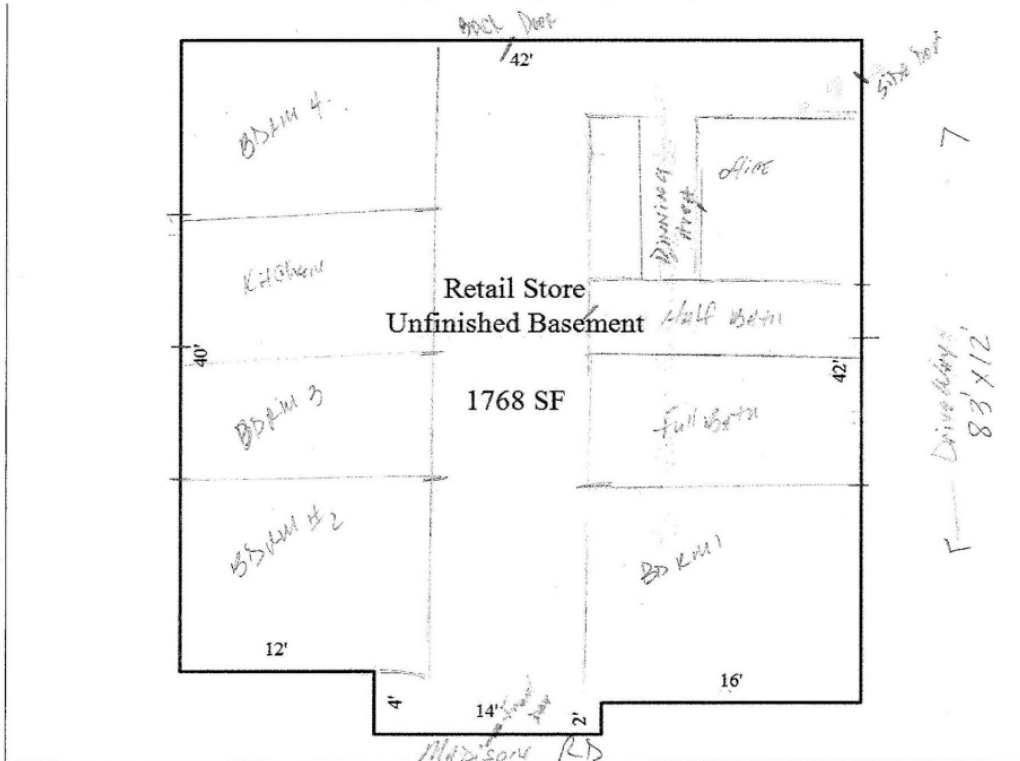
We are interested in your opinion.

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 TJ Nee at 100 State Street or via email to planning@beloitwi.gov. You may also call (608) 364-6711 to provide your comments over the phone.



2022 Property Records for City of Beloit, Rock County

April 5, 2023



JOSHUA WILKS
1166 MCKINLEY AVE
BELOIT WI 53511

CHRISTINE HUBER
1164 MADISON RD
BELOIT WI 53511

NEW LIFE CHURCH
1146 GRANT ST
CITY OF BELOIT WI 53511

MICHAEL & MARY MEADE
1157 MADISON RD
BELOIT WI 53511

ANTONIO PICCIONE JR
1181 MADISON RD
CITY OF BELOIT WI 53511

SANDRA MEADE
1171 MADISON RD
BELOIT WI 53511

DAN DRAKE
1180 MADISON RD
CITY OF BELOIT WI 53511

THE OVERFLOWING CUP
1175 MADISON RD
BELOIT WI 53511

PETERS FAMILY IRREVOCABLE
TRUST
1140 MADISON RD
CITY OF BELOIT WI 53511

DAVID GUSTIN
1134 MCKINLEY AVE
BELOIT WI 53511

DAVID SNOW TRUST
DTD NOV 6 2013
1150 MADISON RD
CITY OF BELOIT WI 53511

JOSE & ROSALINA CALVILLO
1140 MCKINLEY AVE
BELOIT WI 53511

DOUGLAS CASH
1146 MCKINLEY AVE
BELOIT WI 53511

RONALD STACKHOUSE
1150 MCKINLEY AVE
BELOIT WI 53511

DAVID CLARK
1154 MCKINLEY AVE
BELOIT WI 53511

BIK WAN YUE REVOCABLE
TRUST OF 2017
1160 MCKINLEY AVE
BELOIT WI 53511