



**PUBLIC NOTICE & AGENDA  
BELOIT PLAN COMMISSION  
City Hall Forum - 100 State Street, Beloit, WI 53511  
7:00 PM  
Wednesday, January 3, 2024**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
  - 2.a. Consideration of the minutes of the December 6, 2023 Plan Commission meeting  
[Attachment](#)
3. PUBLIC HEARINGS
  - 3.a. Consideration of Resolution 2024-002 approving the Extraterritorial Preliminary Plat of Garden Prairie Estates located on Bartells Drive north of E Whippoorwill Way in the Town of Beloit  
[Attachment](#)
  - 3.b. Consideration of Resolution 2024-001 approving a Conditional Use Permit to allow warehouse and freight movement in a C-3, Community Commercial District, on a portion of the property located at 1805 Prairie Avenue  
[Attachment](#)
4. REPORTS
  - 4.a. Consideration of the Extraterritorial Final Plat of Garden Prairie Estates located on Bartells Drive north of E Whippoorwill Way in the Town of Beloit  
[Attachment](#)
  - 4.b. Consideration of a request to annex the property located at 830 W Froebel Drive from the Town of Beloit into the City of Beloit  
[Attachment](#)
  - 4.c. Consideration of a request to annex the property located at 510 W Froebel Drive from the Town of Beloit into the City of Beloit  
[Attachment](#)
5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
  - 1642 Sixth Street - Comprehensive Plan Amendment, Planned Unit Development and Rezoning*
  - 1865 Riverside Drive - Planned Unit Development and Rezoning*
  - Alley Vacation - St. Lawrence, Forest, Ritsher, and Forest*

6. FUTURE AGENDA ITEMS  
*Northstar Certified Survey Map*

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**  
**Tuesday, December 6, 2023**

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

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

**2. MINUTES**

**2.a. Consideration of the minutes of the November 21, 2023 Plan Commission meeting**

Commissioner Jacobsen moved to approve the minutes, seconded by Commissioner Flesch. Motion prevailed, voice vote (5-0).

**3. PUBLIC HEARINGS**

No public hearings were scheduled for this meeting.

**4. REPORTS**

**4.a. Consideration of the vacation of the alley located between St. Lawrence Avenue, Forest Avenue, Ritscher Street, and Division Street**

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

Allison Semrau, 2029 Forest Avenue, stated that she has lived at the property for 30 years. Ms. Semrau said that everyone uses the alley, and there is nothing going on in the alley. She stated she never had an issue or anything stolen off her property. She indicated that she uses the alley to access the back half of her lot. She outlined State law regarding vacations and suggested that the City could not vacate this alley due to her written objection.

Chairperson Ramsden asked how Ms. Semrau uses the alley. Ms. Semrau said she put up a new play set and would not be able to get back there, if there wasn't an alley. She used it to demolish a garage and cut down trees. The neighbors use it to unload their cars.

Ms. Christensen provided an explanation on the State law Ms. Semrau cited. Chairperson Ramsden asked if this applies to the alley. Ms. Christensen said if there is a written objection to the vacation of a street, road, or paved alley, it cannot be vacated. However, there is a separate objection section for unpaved alleys. In that case, if there is a written objection and the alley is the only access to off-street parking

spaces, the alley cannot be vacated. However, in this case, Ms. Semrau has a second access to off-street parking on Forest Avenue. Therefore, you would consider this vacation just like any other application.

Dace Zoltners, 2058 St. Lawrence Avenue, stated that she has issues with the alley being open because she has to pick up alcohol bottles and empty shotgun shells. Ms. Zoltners said the alley is a nuisance and causes problems in the neighborhood.

Linda Slatter, 1330 St. Lawrence Avenue, explained that she has owned the property since 1977. Ms. Slatter said she has never had an issue with the alley. Ms. Slatter said they would have never been able to get the swing set into the back yard. She objects to closing the alley.

Yolanda Peer, 2030 St. Lawrence Avenue, said that she has had vandalism to her property and someone threw a rock at the window and broke it. Ms. Peer stated that she had a lock on her shed, and it was broken off. She said she would like the alley closed because people walk through the alley and litter in her yard.

Donald Daniels, 2052 St. Lawrence Avenue, stated that he has lived at the property since 1965. Mr. Daniels said people throw their alcohol bottles on their property. He said people harass the neighbor's dogs.

Allison Semrau, 2029 Forest Avenue, stated that even if they close the alley, people are still going to come through the alley, and that happens at all properties. Having the alley is a second access to their property. Ms. Semrau said that she feels that the stuff that is going on in the alley is going to continue happening regardless if it is closed or not.

Commissioner Anderson asked how the alley gets divided up if the vacation is approved. Ms. Christensen said that the property owners each get their half of the alley, and Alliant Energy will continue to have access to get back there. Owners could install fences along their new property line. Commissioner Anderson asked if closing it would change any of their concerns. Ms. Christensen said they could block off the portion of property they will get as part of the alley vacation.

Commissioner Anderson asked what is the greater good of closing the alley. Ms. Christensen said generally we don't consider an alley vacation unless a petition was submitted by the neighbors. Commissioner Anderson asked if they were to build a neighborhood today, would they build an alley. Ms. Christensen said that she does not think there is a development trend for building alleys in new neighborhoods in Beloit.

Commissioner Flesch asked what percentage of the neighbors petitioned to vacate the alley. Ms. Christensen said mostly it was the property owners on St. Lawrence, and 11 of 17 property owners signed the petition.

Chairperson Ramsden stated that all of the reasons make sense and he agrees with those that are in favor of it and against it. Chairperson Ramsden said that he agrees to leave the alley because it has always been there, and the reason he would want it removed is because everyone wants the alley closed off.

Commissioner Flesch moved to approve the vacation of the alley, seconded by Commissioner Anderson. Motion prevailed, roll call vote (5-0).

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

Ms. Christensen updated the Plan Commission on actions taken by City Council related to an item previously reviewed by Plan Commission.

**6. FUTURE AGENDA ITEMS**

Julie Christensen outlined the future agenda items.

**7. ADJOURNMENT**

Commissioner Flesch made a motion to adjourn the meeting, seconded by Commissioner Anderson at 7:47 PM. Motion carried, voice vote (5-0).

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Mike Ramsden, Chairperson



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** January 3, 2034

**Agenda Item:** 3.a.

**File Number:** PS-2024-01

### **General Information**

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**Applicant:** Fehr Graham

**Owner:** Next Generation Construction, LLC

**Address/Location:** 6-2-131.2 in the Town of Beloit

**Applicant's Request:** Preliminary Subdivision Plat (11 lots and 1 out-lot)

### **Staff Analysis**

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**Proposed Lots:** Fehr Graham on behalf of Next Generation Construction, LLC. has submitted the attached Extraterritorial Preliminary Subdivision of Garden Prairie Estates for the subdivision of 3.69 acres into 12 lots located on Bartells Drive north of E. Whippoorwill Way in the Town of Beloit.

As shown on the attached plat, the developer is proposing the creation of 11 single-family lots and 1 out-lot in this residential development. The developer has also submitted a final plat for review. Proposed Lots 1 through 11 range in size from 15,636 and 12,830 square feet. Out-Lot 1 is 12,231 square feet. The platted area is 3.69 acres and zoned R-1 Single-Family Residential. This land is located in the Beloit Turner School District and is served by municipal water or sewer.

**Proposed Improvements:** This proposed development does not include any proposed improvements. The preliminary plat does not show any sidewalks, but they have been installed already along Bartells Drive. USPS will require cluster mailbox units to serve this development.

**Platting Process:** Residential subdivisions require approval of a preliminary or conceptual plat followed by a final plat to be recorded. The applicant has submitted both the Preliminary and Final Plat for City approval. The City cannot regulate land use beyond the City limits (including density), nor require the dedication or improvement of land with public improvements.

**Surrounding Uses:** As shown on the attached Location Map, there is undeveloped land to the north and west. There are single-family residential uses to the south and to the east of the subject property is Garden Prairie Intermediate School.

**City of Beloit Comprehensive Plan:** The Comprehensive Plan's Future Land Use Map Recommends Planned Neighborhood for the subject parcels; however, land use and density cannot be regulated outside the City of Beloit.

**STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **approval** of the Preliminary Plat for Garden Prairie Estates in the Town of Beloit, subject to the following conditions:

1. The Final Plat shall substantially conform to the approved Preliminary Plat with respect to the number of lots, lot sizes, and the proposed right-of-way layout.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Community Development Director may approve minor changes administratively.

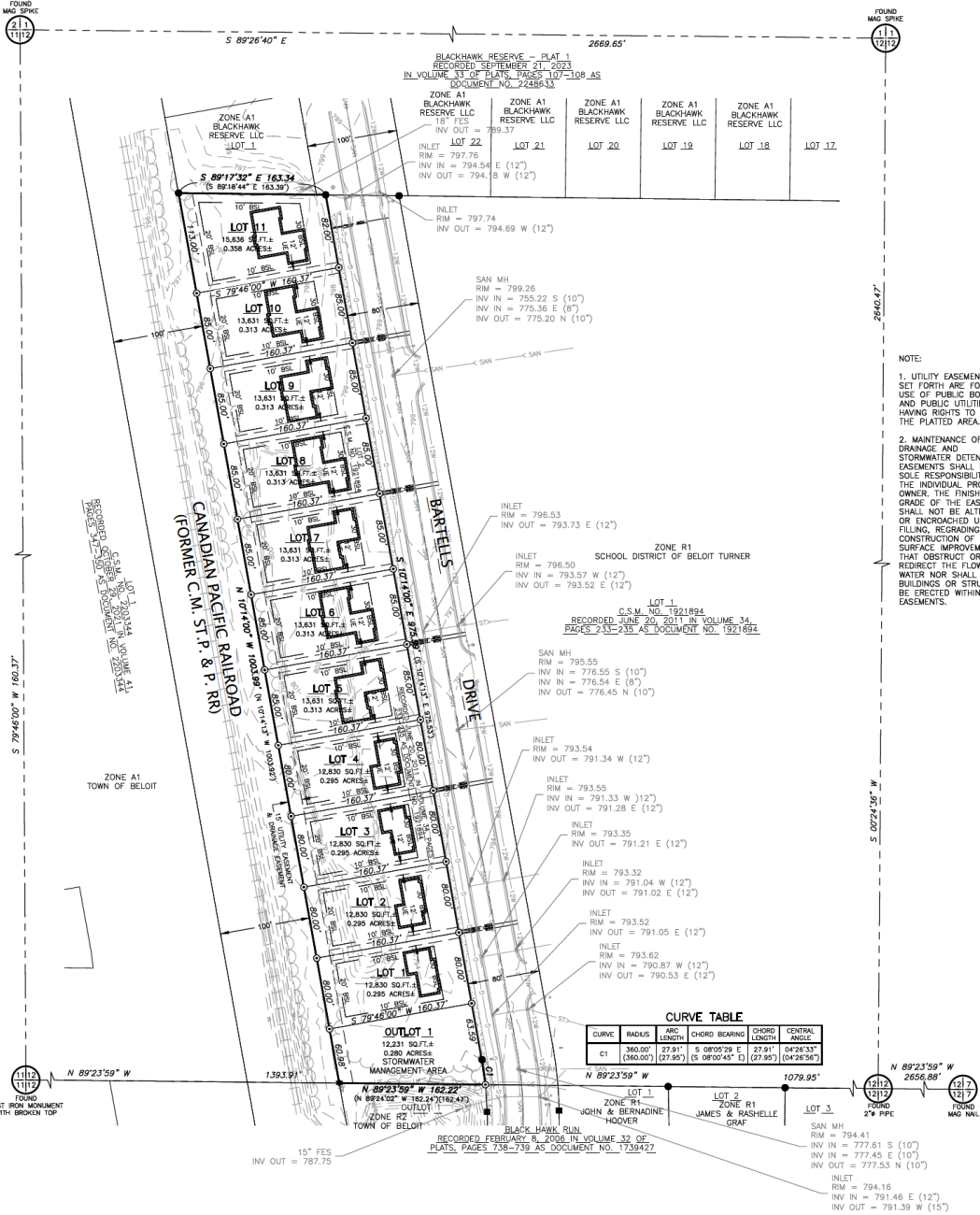
**ATTACHMENTS:** Location Map, Preliminary Plat, Application, Public Notice, and Resolution.





PRELIMINARY PLAT OF  
**"GARDEN PRAIRIE ESTATES"**

LOT 2 OF A CERTIFIED SURVEY MAP RECORDED JUNE 20, 2011, IN VOLUME 34, PAGES 233 THRU 235 OF CERTIFIED SURVEY MAPS, AS DOCUMENT NUMBER 1921894, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, BEING ALSO PART OF OUTLOT 12-3 AND 12-4 OF THE ASSESSOR'S PLAT OF BELOIT TOWNSHIP, ALL IN TOWNSHIP 1 NORTH, RANGE 12 EAST OF THE FOURTH PRINCIPAL MERIDIAN, BELOIT TOWNSHIP, ROCK COUNTY, WISCONSIN



NOTE:  
 1. UTILITY EASEMENTS AS SET FORTH ARE FOR THE USE OF PUBLIC BODIES AND PUBLIC UTILITIES HAVING RIGHTS TO SERVE THE PLATTED AREA.  
 2. MAINTENANCE OF THE DRAINAGE AND STORMWATER DETENTION EASEMENTS SHALL BE THE SOLE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER. THE FINISHED GRADE OF THE EASEMENTS SHALL NOT BE ALTERED OR ENCRUGHED UPON BY FILLING, SCORING OR CONSTRUCTION OF SURFACE IMPROVEMENTS THAT OBSTRUCT OR REDIRECT THE FLOW OF WATER NOR SHALL ANY BUILDINGS OR STRUCTURES BE ERRECTED WITHIN THE EASEMENTS.

