



PUBLIC NOTICE & AGENDA
BELOIT BOARD OF APPEALS
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Tuesday, November 12, 2024

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the Minutes of the September 10, 2024 Board of Appeals Meeting
[Attachment](#)
3. APPEALS
No Appeals have been submitted for review by the Board.
4. VARIANCES
 - 4.a. Consideration of an application from Alex Feuling of R.H. Batterman and Co., Inc. on behalf of Hendricks Commercial Properties, LLC for a variance to Section 5-421(b)(4-6) of the City of Beloit Floodplain Zoning Ordinance to allow modification or addition or maintenance to a nonconforming structure, which over the life of the structure would equal or exceed 50 percent of its present equalized assessed value without the entire structure being permanently changed to a conforming structure in compliance with the applicable requirements of the City of Beloit Floodplain Zoning Ordinance, and to not provide contiguous dryland access for residential and commercial uses in compliance with Section 5-416(a) of the City of Beloit Floodplain Zoning Ordinance in a Central Business District - Core (CBD-1), Wellhead Protection Overlay (WPO) zoning district for the properties located at 307 State Street, 311 State Street, 317 State Street and 400 E. Grand Avenue.
[Attachment](#)
5. SUCH OTHER MATTERS AS MAY BE AUTHORIZED BY LAW
No other matters have been submitted for review by the Board.
6. 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
BELOIT BOARD OF APPEALS
City Hall Forum, 100 State Street, Beloit, WI 53511
7:00 PM
Tuesday, September 10, 2024**

1. CALL TO ORDER AND ROLL CALL

A meeting of the City of Beloit Board of Appeals was held on Tuesday, September 10, 2024, in the Forum of Beloit City Hall, 100 State Street. Chairperson David Baker called the meeting to order at 7:03 PM. Hilary Rottmann, Planner II, called the roll. Present were: David Baker, Susan Adams, Mark Preuschl, and John Petersen. Dustin Gronau was absent

2. MINUTES

2.a. Consideration of the Minutes of the June 11, 2024 Board of Appeals Meeting

Preuschl made a motion to approve the June 11, 2024 minutes as submitted. Adams seconded the motion. The motion passed (4-0), voice vote.

3. APPEALS

No appeals were submitted for review by the Board.

4. VARIANCES

4.a.

Consideration of an application from Jeff A. Holzhauer on behalf of Beloit Memorial Hospital is requesting an Area Variance to Section 8-300(h)(1)(a) of the City of Beloit Zoning Ordinance to allow a ten-foot high fence in the front or street-side setback area; Section 8-300(h)(3)(a) of the City of Beloit Zoning Ordinance to allow a ten-foot high fence in the buildable area of a lot; Section 8-300(i)(2) of the City of Beloit Zoning Ordinance to allow a zero percent open fence in the front or street-side setback area; and Section 7.1 of the City of Beloit Zoning Ordinance to allow a structure in the street-side setback area; all in a PLI, Public Lands and Institutions District, for the property located at 1969 W. Hart Road.

Rottmann presented the staff report, after which Baker opened the public hearing. Jeff Holzhauer, the architectural consultant for the applicant, spoke on their behalf. He explained that the proposed bulk oxygen tank project has been in development for about a year. Currently, the existing bulk oxygen tanks on-site are not visible. The new tanks will increase in size from 3,000 to 6,000 gallons and will be stored horizontally. Due to their larger dimensions, they cannot be accommodated in the same location while meeting all required codes. The proposed enclosure features a louvered design that will obscure the tanks from view. Holzhauer mentioned that one tree will be removed to comply with regulations concerning flammable materials.

Adams inquired about the hospital's need for additional oxygen. Holzhauer responded that a larger tank would reduce the frequency of deliveries and facilitate long-term planning for future hospital expansion services. The proposed location is sensible based on the existing utility placements and compliance with code requirements. Holzhauer further elaborated on the construction of the new system and the equipment's capabilities for oxygen delivery.

Peterson asked whether the enclosure would be able to handle a BLEVE (Boiling Liquid Expanding Vapor Explosion). Preuschl inquired if any comments had been received from neighboring properties. Rottmann confirmed that no comments had been submitted. There was a discussion regarding the storage of flammable substances within the PLI and Manufacturing zoning districts.

Tom McCauley, Vice President of Beloit Health Systems, expressed that the project is not only acceptable but also aesthetically pleasing. He emphasized that expanding the bulk oxygen tanks would be a key component of a potential wound care clinic featuring hyperbaric chambers. Following this, Baker closed the public hearing. Peterson then voiced confidence in approving the request, noting that all life safety and building codes had been thoroughly considered.

Preuschl made a motion to approve the requested variance based on the findings in the staff report, and Peterson seconded the motion. The motion passed with a 4-0 roll call vote.

5. SUCH OTHER MATTERS AS MAY BE AUTHORIZED BY LAW

No other matters for review by the Board.

6. ADJOURNMENT

Preuschl made a motion to adjourn, which was seconded by Adams. The meeting adjourned at 7:37 PM.

David Baker, Chairperson

CITY OF BELOIT

REPORTS TO BOARD OF APPEALS



Meeting Date: November 12, 2024	Agenda Item: 4a	File Number: BOA-2024-02
Applicant: R.H. Batterman and Co., Inc.	Owner: Hendricks Commercial Properties, LLC	Location: 307 State Street, 311 State Street, 317 State Street and 400 E. Grand Avenue
Existing Zoning: Central Business District - Core (CBD-1), Wellhead Protection Overlay (WPO)	Existing Land Use: Retail, Commercial, Assembly, Residential	Parcel Sizes: 0.129, 0.13, 0.094, and 0.13 acres (0.483+/- total acres)

Request:
 Alex Feuling for R.H. Batterman and Co., Inc., on behalf of Hendricks Commercial Properties (HCP), LLC has filed an application requesting a variance to Section 5-421(b)(4-6) of the City of Beloit Floodplain Zoning Ordinance (Ordinance) to allow modification, addition or maintenance to nonconforming structures, which over the life of the structures would equal or exceed 50 percent of their present equalized assessed values without the entire structures being permanently changed to conforming structures in compliance with the applicable requirements of the Ordinance, and to not provide contiguous dryland access for residential and commercial uses in compliance with Section 5-416(a) of the Ordinance for the properties located at 307 State Street, 311 State Street, 317 State Street, and 400 E. Grand Avenue. These properties are located with the 100-year floodplain (1% Annual Chance Flood Hazard area).

Request Overview/Background Information:

HCP is seeking the requested variance to allow for significant improvements to multiple properties in the 300 block of State Street and the 400 block of East Grand Avenue that over the life of the structures, will exceed 50 percent of their present equalized assessed value. Renovations may include but are not limited to building egress improvements related to life safety, interior and exterior renovations, mechanical, plumbing, drainage and electrical upgrades, masonry restoration, window replacement, roofing replacement and basement flood mitigation/proofing measures. 311 State Street and 317 State Street in particular will include upper floor housing improvements.

Existing floor elevations throughout the buildings range from 742.06 to 744.07 feet. The base flood elevation (BFE) is 742.90 feet, which makes the flood protection elevation (FPE) is 744.90 feet. Finished floor elevations that are two feet above the BFE are required when new structures are built in the 100-year floodplain, or when non-conforming structures such as these are improved by more than 50 percent of their present equalized assessed value. Similar variances have been granted in the past, including for the YMCA and most recently the Ironworks