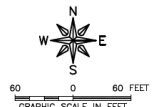
**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	CENTRAL ANGLE
C1	360.00'	27.81'	S 08°05'29" E	27.91'	04°28'33"
	(360.00')	(27.81')	(S 08°05'29" E)	(27.91')	(04°28'33")

- LEGEND:**
- 3/4" OD REBAR, FOUND
  - 1-1/4" OD IRON ROD, FOUND
  - 1" OD PIPE, FOUND
  - 3/4" OD X 18" IRON PIPE
  - 1.50 LBS./LIN. FT. SET
  - BOUNDARY LINE
  - PARCEL LINE
  - SECTION LINE
  - (XXX) RECORD INFORMATION
  - BUILDING SETBACK LINE
  - BSL BUILDING SETBACK LIMIT
  - UE UTILITY EASEMENT LINE
  - EXISTING SANITARY SEWER PIPE
  - SAN- EXISTING STORM SEWER PIPE
  - EXISTING WATER LINE
  - EXISTING GAS LINE
  - EXISTING FLARED END SECTION
  - EXISTING INLET
  - EXISTING STORM SEWER MANHOLE
  - EXISTING SANITARY SEWER MANHOLE
  - EXISTING ELECTRIC LINE
  - EXISTING SPLICE BOX TELEPHONE
  - EXISTING WATER VALVE
  - EXISTING FIRE HYDRANT
  - EXISTING HANDHOLE 4" FIBER
  - PROPOSED WATER SERVICE
  - PROPOSED SANITARY SERVICE

OWNER/PREPARED FOR:  
 NEXT GENERATION CONSTRUCTION, LLC  
 430 EAST GRAND AVENUE, SUITE 103  
 BELOIT, WISCONSIN 53511

ZONE  
 R1 - SINGLE FAMILY RESIDENTIAL



NORTH, AS REFERENCED TO THE WISCONSIN COUNTY COGNOMIAL REFERENCE SYSTEM, ZONE: ROCK VAL GPS OBSERVATIONS  
 NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 12 BEARING S 89°26'40" E

**FEHR GRAHAM** ILLINOIS  
 ENGINEERING & ENVIRONMENTAL IOWA  
 WISCONSIN  
 LICENSE DESIGN FIRM NO. 184-003283

101 W STEPHENSON ST., FREEDPORT, IL 61352 PH:618.235.7843

**NEXT GENERATION CONSTRUCTION, LLC** JOB NUMBER: 23-1644  
 DATE: 11/21/2023  
 FIELD WORK COMPLETED: 11/03/2023  
 FIELD: DL DRAWN: NAG QA/QC: 1 of 1

11/21/2023 11:21:23 AM 23-1644 Prelim Plat - 2nd 1  
 11/21/2023 11:21:23 AM 2023 FEHR GRAHAM

# 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 Preliminary Subdivision Plat

(Please Type or Print)

File Number: \_\_\_\_\_

1. **Proposed subdivision name:** Garden Prairie Estates
2. **Address of property:** Bartells Drive, Beloit, WI
3. **Tax Parcel Number(s):** 004 01200202
4. **Property is located in (circle one):** City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie  
**In the** NW **Quarter of Section** 12 **, Township** 1 **North, Range** 12 **East of the 4th P.M.**
5. **Owner of record:** Next Generation Construction, LLC **Phone:** 608-473-0401  

<u>430 East Grand Ave, Suite 103</u>	<u>Beloit</u>	<u>WI</u>	<u>53511</u>
<small>(Address)</small>	<small>(City)</small>	<small>(State)</small>	<small>(Zip)</small>
6. **Applicant's Name:** Next Generation Construction, LLC  

<u>430 East Grand Ave, Suite 103</u>	<u>Beloit</u>	<u>WI</u>	<u>53511</u>
<small>(Address)</small>	<small>(City)</small>	<small>(State)</small>	<small>(Zip)</small>
<u>608-473-0401</u>	<u>/ 815-904-4011</u>	<u>/ zach@nextgenbuilds.com</u>	
<small>(Office Phone #)</small>	<small>(Cell Phone #)</small>	<small>(E-mail Address)</small>	
7. **The present zoning classification is:** R-1
8. **All existing uses on the property are:** Property is currently not being used
9. **Proposed future zoning classification(s) is (are):** R-1
10. **Proposed future uses of the property are:** Single-family residences
11. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
  - Site Assessment Checklist;** as required for all major subdivision plats by section 12.02(1).
  - Pre-application meeting;** a pre-application meeting was held on \_\_\_\_\_ with City of Beloit Staff as per section 12.02(2).
  - Site Assessment Report;** if required as per section 12.02(5) of the Subdivision Ordinance.
  - Concept Plan;** as required by section 12.02(6) of the Subdivision Ordinance.
  - Developer's Statement;** as required by section 12.02(7) of the Subdivision Ordinance.
  - Preliminary Plat Map;** 10 copies as required by section 12.03(2) including all information required by section 12.03(3) 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 to review and approve the Preliminary Subdivision Plat for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

(Signature of applicant)

Zachary Knutson, Manager

(Name of applicant)

11/27/23

(Date)

**This application must be submitted at least 30 days prior to the Plan Commission meeting date.**

Review fee: \$500 plus \$15 per lot Amount paid: \_\_\_\_\_

Scheduled meeting date: \_\_\_\_\_

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

# CITY of BELOIT

## Planning & Building Services Division

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

### SITE ASSESSMENT CHECKLIST

For property located at: Bartells Drive, Beloit, WI

Property owner's name: Next Generation Construction, LLC

ITEM OF INFORMATION	YES	NO
<b>I. Land Resources; Does the project site involve:</b>	-----	-----
A. Changes in relief and drainage patterns? <small>(Attach a topographical map showing, at a minimum, 2-foot contour intervals)</small>		X
B. A landform or topographical feature including perennial streams?		X
C. A floodplain? <small>(If Yes, attach a copy of the latest FEMA Floodway map with the parcel shown thereon.)</small>		X
D. An area of soil instability, or slopes greater than 12%, or hydric or alluvial soils as depicted in the "Soils Survey of Rock County"?	X	
E. An area of bedrock within 6 feet of the surface as depicted in the "Soils Survey of Rock County" or a more detailed source?		X
F. An area with groundwater table within 5 feet of the surface as depicted in the "Soils Survey of Rock County" or a more detailed source?		X
G. An area with fractured bedrock within 10 feet of the soil surface as depicted in the "Soils Survey of Rock County"?		X
H. Prevention of future gravel extraction?		X
I. A drainage-way with a tributary area of 5 or more acres?		X
J. Lot coverage of more than 50 percent impermeable surfaces?		X
K. Prime agricultural land as depicted in the "Soils Survey of Rock County" or any adopted farmland preservation plans?		X
L. Wetlands as depicted on a DNR wetland inventory map or more detailed source?		X
<b>II. Water Resources; Does the project site involve:</b>	-----	-----
A. An area traversed by a stream, intermittent stream or dry run?		X
B. An impact on the capacity of a storm water storage system or flow of a waterway within one mile?		X
C. The use of septic systems for on-site wastewater disposal?		X
D. Lowering of water table by pumping or drainage?		X
E. Raising of water table by altered drainage?		X
F. Frontage on a lake, river, or other navigable waterway?		X
<b>III. Human and Scientific Interest; Does this project site involve:</b>	-----	-----
A. An area of archeological interest included on the Wisconsin Archeological Site Inventory?		X
B. An area of historical interest, or historic buildings or monuments listed on the State or National Register of Historic Places?		X

## Site Assessment Checklist

(continued)

ITEM OF INFORMATION	YES	NO
<b>IV. Biological Resources; Does the project site involve:</b>	-----	-----
A. Critical habitat for plants and animals of community interest per DNR inventory?		
B. Endangered or rare plant or animal species per the DNR Wisconsin Natural Heritage Inventory?		
C. Trees with a diameter of 6 or more inches at breast height outside of "mature woodlands" as defined in the subdivision ordinance? (If Yes, all trees of such size must be mapped.)		X
D. Removal of over 40 % of the trees on the site within a "mature woodland" as defined in the subdivision ordinance?		X
E. Environmental corridors as mapped by the City of Beloit or Rock County?		X
<b>V. Energy, Transportation and Communications:</b>	-----	-----
A. Would the development increase traffic flow on any arterial or collector street by more than 10 % based upon the most recent traffic counts and trip generation rates provided by the Institute of Transportation Engineers (ITE)?		X
B. Is the land traversed by an existing or planned roadway corridor, as shown on the City's official map or comprehensive plan?		X
C. Is the land within a highway noise impacted area (within 500 feet of an interstate or state or Federal highway)?		X
D. Is the land traversed by an existing or planned utility corridor (gas, electrical, water, sewer, storm, communications)?		X
<b>VI. Population:</b>	-----	-----
A. Which public school service areas (elementary, middle and high school) are affected by the proposed development and what is their current available capacity?		
Elementary; <u>Powers Elementary &amp; Garden Prairie Intermediate School</u>	E: Cap= unknown	
Middle; <u>Turner Middle</u>	M: Cap= unknown	
High School; <u>Turner High</u>	H: Cap= unknown	

**NOTES:**

1. "YES" answers must be explained in detail by attaching maps and supportive documentation describing the impacts of the proposed development.
2. The Plan Commission may waive the filing of a Site Assessment Checklist for subdivisions of less than 5 acres in total area.

I. D. Proposed slopes up to 33.33% will be used in ditches and the detention pond to convey stormwater. Outside of these areas, proposed slopes will not be greater than 12%. The grading of the site is not final at this time.

IV. A. Unknown at this time. An Endangered Resources Review Request to the Wisconsin DNR will be submitted.

IV. B. Unknown at this time. An Endangered Resources Review Request to the Wisconsin DNR will be submitted.

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COMMUNITY DEVELOPMENT DEPARTMENT

**NOTICE TO THE PUBLIC**

December 21, 2023

To Whom It May Concern:

Fehr Graham on behalf of Next Generation Construction, LLC. has submitted a preliminary subdivision for review. The attached Extraterritorial Final Plat of Garden Prairie Estates is for the subdivision 3.69 acres into 12 lots located north of E. Whippoorwill Way and west of Bartells Drive in the Town of Beloit. This land is located within the City's Extraterritorial Jurisdiction for plat review. As shown on the attached plat, the developer is proposing the creation of 11 single-family lots and 1 out-lot in this residential development. The total platted area is 3.69 acres.

The following public hearing will be held regarding this proposed Preliminary Plat:

**City of Beloit Plan Commission:** Wednesday, January 3, 2024 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 ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

**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](mailto:planning@beloitwi.gov). You may also call (608) 364-6708 to provide your comments over the phone.**

**RESOLUTION 24-001**

**APPROVING AN EXTRATERRITORIAL PRELIMINARY PLAT  
OF GARDEN PRAIRIE ESTATES IN THE TOWN OF BELOIT**

**WHEREAS**, the City Plan Commission of the City of Beloit has heretofore held a public hearing on January 3, 2024 regarding the 12-Lot Preliminary Plat of Garden Prairie Estates (Parcel Nos. 6-2-131.2) in the Town of Beloit within the City’s extraterritorial jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Plan Commission of the City of Beloit does hereby approve the Preliminary Plat of Garden Prairie Estates (Parcel No. 6-2-131.2) in the Town of Beloit, subject to the following conditions:

1. The Final Plat shall substantially conform to the approved Preliminary Plat with respect to the number of lots, lot sizes, and the proposed right-of-way layout.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Community Development Director may approve minor changes administratively.

Adopted this 3<sup>rd</sup> day of January 2024.

**Plan Commission**

By: \_\_\_\_\_  
Mike Ramsden, Chairperson

ATTEST:

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



## REPORT TO THE PLAN COMMISSION

**Plan Commission Meeting Date:** January 3, 2024

**Agenda Item:** 3.b.

**File Number:** CU-2024-01

### **General Information**

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**Applicant:** Karen Wahl

**Owner:** Wahl's Appliances

**Address/Location:** 1805 Prairie Avenue

**Applicant's Request:** The applicant has applied for a Conditional Use Permit to allow for *warehouse and freight movement* in the C-3, Community Commercial District, for a portion of the property located at 1805 Prairie Avenue.

### **Background**

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The owner of the building located at 1805 Prairie Avenue intends to divide the southern part of the building, which spans 15,000 square feet into its own space for lease. They would like the ability to market the property for warehousing and freight movement services. *Warehouse and Freight Movement* is only allowed in the C-3, Community Commercial District if reviewed and approved under the Conditional Use Permit procedures.

### **Staff Analysis**

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**Existing Conditions:** The subject property is zoned C-3, Community Commercial District, with frontage and access along Prairie Avenue. The 4.6-acre lot includes a surface parking lot and a 41,000-square-foot commercial building that has most recently been used as a home appliance store.

**Surrounding Land Use and Zoning:** The properties to the north and south are commercial strip malls zoned C-2, Neighborhood Commercial, and C-3, Community Commercial. To the east are single-family homes zoned R-1A, Single-Family Residential. To the west is a mix of commercial and residential uses zoned C-2, Neighborhood Commercial; R-2, Two-Family Residential; and R-1A, Single-Family Residential.

### **Public Notice**

In addition to a Class 2 Newspaper Notice published in the Beloit Daily News on December 20<sup>th</sup> and December 27<sup>th</sup>, the attached Public Notice was mailed to surrounding property owners. A couple of residents have contacted staff: one supported the applicant's request and the other



has concerns about the future tenant and how the exterior of the site may be used for parking and outside storage.

**City of Beloit Comprehensive and Strategic Plan:** The City's Comprehensive Plan recommends *Planned Mixed Use* 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 a 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 did not receive comments.

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

- a. *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;*
  - Subject to certain conditions of approval, the proposed conditional uses will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
  - The conditional use will not injure the use or enjoyment of nearby properties. All adjacent property owners have been notified of the request.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
  - The conditional use will not impair the neighborhood, and a business will occupy an underused commercial space.
- d. *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.
- e. *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;*
  - The applicant does not plan to alter the architectural design, layout of the site, or exterior of the building. Conditions of approval will be recommended to alleviate exterior nuisance concerns.
- f. *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.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
  - The proposed use is not anticipated to increase traffic congestion, and the site has ample parking to accommodate an additional tenant.
- 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 for *warehouse and freight movement* in the C-3, Community Commercial District, for a portion of the property located at 1805 Prairie Avenue. based on the above Findings of Fact and subject to the following conditions:

**Ordinance Requirements**

1. In accordance with Section 7.23 of the Property Maintenance Code, no junk, equipment, tires, trailers, or other unsightly items may be stored outside at any time to prevent blight.
2. In accordance with Section 8-103 of the Zoning Ordinance, the applicant shall provide access to at least one off-street parking stall per employee.
3. In accordance with Section 8-600 of the Zoning Ordinance, outdoor storage is prohibited.
4. In accordance with Section 2-511 of the Zoning Ordinance, if the conditional use has not been established within one year after the date of issuance of the permit, then without further action by the Plan Commission and without further notice to the applicant, the conditional use permit shall lapse and become null and void.

**Permit Conditions:**

1. This Conditional Use Permit allows warehouse and freight movement in the south 15,000 square feet of the building located at 1805 Prairie Avenue, in a C-3 Community Commercial District, as shown on the attached site plan.
2. The applicant shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit before beginning construction.
3. 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 2024-002, Conditional Use Permit Decision Form, Site Zoning Map, Building Exhibit, Application, Public Notice and Mailing List.

## RESOLUTION 2024-002

### APPROVING A CONDITIONAL USE PERMIT TO ALLOW WAREHOUSING AND FREIGHT MOVEMENT FOR A PORTION OF 1805 PRAIRIE AVENUE

**WHEREAS**, the application of Karen Wahl on behalf of Wahl Appliance for a Conditional Use Permit to allow for *warehouse and freight movement* in the C-3, Community Commercial District for a portion of the property located at 1805 Prairie Avenue 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 *warehouse and freight movement* in the C-3, Community Commercial District, for a portion of the property located at 1805 Prairie Avenue in the City of Beloit, in the area described in the attached legal description and exhibit for the following premises:

LOTS 1 & 2 OF CERTIFIED SURVEY MAP RECORDED IN VOLUME 16, PAGES 22 & 23 CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN. CONTAINING 4.6 ACRES, MORE OR LESS. A/K/A 1805 PRAIRIE AVENUE.

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. This Conditional Use Permit allows warehouse and freight movement for the south 15,000 square feet of the building located at 1805 Prairie Avenue, in a C-3 Community Commercial District as shown on the attached site plan.
2. The applicant shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit before beginning construction.
3. 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. In accordance with Section 7.23 of the Property Maintenance Code, no junk, equipment, tires, trailers, or other unsightly items may be stored outside at any time to prevent blight.
2. In accordance with Section 8-103 of the Zoning Ordinance, the applicant shall provide access to at least one off-street parking stall per employee.

3. In accordance with Section 8-600 of the Zoning Ordinance, outdoor storage is prohibited.
4. In accordance with Section 2-511 of the Zoning Ordinance, if the conditional use has not been established within one year after the date of issuance of the permit, then without further action by the Plan Commission and without further notice to the applicant, the conditional use permit shall lapse and become null and void.

Adopted this 3rd day of January 2024.

**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. In accordance with Section 7.23 of the Property Maintenance Code, no junk, equipment, tires, trailers, or other unsightly items may be stored outside at any time to prevent blight.

**Substantial Evidence:** All exterior property areas shall be maintained and will comply with the standards contained within Section 7.23 of the Code of General Ordinances.

2. In accordance with Section 8-103 of the Zoning Ordinance, the applicant shall provide access to at least one off-street parking stall per employee.

**Substantial Evidence:** The proposed development is required by ordinance to comply with the parking requirements contained in the Zoning Ordinance.

3. In accordance with Section 8-600 of the Zoning Ordinance, outdoor storage is prohibited.

**Substantial Evidence:** Section 8-600 of the Zoning Ordinance prohibits outdoor storage in the C-3, Community Commercial District.

4. In accordance with Section 2-511 of the Zoning Ordinance, if conditional use has not been established within one year after the date of issuance of the permit, then without further action by the Plan Commission and without further notice to the applicant, the conditional use permit shall lapse and become null and void.

**Substantial Evidence:** Standardized condition that outlines the regulation for establishing a Conditional Use Permit.

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. This Conditional Use Permit authorizes warehouse and freight movement for the south 15,000 square feet in a C-3 Community Commercial District, at 1805 Prairie Avenue. As shown on the attached site plan.

**Substantial Evidence:** *Warehouse and Freight Movement* in the C-3, Community Commercial District is only allowed if reviewed and approved by the Conditional Use Permit procedures.

2. The applicant shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit prior to beginning construction.

**Substantial Evidence:** These procedural requirements are contained in the City of Beloit Architectural Review and Landscape Code, Zoning Ordinance, and Building Code.

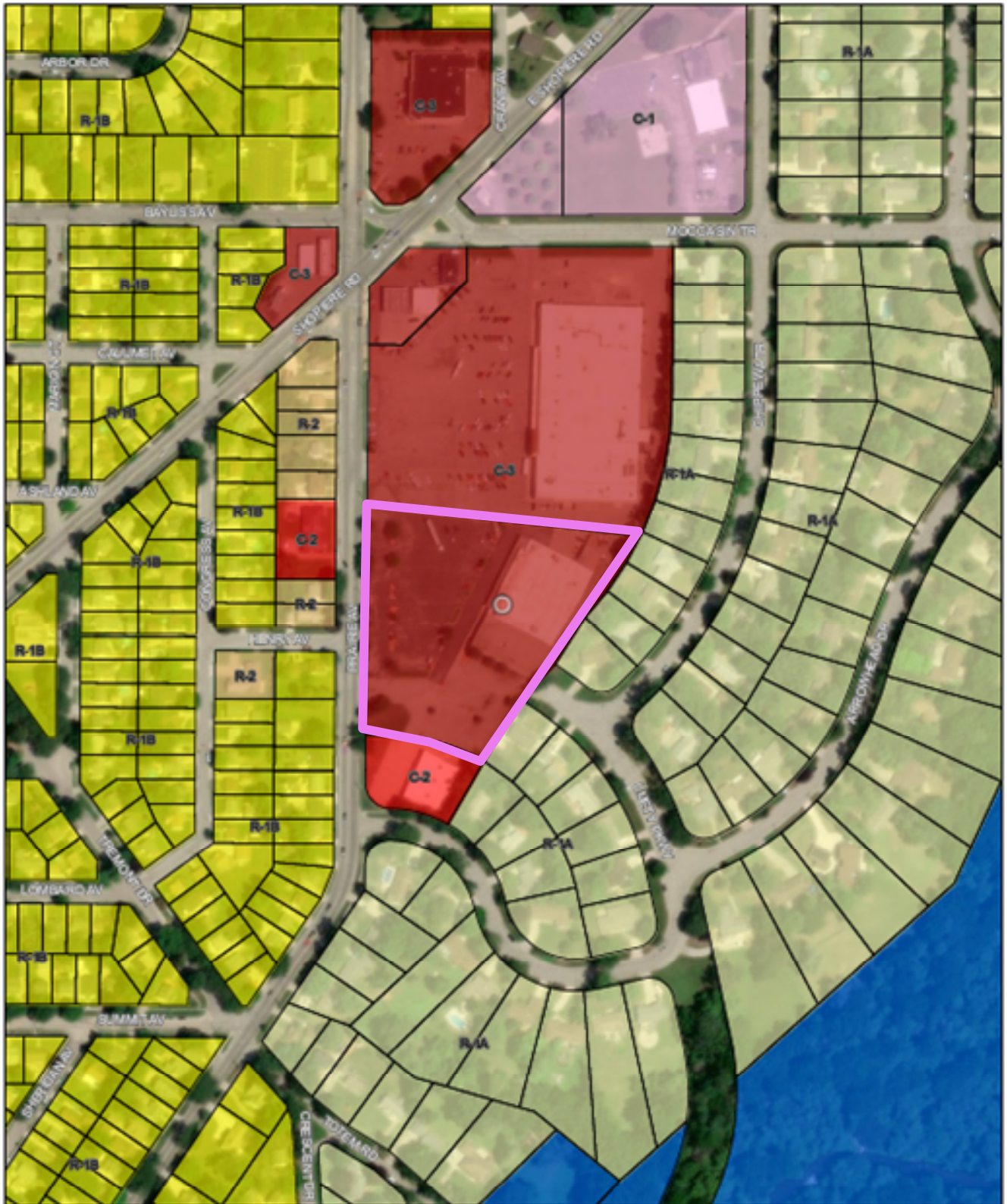
3. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission by amending this Conditional Use Permit. The Director of Planning and Building Services may approve minor changes administratively.

**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:

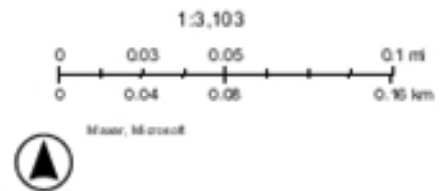
# City of Beloit Zoning Map



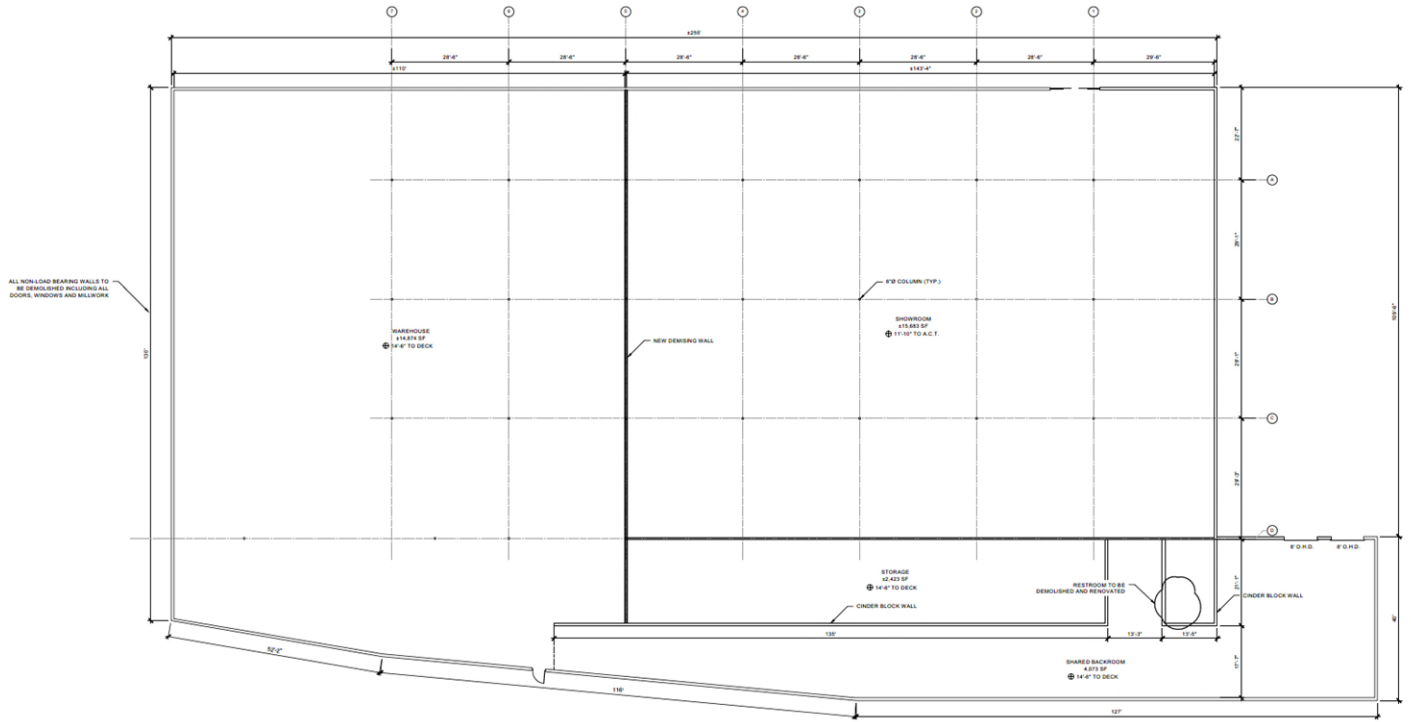
12/27/2023

- Zoning Districts**
- R-1A
  - R-1B
  - R-2
  - R-2
  - World Imagery
  - Low Resolution 15m Imagery
  - C-1
  - C-2
  - C-3
  - PL1

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 60cm Resolution Metadata

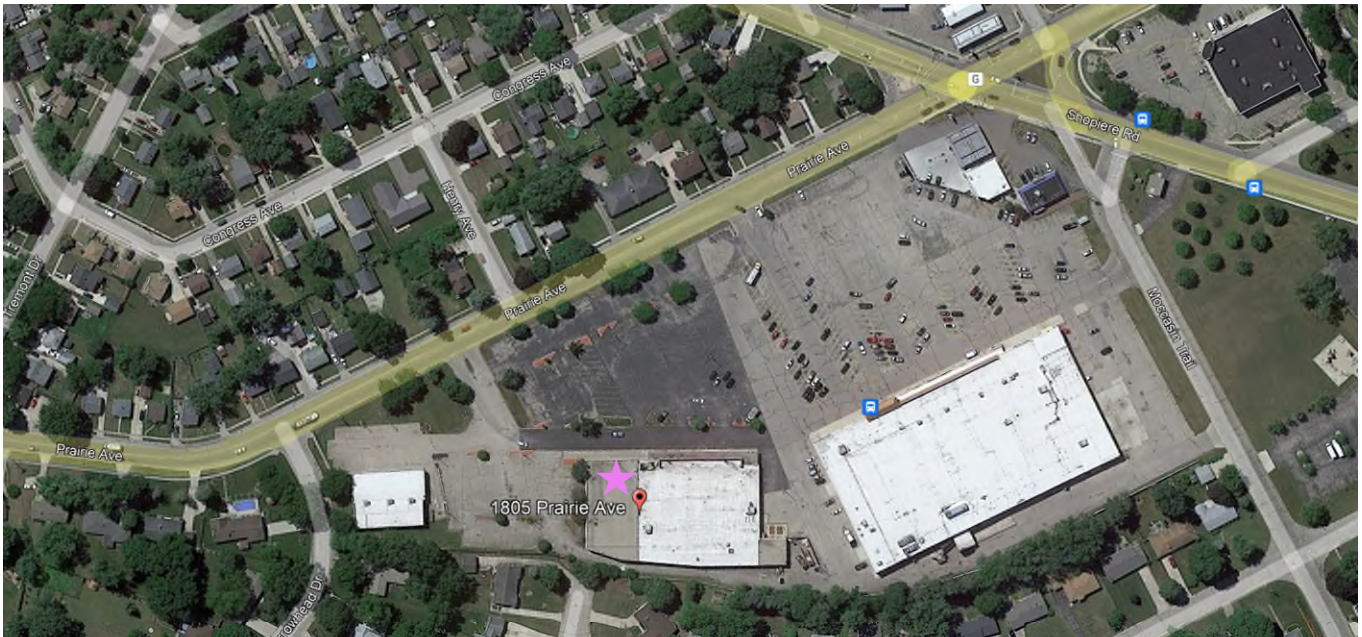


# Site Plan



**PROPOSED BUILDING PLAN**  
 Scale: 3/32" = 1'-0"

THESE DRAWINGS ARE PROPERTY OF COMPASS CONTRACTORS, INC. BY LAW, USE BY ANY OUTSIDE PARTY IS STRICTLY PROHIBITED.  
 THESE DRAWINGS ARE INTENDED TO BE FOR CONCEPT DESIGN ONLY. LOCAL AUTHORITIES & ENGINEERS MUST REVIEW THESE PLANS FOR CONSTRUCTION.





# 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: CU-0004-01

1. Address of subject property: 1805 Prairie Av. Beloit WI 53511

2. Legal description: Deed Attached

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: Around 5 acres acres.

3. Tax Parcel Number(s): TA + ID 206 23080450

4. Owner of record: Dana + Karen Wahl Phone: 608 481-2472

3629 E. Creek Rd Beloit WI 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: Karen J Wahl + Dana Wahl

3629 E. Creek Rd Beloit WI 53511  
(Address) (City) (State) (Zip)

608 365-4920 / 608 481-2472 / K.J.wahl4@gmail.com  
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: Sales + Service for Appliances Furniture + Mattress

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

A Conditional Use Permit for: Wahl's Appliance Inc.  
Beloit WI in a(n) Attached Deed Zoning District.

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

Principal use: Wahl's Appliance as it is new.

Secondary use: Section off for lease possible sales or ware house storage

Accessory use: \_\_\_\_\_

9. Project timetable: Start date: \_\_\_\_\_ 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.

Karen J Wahl / Karen J Wahl / 12-5-23  
 (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: 300.00 Meeting date: 1/3/2024

No. of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_

Application accepted by: Melony Battmann Date: 10/8/23

CL#50314



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

## **NOTICE TO THE PUBLIC**

December 20, 2023

To Whom It May Concern:

Karen Wahl, on behalf of Wahl's Appliances, has applied for a Conditional Use Permit to allow warehouse and freight movement in a C-3, Community Commercial District, for a portion of the property located at:

**1805 Prairie Avenue**

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

**City Plan Commission:** Wednesday, January 3, 2024, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.**

**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](mailto:planning@beloitwi.gov). You may also call (608) 364-6708 to provide your comments over the phone.**

Owner	Site Address
Dylan Walls	1543 Farwell St
Brian S. Spain Jennifer A. Spain	1549 Farwell St
Wisconsin Power & Light Co	1609 Copeland Ave
Albert L. Stoltz	1659 Sherman Ave
Mindee M. Larson	1667 Sherman Ave
Jen Properties, LLC	1681 Sherman Ave
Darrell Wildes	1677 Sherman Ave
Brian S. Spain Jennifer A. Spain	1537 Farwell St
Store Master Funding VIII, LLC	1546 Henry Ave
Jose Miguel Rodriguez Juana K. Guillen	1677 Yates Ave
Liza Carrasco	1671 Yates Ave
Antonio Romero Ignacia Romero	1663 Yates Ave
Antonio Munoz Munoz Revocable Trust	1546 Summit Ave
Brian S. Spain Jennifer A. Spain	1667 Yates Ave
Keith L. Martin	1663 Sherman Ave
McNamara Enterprises, LLC	1536 Summit Ave
Gerald G. Hale	1681 Yates Ave
Joseph C. Hansen Jeanette E. Hansen	1557 Farwell St
John A. Mckillips Dana C. Mckillips	1552 Summit Ave



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** January 3, 2024

**Agenda Item:** 4.a.

**File Number:** FS-2024-01

### **General Information**

---

**Applicant:** Fehr Graham

**Owner:** Next Generation Construction, LLC

**Address/Location:** 6-2-131.2 in the Town of Beloit

**Applicant's Request:** Final Subdivision Plat of Garden Prairie Estates (11 lots and 1 out-lot)

### **Staff Analysis**

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**Plat Approval Process:** Fehr Graham on behalf of Next Generation Construction, LLC. has submitted the attached Extraterritorial Final Plat of Garden Prairie Estates for the subdivision of 3.69 acres into 12 lots located on Bartells Drive north of E. Whippoorwill Way in the Town of Beloit.

**Proposed Lots:** As shown on the attached plat, the applicant has proposed the creation of eleven new single-family residential lots. This subdivision will be served by public water (City Water Utility) and sewer (Town Sewer Service Area). The plat is within the City's extraterritorial plat review jurisdiction, and within the School District of Beloit Turner. This property is subject to Town of Beloit zoning, requiring all lots to be at least 80 feet wide and 10,000 square feet. The eleven new lots are a minimum of 80 feet wide and average 13,522 square feet in size. The lots range from 12,830 to 15,636 square feet.

**Surrounding Uses:** As shown on the attached Location Map, there is undeveloped land to the north and west. There are single-family residential uses to the south and to the east of the subject property is Garden Prairie Intermediate School.

**City of Beloit Comprehensive Plan:** The Future Land Use Map of the City's Comprehensive Plan recommends Planned Neighborhood for the subject parcels. However, land use and density cannot be regulated outside of the City limits.

**Review Agent Comments:** A copy of the application was sent to the City of Beloit Staff and utility contacts. No issues or comments were raised.

### **STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **approval** of the Final Plat of Garden Prairie Estates totaling 3.69 acres located on Bartells Drive north of E. Whippoorwill Way in the Town of Beloit subject to the following condition:

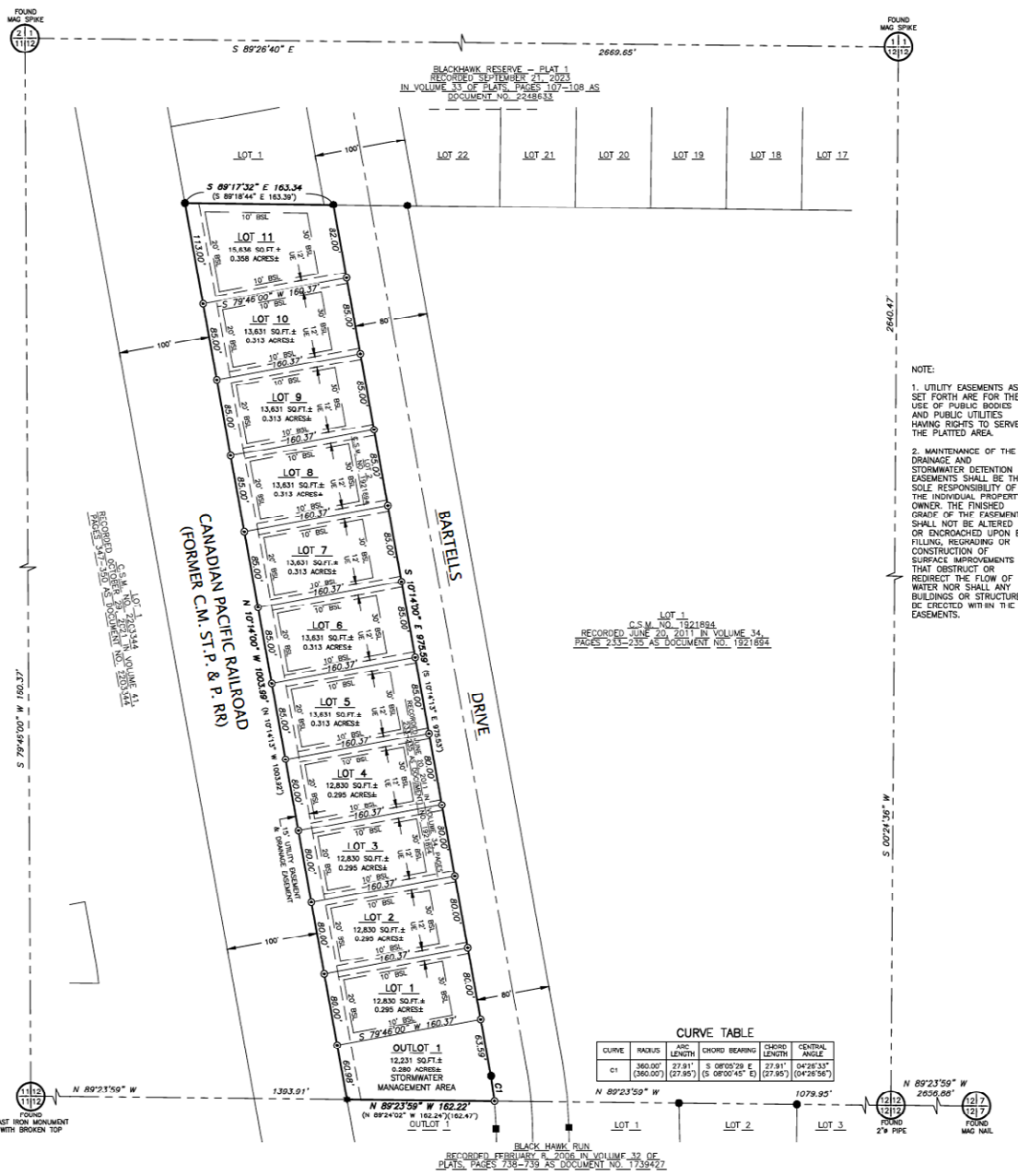
1. The applicant shall record the Final Plat with the Rock County Register of Deeds within one year of approval, and shall provide City staff with a copy of the recorded plat.

**ATTACHMENTS:** Location Map, Final Plat, and Application.



FINAL PLAT OF  
"GARDEN PRAIRIE ESTATES"

LOT 2 OF A CERTIFIED SURVEY MAP RECORDED JUNE 20, 2011, IN VOLUME 34, PAGES 233 THRU 235 OF CERTIFIED SURVEY MAPS, AS DOCUMENT NUMBER 1921894, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, BEING ALSO PART OF OUTLOT 12-3 AND 12-4 OF THE ASSESSOR'S PLAT OF BELOIT TOWNSHIP, ALL IN TOWNSHIP 1 NORTH, RANGE 12 EAST OF THE FOURTH PRINCIPAL MERIDIAN, BELOIT TOWNSHIP, ROCK COUNTY, WISCONSIN



NOTE:  
1. UTILITY EASEMENTS AS SET FORTH ARE FOR THE USE OF PUBLIC BODIES AND PUBLIC UTILITIES HAVING RIGHTS TO SERVE THE PLATTED AREA.  
2. MAINTENANCE OF THE DRAINAGE AND STORMWATER DETENTION EASEMENTS SHALL BE THE SOLE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER. THE FINISHED GRADE OF THE EASEMENTS SHALL NOT BE ALTERED OR ENCRASURED UPON BY FILLING, RESURFACING OR CONSTRUCTION OF SURFACE IMPROVEMENTS THAT OBSTRUCT OR REDIRECT THE FLOW OF WATER NOR SHALL ANY BUILDINGS OR STRUCTURES BE ERRECTED WITHIN THE EASEMENTS.

LOT 1  
C.S.M. NO. 1921894  
RECORDED JUNE 20, 2011 IN VOLUME 34  
PAGES 233-235 AS DOCUMENT NO. 1921694

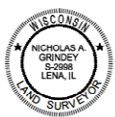
CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	CENTRAL ANGLE
C1	360.00'	27.91'	S 08°05'29\"/>		

OWNER/PREPARED FOR:  
NEXT GENERATION CONSTRUCTION, LLC  
430 EAST GRAND AVENUE, SUITE 103  
BELOIT, WISCONSIN 53511

SURVEYOR'S CERTIFICATE

I, Nicholas A. Grindey, a Professional Land Surveyor in the State of Wisconsin, hereby certify:  
That I have surveyed, subdivided, and mapped the within described land, to be hereafter known and designated as "GARDEN PRAIRIE ESTATES"; that said subdivision of Lot 2 of a Certified Survey Map recorded June 20, 2011, in Volume 34, Pages 233 thru 235 of Certified Survey Maps, as Document Number 1921894, being part of the Southwest Quarter of the Northwest Quarter and part of the Southeast Quarter of the Northwest Quarter of Section 12, being also part of Outlot 12-3 and 12-4 of the Assessor's Plat of Beloit Township, all in Township 1 North, Range 12 East of the Fourth Principal Meridian, Beloit Township, Rock County, Wisconsin.  
That I have made such survey, land-division and plat by the direction of Next Generation Construction LLC, owner of said land.  
That such map is a correct representation of the exterior boundaries of the land surveyed and the subdivision thereof.  
That I have fully complied with provisions of 236 of the Wisconsin Statutes and the subdivision regulations of the Town of Beloit, in surveying, dividing and mapping the same.  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023



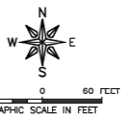
Nicholas A. Grindey, Wisconsin Professional Land Surveyor No. S-2998

- LEGEND:
- 3/4" OD REBAR, FOUND
  - 1-1/4" OD IRON ROD, FOUND
  - 1" OD PIPE, FOUND
  - 3/4" OD X 18" IRON PIPE
  - 1.50 LBS./LIN. FT., SET
  - BOUNDARY LINE
  - PARCEL LINE
  - SECTION LINE
  - (XXX) RECORD INFORMATION
  - BUILDING SETBACK LINE
  - BSL BUILDING SETBACK LIMIT
  - UE UTILITY EASEMENT

TOTAL AREA  
160,373 SQUARE FEET±  
3.666 ACRES±

There are no objections to this plat with respect to Sections 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wisconsin Statutes, or by the County Planning Agency.

Certified: \_\_\_\_\_ 2023  
Department of Administration



NORTH, AS REFERENCED TO THE WISCONSIN COUNTY COORDINATE REFERENCE SYSTEM, ZONE: ROCK, VIA GPS OBSERVATIONS.  
NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 12 BEARING S 89°26'40\"/>



**FEHR GRAHAM** ILLINOIS IOWA WISCONSIN  
ENGINEERING & ENVIRONMENTAL  
LARGE DESIGN FIRM NO. 194-033265

101 W STEPHENSON ST. FREEPORT, IL 61032 P815 235 7643  
NEXT GENERATION CONSTRUCTION, LLC  
JOB NUMBER: 23-1644  
DATE: 1/21/2023  
FIELD WORK COMPLETED: 11/03/2023  
SHEET NUMBER: 1 of 2



FINAL PLAT OF  
**"GARDEN PRAIRIE ESTATES"**

LOT 2 OF A CERTIFIED SURVEY MAP RECORDED JUNE 26, 2011, IN VOLUME 54, PAGES 251 THRU 251 OF CERTIFIED SURVEY MAPS, AS DOCUMENT NUMBER 1521894, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, BEING ALSO PART OF OUTLOT 12-3 AND 12-4 OF THE ASSessor'S PLAT OF BELDIT TOWNSHIP, ALL IN TOWNSHIP 1 NORTH, RANGE 12 EAST OF THE FOURTH PRINCIPAL MERIDIAN, BELDIT TOWNSHIP, ROCK COUNTY, WISCONSIN

**CONTRACTOR'S CERTIFICATE**

I, **Rock Construction Corporation, LLC**, a corporation duly organized and existing under and by the laws of the State of Wisconsin, as Owner of the land described in the foregoing description, do hereby certify that said construction complies with the description on this map as so surveyed, divided, mapped and delineated as approved on this map.

I, **Rock Construction Corporation, LLC**, also further certify that this map is prepared by **Surveyors 208-10 and 208-12** of the Wisconsin Surveyors to be submitted to the following for approval or objection: **Town of Beldit, City of Beldit, and Rock County Planning, Zoning and Community Development Authority**.

As **OFFICE ENGINEER**, **Rock Construction Corporation, LLC** has caused these provisions to be signed by **Scott Brubaker**, its

Manager, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
 Scott Brubaker, Manager

**State of Wisconsin } ss. Notarially Public Notary Public, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.**

**Scott Brubaker**, one of the above named corporations, for the stated purpose herein, did acknowledge the foregoing certificate, and he is authorized to be such Notary Public of said Notary Public Company and acknowledged that this document is the true and correct copy of the original as the same is in his possession, by his authority.

Notary Public, \_\_\_\_\_ County, Wisconsin  
 My Commission Expires \_\_\_\_\_

**Town of Beldit - Mayor's Certificate**

**State of Wisconsin } ss.**

I, **John Brubaker**, being the duly appointed, qualified and acting Mayor of the Town of Beldit, do hereby certify that the records in my office show the construction of the lots and the street layout as shown on this map, and I do hereby certify that the same is in accordance with the plan of **Surveyors 208-10 and 208-12**.

Signed: \_\_\_\_\_  
 John Brubaker, Town Finance Director/ Treasurer

**Town of Beldit - Clerk's Certificate**

**State of Wisconsin } ss.**

I, **\_\_\_\_\_**, being the duly appointed, qualified and acting Clerk of the Town of Beldit, Wisconsin, do hereby certify that the records in my office show the construction of the lots and the street layout as shown on this map, and I do hereby certify that the same is in accordance with the plan of **Surveyors 208-10 and 208-12**.

Signed: \_\_\_\_\_  
 \_\_\_\_\_

**RECORDING DATA**

RECORDED IN \_\_\_\_\_ RECORDS FOR THE YEAR \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D.  
 AND AT \_\_\_\_\_ O'CLOCK, A.M. AND RECORDED IN PLAT \_\_\_\_\_ PAGE \_\_\_\_\_ OF  
 CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN.

RECORDED BY \_\_\_\_\_

**ROCK COUNTY PLANNING, ZONING AND COMMUNITY DEVELOPMENT COMMISSION**

This Plan of Subdivision (PDS) was approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011, pursuant to Chapter 19.01 of the Rock County Statutes.

Rock County Planning, Zoning and Community Development Department

**ROCK COUNTY TREASURER'S CERTIFICATE**

**State of Wisconsin } ss.**

I, **Michaela Brubaker**, being the duly appointed, qualified and acting Treasurer of the County of Rock, do hereby certify that the records in my office show the construction of the lots and the street layout as shown on this map, and I do hereby certify that the same is in accordance with the plan of **Surveyors 208-10 and 208-12**.

Michaela Brubaker, Rock County Treasurer

**CITY OF BELDIT CLERK'S RESOLUTION**

**WHEREAS**, the City Planning Commission of the City of Beldit has approved in its Plan of Subdivision (PDS) the construction of the lots and the street layout as shown on this map, and I do hereby certify that the same is in accordance with the plan of **Surveyors 208-10 and 208-12**.

**State of Wisconsin } ss.**

I, **\_\_\_\_\_**, being the duly appointed, qualified and acting Clerk of the City of Beldit, do hereby certify that the records in my office show the construction of the lots and the street layout as shown on this map, and I do hereby certify that the same is in accordance with the plan of **Surveyors 208-10 and 208-12**.

Signed: \_\_\_\_\_  
 \_\_\_\_\_, Beldit City Clerk

There are no objections to this plan with respect to Sections 19.01, 19.02, 19.03 and 19.04 of the Wisconsin Statutes, or by the County Planning Agency.

Signed: \_\_\_\_\_ 2011  
 Mayor/Member of Administration



<b>BERGHAAN</b>		BLANK
CORPORATE CONSTRUCTION		BOOK
1000 WEST 10TH AVENUE		RECORDED
BY: <b>J. MICHAEL G. JENSEN &amp; ASSOCIATES, INC.</b>		
<b>ROY JOHNSON</b>		DATE: 02-22-11
CONTRACTOR		BY: _____
1000 WEST 10TH AVENUE		PLAT NO. _____
MILWAUKEE, WISCONSIN 53224		PAGE _____

# CITY of BELOIT

## Neighborhood Planning Division

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

### Application for a Final Subdivision or Condominium Plat

(Please Type or Print)

File Number: \_\_\_\_\_

1. **Proposed subdivision name:** Garden Prairie Estates
2. **Address of property:** Bartells Drive, Beloit, WI
3. **Tax Parcel Number(s):** 004 01200202
4. **Property is located in** (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie  
**In the** NW **Quarter of Section** 12, **Township** 1 **North, Range** 12 **East of the 4th P.M.**
5. **Owner of record:** Next Generation Construction, LLC Phone: 608-473-0401  
430 East Grand Ave, Suite 103 Beloit WI 53511  
(Address) (City) (State) (Zip)
6. **Applicant's Name:** Next Generation Construction, LLC  
430 East Grand Ave, Suite 103 Beloit WI 53511  
(Address) (City) (State) (Zip)  
608-473-0401 / 815-904-4011 / zach@nextgenbuilds.com  
(Office Phone #) (Cell Phone #) (E-mail Address)
7. **Present zoning classification is:** R-1
8. **Is the proposed use permitted in this zoning district:** Yes
9. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
  - Copy of Preliminary Plat to Utility Providers:** A written statement confirming that the developer submitted copies of the approved preliminary plat to all utility providers as per section 12.03(2).
  - Covenants and Deed Restrictions:** copies of any covenants or deed restrictions.
  - Development Agreement & Fee:** a copy of a Final Draft or Approved Development Agreement;
  - Contract:** A contract for construction of required utilities and public improvements **or**;
  - A Bond;** guarantying the contract for construction **or**;
  - Letter from the City Engineer;** stating that the developer has constructed the required improvements and the City has found they are acceptable to the City Engineer **and**;
  - Final Plat Map;** 10 copies as required by section 12.04(1) including all information required by section 12.04(2) 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 and City Council to review and approve the Preliminary Subdivision Plat for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

 / Zachary Knutson, Manager / 11/27/23  
(Signature of applicant) (Print name of applicant) (Date)

**This application must be submitted at least 30 days prior to the Plan Commission meeting date.**

Review fee: \$300 plus \$15 per lot; \$100 Development Agreement Fee Amount paid: \_\_\_\_\_

Scheduled meeting date: \_\_\_\_\_

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



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** January 3, 2024

**Agenda Item:** 4.c.

**File Number:** ANX-2024-01

### **General Information**

---

**Applicant:** Bryon Wolf

**Owner:** Bryon Wolf

**Address/Location:** The property located at 830 W. Froebel Drive and the adjacent right-of-way of Froebel Drive in the Town of Beloit

**Applicant's Request:** Approval of (Direct) Annexation of 830 W. Froebel Drive (parcel number 6-2-1000.9) in the Town of Beloit. The City Council will consider acceptance of the applicant's petition on January 2, 2024.

**Jurisdiction:** Town of Beloit

### **Staff Analysis**

---

**Background Info:** The applicant is requesting approval to annex 1.535 acres of land, which includes a 10,800 square-foot lot with a residence located at 830 W. Froebel Drive and the remaining Froebel Street right-of-way west of Afton Road from the Town of Beloit to the City of Beloit. The applicant is requesting annexation because the property's septic system has failed, so he wishes to annex to the City of Beloit for sanitary sewer service. Rock County's 2030 Beloit Area Water Quality Management Plan specifies that this area is within the City's Sewer Service Area and will be served by the City's public sanitary sewer system. The City of Beloit recently completed a sanitary sewer extension along Froebel Drive to provide service to 13 single family residential properties currently in the Town including 830 W. Froebel Drive, and one additional larger undeveloped parcel in the Town, which is why the remaining Froebel Drive right-of-way is included in the annexation. Additional property owners along Froebel Drive will need to annex to the City for sewer service if their septic systems fail. The Wisconsin Department of Administration's Municipal Boundary Review Office and the Town of Beloit Clerk have been notified of this annexation request.

**Surrounding Land Use and Zoning:** To the north (across Froebel Drive) is a larger vacant parcel zoned R1, Single-Family Residential District in the Town of Beloit. To the south, east and west of the subject property are residential uses also zoned R1 in the Town of Beloit.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Future Land Use Map of the Comprehensive Plan recommends a *Single Family Residential – Urban* land use for the parcel. If approved, this request supports Strategic Goal #3 by creating and sustaining residential growth, and Strategic Goal #5 by creating high quality infrastructure and connectivity.

**Future Zoning Classification:** In the past when properties were annexed to the City, a temporary zoning classification was assigned until an Ordinance approving a Zoning Map Amendment was adopted by the City Council.

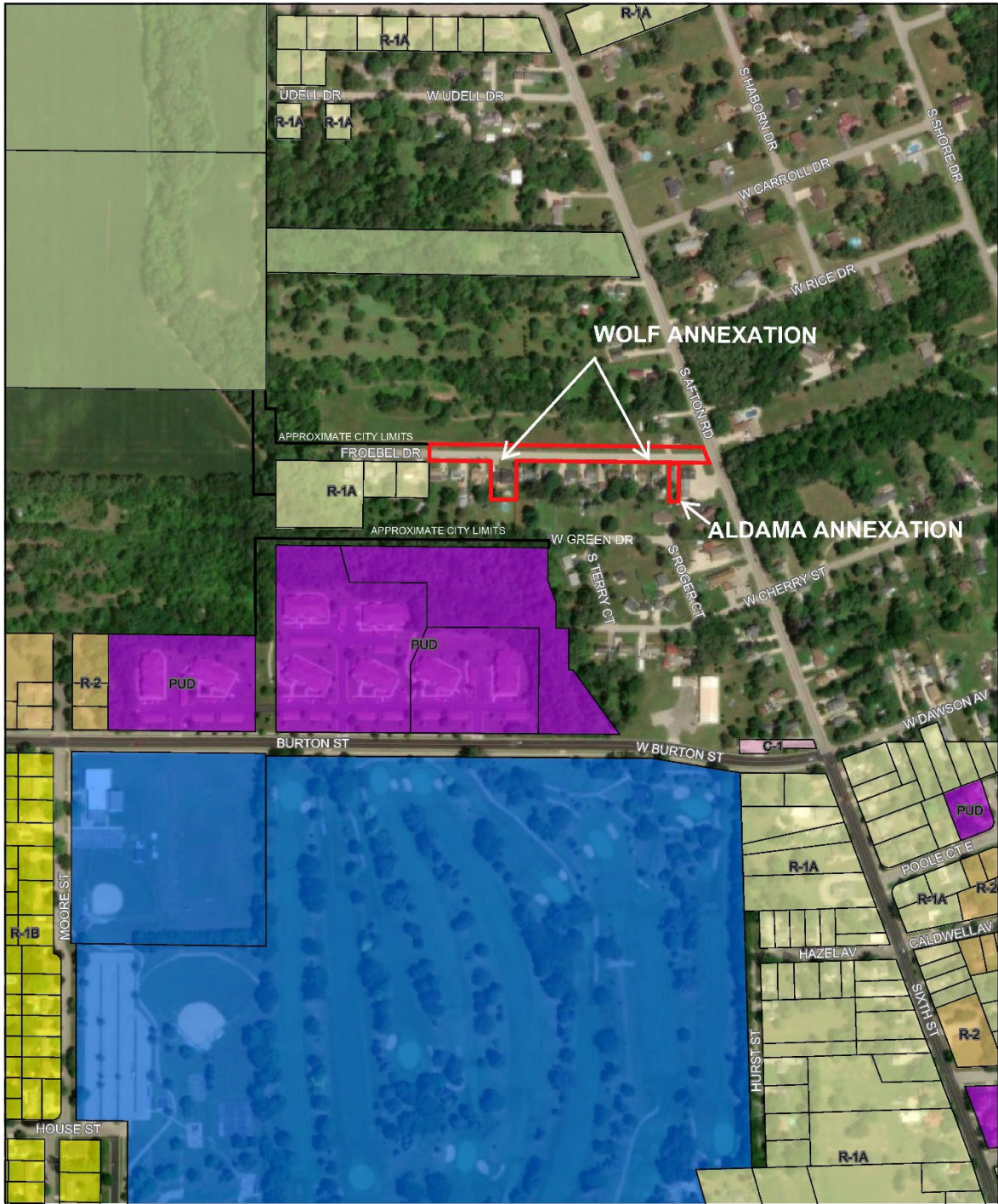
Section 66.0217(8) of Wisconsin Statutes allows for the assignment of temporary zoning until permanent zoning is approved. Staff recommends not assigning a temporary zoning at this time. A Zoning Map Amendment to assign a permanent zoning that is consistent with the Comprehensive Plan will be initiated if the annexation is approved.

**STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **approval** of (Direct) Annexation for the property located at 830 W. Froebel Drive (parcel number 6-2-1000.9) in the Town of Beloit.

**ATTACHMENTS:** Location and Zoning Maps showing both the Wolf (830 Froebel) and Aldama (510 Froebel) annexations, Petition for Annexation and Plat of Annexation.

# City of Beloit Zoning Map



12/11/2023

Zoning Districts

- R-1A
- R-1B
- R-2
- DH
- PLI
- PUD
- World Imagery
- Low Resolution 15m Imagery

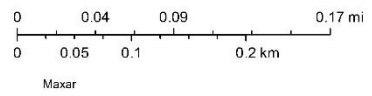
High Resolution 60cm Imagery

High Resolution 30cm Imagery

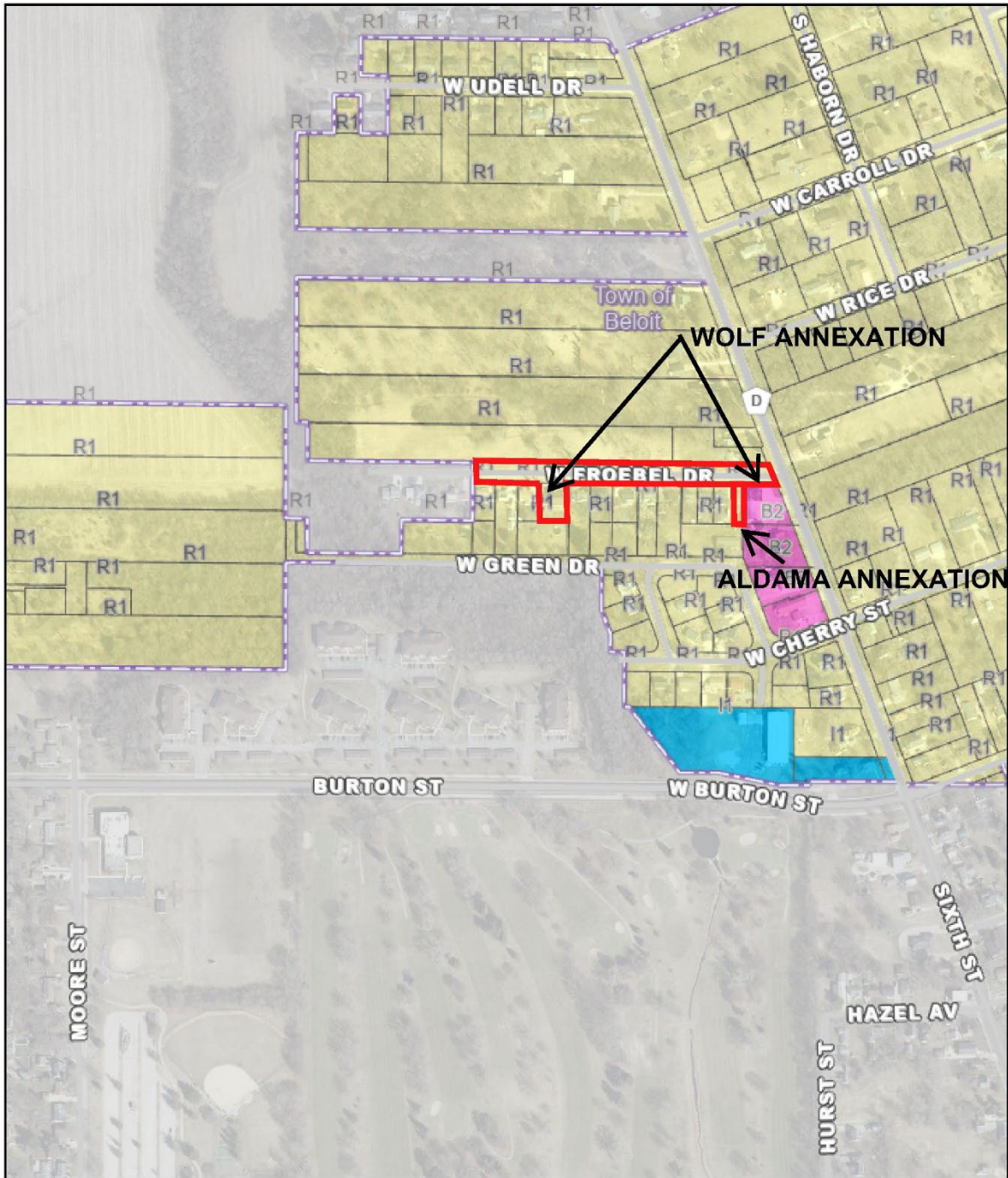
Citations

1.2m Resolution Metadata

1:5,000



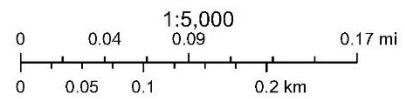
# Town of Beloit Zoning Map



12/11/2023, 2:59:21 PM

Zoning Districts

- R1
- B2
- LI



Rock County Land Information Office, County of Rock Land Information Office; Rock County, Wisconsin

# Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration  
Municipal Boundary Review  
PO Box 1645, Madison WI 53701  
608-264-6102  
[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)  
<https://doa.wi.gov/municipalboundaryreview>

Online Submittal and Payment: Instead of this form go to <https://appengine.egov.com/apps/wi/dir/annexation>  
This will speed up the process by eliminating the time it used to take to mail the check to us.

## Petitioner Information

Name: **Bryon Wolf / 830 Froebel Drive / Beloit, WI 53511**

Phone: **608-289-3192**

Email: **bryonwolf4271@yahoo.com**

**RECEIVED**

December 11, 2023

Municipal Boundary Review  
Wisconsin Dept. of Admin.

## Contact Information if different than petitioner:

Representative's Name: **Kristin Belongia / RH Batterman / 2857 Bartells Drive / Beloit, WI 53511**

Phone: **608-365-4464**

E-mail: **kbelongia@rhbatterman.com**

1. Town(s) where property is located: **Town of Beloit**

2. Petitioned City or Village: **City of Beloit**

3. County where property is located: **Rock**

4. Population of the territory to be annexed: **2**

5. Area (in acres) of the territory to be annexed: **1.535+/-**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):  
**6-2-1000.9**

## Include these required items with this form:

- Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
- Signed Petition or Notice of Intent to Circulate [see attached annexation guide]
- Check or money order covering review fee [see next page for fee calculation]

(November 2022)

# Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

## Required Fees

There is an initial filing fee and a variable review fee

**\$200 Initial Filing Fee** (required with the first submittal of all petitions)  
\$200 – 2 acres or less  
\$350 – 2.01 acres or more

**\$200 Review Fee** (required with all annexation submittals except those that consist ONLY of road right-of-way)  
\$200 – 2 acres or less  
\$600 – 2.01 to 10 acres  
\$800 – 10.01 to 50 acres  
\$1,000 – 50.01 to 100 acres  
\$1,400 – 100.01 to 200 acres  
\$2,000 – 200.01 to 500 acres  
\$4,000 – Over 500 acres

**\$400 TOTAL FEE DUE (Add the Filing Fee to the Review Fee)**

Include check or money order, payable to: **Department of Administration**

**DON'T attach the check with staples, tape, ...**

**THE DEPARTMENT WILL NOT PROCESS  
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED  
BY THE REQUIRED FEE.**

**THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD  
COMMENCES UPON RECEIPT OF THE PETITION AND REVIEW FEE**

Shaded Area for Office Use Only

Date fee & form received: 12-11-2023

Payer: RH BATTERMAN CO INC

Check Number: 70108

Check Date: 12-1-23

Amount: 400<sup>00</sup>



## ANNEXATION SUBMITTAL GUIDE

### s. 66.0217 (5) THE PETITION

- State the purpose of the petition: -Direct annexation by unanimous approval; OR  
-Direct annexation by one-half approval; OR  
-Annexation by referendum.
- Petition must be signed by: -All owners and electors, if by unanimous approval.  
-See 66.0217 (3) (a), if by one-half approval.  
-See 66.0217 (3) (b), if by referendum.
- State the population of the land to be annexed.

*[It is beneficial to include Parcel ID or Tax numbers, the parcel area, and identify the annexee (Town) and annexor (Village or City) in the petition.]*

### s. 66.0217 (1) (c) THE DESCRIPTION

- The annexation petition must include a legal description of the land to be annexed. The land must be described by reference to the government lot, private claim, quarter-section, section, town and range in which the land lies. The land must be further described by metes and bounds commencing from a monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the land lies; OR
- If the land is wholly and entirely within a lot or lots, or all of a block or blocks of a recorded subdivision plat or certified survey map, it must be described by reference to the lot (s) and/or block (s) therein, along with the name of the plat or the number, volume, page, and County of the certified survey map.
- The land may NOT be described only by: -Aliquot part;  
-Reference to any other document (plat of survey, deed, etc.);  
-Exception or Inclusion;  
-Parcel ID or tax number.

### s. 66.0217 (1) (g) THE MAP

- The map shall be an *accurate reflection* of the legal description of the parcel being annexed. As such, it must show:  
-A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.  
-Bearings and distances along all parcel boundaries as described.  
-All adjoining as referenced in the description.
- The map must include a **graphic scale**.
- The map must show and identify the existing municipal boundary, in relation to the parcel being annexed.

*[It is beneficial to include a North arrow, and identify adjacent streets and parcels on the map.]*

### s. 66.0217 FILING

- The petition must be filed with the Clerk of the annexing City or Village and with the Clerk of the Town in which the land is located.
- If the annexation is by one-half approval, or by referendum, the petitioner must post notice of the proposed annexation as required by s. 66.0217 (4).

# Batterman

engineers surveyors planners

December 4, 2023

TJ Nee  
Director of Planning and Building Services  
City of Beloit  
100 State Street  
Beloit, WI 53511

Re: 830 W. Froebel Drive and Right of Way of Froebel Drive  
Annexation Plat Petition  
RHB #34858

Dear TJ,

Please accept the enclosed signed Petition for Annexation to the City of Beloit. The request is for one tax parcel located at 830 W. Froebel Drive and adjacent right of way of Froebel Drive, being adjacent to the City of Beloit corporate limits. The statutory annexation method being used is Unanimous per Wisconsin Statutes s.66.0217(2).

Also included with the Petition is the Legal Description and Map meeting the requirements of Wisconsin Statutes s.66.0217(1). This Map is also required to be submitted simultaneously to the Department of Administration for their review and comment.

If you have any questions on any of the submittal materials or need additional information or copies, please contact me at [kbelongia@rhbatterman.com](mailto:kbelongia@rhbatterman.com) or 262-215-5436.

Very truly yours,

**R.H. BATTERMAN & CO., INC.**  
Engineering - Land Surveying - Planning



Kristin J. Belongia, PLS  
Professional Land Surveyor/Survey Team Leader

Pc: Wisconsin Department of Administration  
Bryon Wolf



### Petition for Annexation by Unanimous Consent to the City of Beloit

Address of the Property	830 W. Froebel Drive, Beloit WI 53511
Parcel Number	6-2-1000.9
Current Population of Territory to be Annexed	2
Total Area (in acres) of Territory to be Annexed	1.535 Acres
Jurisdiction Property is Currently Located in:	<input checked="" type="checkbox"/> Town of Beloit <input type="checkbox"/> Town of Turtle

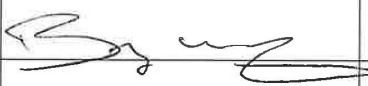
Please provide the following as attachments. The petition will not be processed until they are submitted for City review:

1. Legal Description (see selections below):
  - If the land is wholly and entirely within a lot or lots, or all of a block or blocks of a recorded subdivision plat or certified survey map, it must be described by reference to the lot(s) and/or block(s) therein, along with the name of the plat or the number, volume, page, and County of the Certified Survey Map OR
  - The land must be described by reference to the government lot, private claim, quarter-section, section, town, and range in which the land lies. The land must be further described by metes and bounds commencing from a monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the land lies.
2. Annexation Plat or Map  
 An Annexation Plat or Map must include a graphic scale and show and identify the existing City/Town boundary, in relation to the parcel being annexed. It shall be an accurate reflection of the legal description of the parcel(s) to be annexed. As such, it must show:
  - A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.
  - Bearings and distances along all parcel boundaries as described.
  - All adjoining as referenced in the description.
3. Copy of Application Submitted to Wisconsin Department of Administration.  
 The State requires Department of Administration review before an annexation can be finalized. Forms to be submitted to the State of Wisconsin for annexation review can be found at the following website:  
<https://doa.wi.gov/Pages/LocalGovtsGrants/DepartmentReviewOfAnnexations.aspx>

**Certification:**


We the undersigned, constituting all of the owners of the real property in Rock County, Wisconsin, lying contiguous to the City of Beloit respectfully petition the City Council of the City of Beloit to annex the territory described and shown on the attached scale map to the City of Beloit, Rock County, Wisconsin. We understand that our request for Annexation by Unanimous Consent will not be processed until we have submitted the required documentation including an Annexation Plat with a legal description.

We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any. We further respectfully request that this property be zoned \_\_\_\_\_.

Owner/Petitioner Signature:	Print Name:	Address:	Date:
	Bryon Wolf	830 W Froebel Drive	12/4/2023

Personally came before me this 4 day of Dec., 2023, the above named, Bryon Wolf to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Connie Torkelson  
Notary Public, State of Wisconsin

  
Notary Public, Rock County, Wisconsin (SEAL)

My Commission is permanent or expires on: Oct. 26, 2025





## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** January 3, 2024

**Agenda Item:** 4.c.

**File Number:** ANX-2024-02

### **General Information**

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**Applicant:** Angel Aldama

**Owner:** Angel Aldama

**Address/Location:** The property located at 510 W. Froebel Drive in the Town of Beloit

**Applicant's Request:** Approval of (Direct) Annexation of 510 W. Froebel Drive (parcel number 6-2-1000.1B) in the Town of Beloit. The City Council will formally consider acceptance of the applicant's petition on January 2, 2024.

**Jurisdiction:** Town of Beloit

### **Staff Analysis**

---

**Background Info:** The applicant is requesting approval to annex 0.101 acres of land, which includes a 4,380 square-foot lot with a residence located at 510 W. Froebel Drive from the Town of Beloit to the City of Beloit. This parcel only becomes contiguous to the City of Beloit if the previous Wolf annexation that includes 830 W. Froebel Drive and adjacent right-of-way of Froebel Drive is approved. The applicant is requesting annexation because the property's septic system has failed, so they wish to annex to the City of Beloit for sanitary sewer service. Rock County's 2030 Beloit Area Water Quality Management Plan specifies that this area is within the City's Sewer Service Area and will be served by the City's public sanitary sewer system. The City of Beloit recently completed a sanitary sewer extension along Froebel Drive to provide service to 13 single family residential properties in the Town including 510 W. Froebel Drive, and one additional larger undeveloped parcel in the Town. The Wisconsin Department of Administration's Municipal Boundary Review Office and the Town of Beloit Clerk have been notified of this annexation request.

**Surrounding Land Use and Zoning:** To the north (across Froebel Drive), south and west of the subject property are residential uses zoned R1, Single-Family Residential District in the Town of Beloit. To the east of the subject property is a commercial structure zoned B2, Local Business District, which is also in the Town of Beloit.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Future Land Use Map of the Comprehensive Plan recommends a *Single Family Residential – Urban* land use for the parcel. If approved, this request supports Strategic Goal #3 by creating and sustaining residential growth, and Strategic Goal #5 by creating high quality infrastructure and connectivity.

**Future Zoning Classification:** In the past when properties were annexed to the City, a temporary zoning classification was assigned until an Ordinance approving a Zoning Map Amendment was adopted by the City Council.

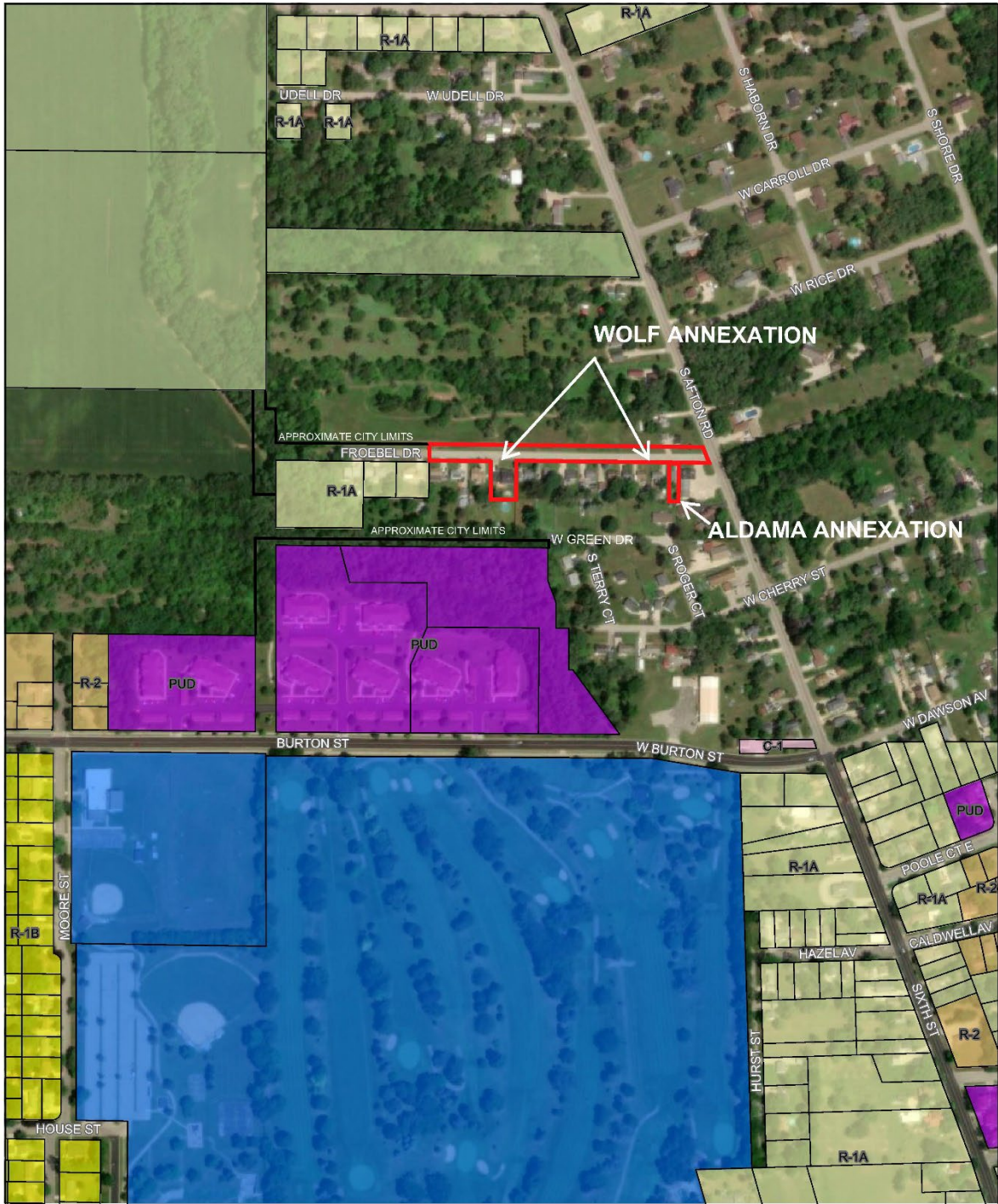
Section 66.0217(8) of Wisconsin Statutes allows for the assignment of temporary zoning until permanent zoning is approved. Staff recommends not assigning a temporary zoning at this time. A Zoning Map Amendment to assign a permanent zoning that is consistent with the Comprehensive Plan will be initiated if the annexation is approved.

**STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **approval** of (Direct) Annexation for the property located at 510 W. Froebel Drive (parcel number 6-2-1000.1B) in the Town of Beloit.

**ATTACHMENTS:** Location and Zoning Maps showing both the Aldama (510 Froebel) and Wolf (830 Froebel) annexations, Petition for Annexation and Plat of Annexation.

# City of Beloit Zoning Map



12/11/2023

**Zoning Districts**

- R-1A
  - R-1B
  - R-2
  - C-1
  - DH
  - PLI
  - PUD
- World Imagery  
Low Resolution 15m Imagery

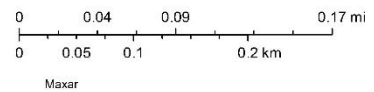
High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

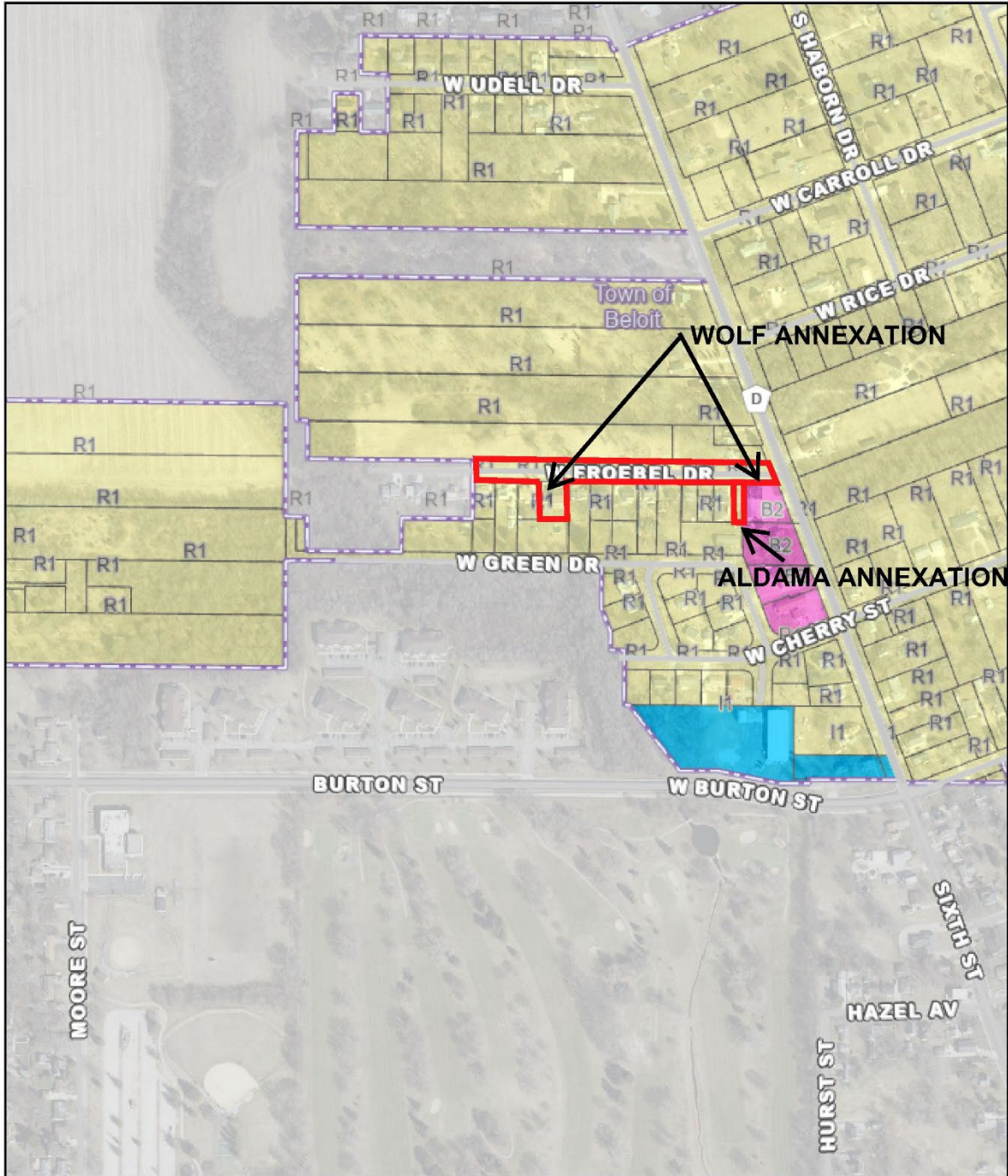
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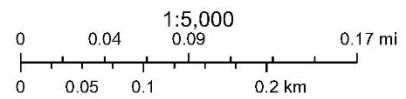
# Town of Beloit Zoning Map



12/11/2023, 2:59:21 PM

## Zoning Districts

- R1
- B2
- LI



Rock County Land Information Office, County of Rock Land Information Office; Rock County, Wisconsin

# Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration  
Municipal Boundary Review  
PO Box 1645, Madison WI 53701  
608-264-6102  
[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)  
<https://doa.wi.gov/municipalboundaryreview>

Online Submittal and Payment: Instead of this form go to <https://appengine.egov.com/apps/wi/dir/annexation>  
This will speed up the process by eliminating the time it used to take to mail the check to us.

## Petitioner Information

Name: **Angle Aldama / 510 Froebel Drive / Beloit, WI 53511**

Phone:

Email: **angelaldama13@gmail.com**

**RECEIVED**

December 11, 2023

Municipal Boundary Review  
Wisconsin Dept. of Admin.

## Contact Information if different than petitioner:

Representative's Name: **Kristin Belongia / RH Batterman / 2857 Bartells Drive / Beloit, WI 53511**

Phone: **608-365-4464**

E-mail: **kbelongia@rhbatterman.com**

1. Town(s) where property is located: **Town of Beloit**

2. Petitioned City or Village: **City of Beloit**

3. County where property is located: **Rock**

4. Population of the territory to be annexed: **2**

5. Area (in acres) of the territory to be annexed: **0.101+/-**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):  
**6-2-1000.1B**

## Include these required items with this form:

- Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
- Signed Petition or Notice of Intent to Circulate [see attached annexation guide]
- Check or money order covering review fee [see next page for fee calculation]

(November 2022)

# Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

## Required Fees

There is an initial filing fee and a variable review fee

\$ 200 **Initial Filing Fee** (required with the first submittal of all petitions)  
\$200 – 2 acres or less  
\$350 – 2.01 acres or more

\$ 200 **Review Fee** (required with all annexation submittals except those that consist ONLY of road right-of-way)  
\$200 – 2 acres or less  
\$600 – 2.01 to 10 acres  
\$800 – 10.01 to 50 acres  
\$1,000 – 50.01 to 100 acres  
\$1,400 – 100.01 to 200 acres  
\$2,000 – 200.01 to 500 acres  
\$4,000 – Over 500 acres

\$ 400 **TOTAL FEE DUE (Add the Filing Fee to the Review Fee)**

**Include** check or money order, payable to: **Department of Administration**

**DON'T attach the check with staples, tape, ...**

**THE DEPARTMENT WILL NOT PROCESS  
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED  
BY THE REQUIRED FEE.**

**THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD  
COMMENCES UPON RECEIPT OF THE PETITION AND REVIEW FEE**

Shaded Area for Office Use Only

Date fee & form received: 12-11-2023

Payer: R.H. BATTERMAN

Check Number: 70141

Check Date: 11-30-23

Amount: 400<sup>00</sup>

## ANNEXATION SUBMITTAL GUIDE

### s. 66.0217 (5) THE PETITION

- State the purpose of the petition: -Direct annexation by unanimous approval; OR  
-Direct annexation by one-half approval; OR  
-Annexation by referendum.
- Petition must be signed by: -All owners and electors, if by unanimous approval.  
-See 66.0217 (3) (a), if by one-half approval.  
-See 66.0217 (3) (b), if by referendum.
- State the population of the land to be annexed.

*[It is beneficial to include Parcel ID or Tax numbers, the parcel area, and identify the annexee (Town) and annexor (Village or City) in the petition.]*

### s. 66.0217 (1) (c) THE DESCRIPTION

- The annexation petition must include a legal description of the land to be annexed. The land must be described by reference to the government lot, private claim, quarter-section, section, town and range in which the land lies. The land must be further described by metes and bounds commencing from a monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the land lies; OR
- If the land is wholly and entirely within a lot or lots, or all of a block or blocks of a recorded subdivision plat or certified survey map, it must be described by reference to the lot (s) and/or block (s) therein, along with the name of the plat or the number, volume, page, and County of the certified survey map.
- The land may NOT be described only by: -Aliquot part;  
-Reference to any other document (plat of survey, deed, etc.);  
-Exception or Inclusion;  
-Parcel ID or tax number.

### s. 66.0217 (1) (g) THE MAP

- The map shall be an **accurate reflection** of the legal description of the parcel being annexed. As such, it must show:  
-A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.  
-Bearings and distances along all parcel boundaries as described.  
-All adjoining as referenced in the description.
- The map must include a **graphic scale**.
- The map must show and identify the existing municipal boundary, in relation to the parcel being annexed.

*[It is beneficial to include a North arrow, and identify adjacent streets and parcels on the map.]*

### s. 66.0217 FILING

- The petition must be filed with the Clerk of the annexing City or Village and with the Clerk of the Town in which the land is located.
- If the annexation is by one-half approval, or by referendum, the petitioner must post notice of the proposed annexation as required by s. 66.0217 (4).

# Batterman

engineers surveyors planners

December 4, 2023

TJ Nee  
Director of Planning and Building Services  
City of Beloit  
100 State Street  
Beloit, WI 53511

Re: 510 W. Froebel Drive Annexation Plat Petition  
RHB #34895

Dear TJ,

Please accept the enclosed signed Petition for Annexation to the City of Beloit. The request is for one tax parcel located at 510 W. Froebel Drive, being adjacent to the City of Beloit corporate limits. The statutory annexation method being used is Unanimous per Wisconsin Statutes s.66.0217(2).

Also included with the Petition is the Legal Description and Map meeting the requirements of Wisconsin Statutes s.66.0217(1). This Map is also required to be submitted simultaneously to the Department of Administration for their review and comment.

If you have any questions on any of the submittal materials or need additional information or copies, please contact me at [kbelongia@rhbatterman.com](mailto:kbelongia@rhbatterman.com) or 262-215-5436.

Very truly yours,

**R.H. BATTERMAN & CO., INC.**  
Engineering - Land Surveying - Planning



Kristin J. Belongia, PLS  
Professional Land Surveyor/Survey Team Leader

Pc: Wisconsin Department of Administration  
Angel Aldama



### Petition for Annexation by Unanimous Consent to the City of Beloit

Address of the Property 510 W FROEBEL DRIVE

Parcel Number 6-2-1000.1B

Current Population of Territory to be Annexed 1 FAMILY HOME (2 PEOPLE)

Total Area (in acres) of Territory to be Annexed 0.101 ACRES

Jurisdiction Property is Currently Located in:

Town of Beloit

Town of Turtle

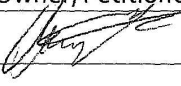
Please provide the following as attachments. The petition will not be processed until they are submitted for City review:

1. Legal Description (see selections below):
  - If the land is wholly and entirely within a lot or lots, or all of a block or blocks of a recorded subdivision plat or certified survey map, it must be described by reference to the lot(s) and/or block(s) therein, along with the name of the plat or the number, volume, page, and County of the Certified Survey Map OR
  - The land must be described by reference to the government lot, private claim, quarter-section, section, town, and range in which the land lies. The land must be further described by metes and bounds commencing from a monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the land lies.
2. Annexation Plat or Map  
 An Annexation Plat or Map must include a graphic scale and show and identify the existing City/Town boundary, in relation to the parcel being annexed. It shall be an accurate reflection of the legal description of the parcel(s) to be annexed. As such, it must show:
  - A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.
  - Bearings and distances along all parcel boundaries as described.
  - All adjoining as referenced in the description.
3. Copy of Application Submitted to Wisconsin Department of Administration.  
 The State requires Department of Administration review before an annexation can be finalized. Forms to be submitted to the State of Wisconsin for annexation review can be found at the following website:  
<https://doa.wi.gov/Pages/LocalGovtsGrants/DepartmentReviewOfAnnexations.aspx>


**Certification:**

We the undersigned, constituting all of the owners of the real property in Rock County, Wisconsin, lying contiguous to the City of Beloit respectfully petition the City Council of the City of Beloit to annex the territory described and shown on the attached scale map to the City of Beloit, Rock County, Wisconsin. We understand that our request for Annexation by Unanimous Consent will not be processed until we have submitted the required documentation including an Annexation Plat with a legal description.

We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any. We further respectfully request that this property be zoned R1A.

Owner/Petitioner Signature:	Print Name:	Address:	Date:
	Angel Aldama	3174 S Highcrest Rd. Beloit, WI	12/1/2023

Personally came before me this 1<sup>st</sup> day of Dec., 2023, the above named, Angel Aldama to me known to be the persons who executed the foregoing instrument and acknowledged the same.

  
Notary Public, Rock County, Wisconsin (SEAL)

Connie Torkelson  
Notary Public, State of Wisconsin

My Commission is permanent or expires on: Oct. 26, 2025

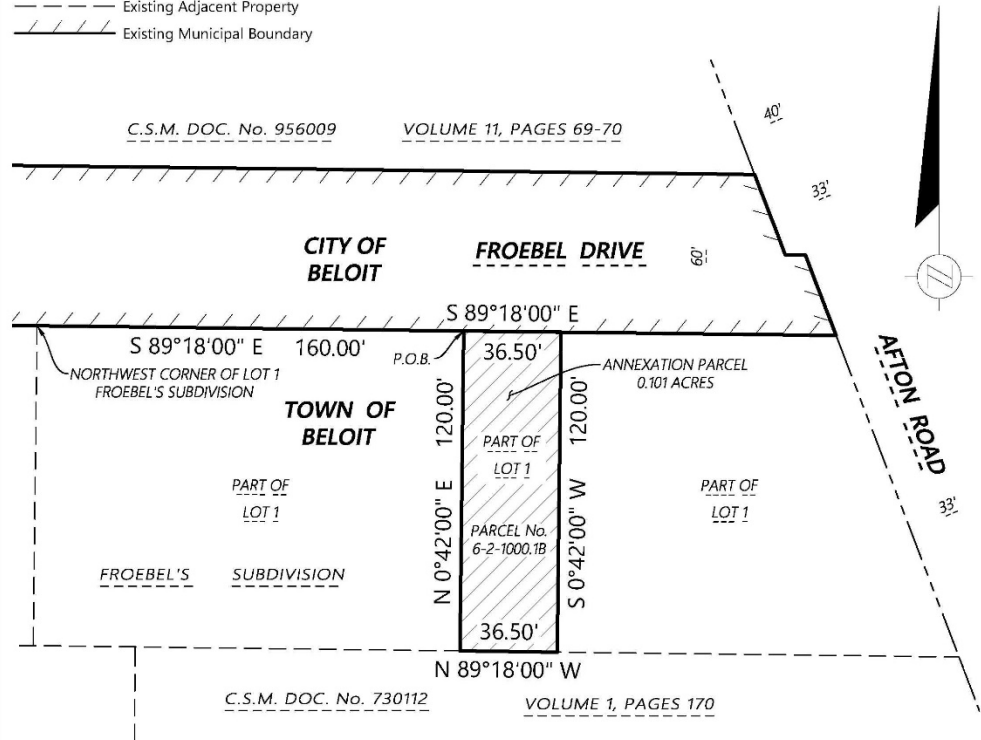
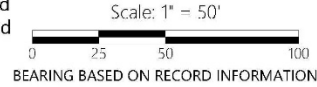
# PLAT SHOWING TERRITORY ANNEXED TO THE CITY OF БЕЛОIT

PART OF LOT 1, OF FROEBEL'S SUBDIVISION, BEING PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 23, T. 4 N., R. 12 E., OF THE 4TH P.M., TOWN OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

**LEGEND**

- Annexion Boundary
- - - Existing Right-of-Way
- - - Existing Adjacent Property
- /// Existing Municipal Boundary

NOTE: This Annexation Plat has been prepared from information in record platted, filed surveys and recorded deeds only.



**LEGAL DESCRIPTION:** Part of Lot 1 of Froebel's Subdivision, being part of lands located in part of the Southeast 1/4 of the Southwest 1/4 of Section 23, T. 1 N., R. 12 E. of the 4th P.M., Town of Beloit, Rock County, Wisconsin.

**DESCRIBED AS FOLLOWS:** Commencing at the Northwest corner of lot 1 of Froebel's Subdivision; thence South 89°18'00" East along the north line of lot 1 aforesaid, a distance of 160.00 feet to the point of beginning; thence continuing South 89°18'00" East a distance of 36.50 feet; thence South 0°42'00" West a distance of 120.00 feet to the south line of lot 1 aforesaid; thence North 89°18'00" West along the south line of lot 1 aforesaid, a distance of 36.50 feet; thence North 0°42'00" East a distance of 120.00 feet to the point of beginning. Containing 0.101 acres, more or less.

State of Wisconsin }  
County of Rock } ss.

I, \_\_\_\_\_, Clerk of the City of Beloit, Rock County, Wisconsin, do hereby certify that the above described parcel of real estate has by ordinance duly adopted by the City of Beloit, Rock County, Wisconsin, been annexed from the Town of Beloit, Rock County, Wisconsin, to the City of Beloit, Rock County, Wisconsin. That the Plat hereon drawn is a correct representation of the annexation of said territory.

State of Wisconsin }  
County of Rock } ss.

That I hereby certify that the Plat of Annexation as described and hereon drawn correctly represents said territory as described and said Plat is true and correct.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the City of Beloit, Rock County, Wisconsin this \_\_\_ day of \_\_\_\_\_, 2023.

Dated this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_, Clerk

Kristin J. Belongia, PLS 2943

ORDER NO: 34895

DRAWN BY: DGM  
SHEET 1 OF 1

FOR THE EXCLUSIVE USE OF:

ANGEL ALDAMA  
3179 S. HIGH CREST RD  
BELOIT, WI 53511

**Batterman**  
engineers surveyors planners

2857 Bartels Drive 1040 N Wisconsin Street  
Beloit, Wisconsin 53511 Elkhorn, Wisconsin 53121  
608.365.4464 262.379.2250



File Number: J334830-3489534895 - Angel Aldama(SURVEY)PHB.DRAWING FILES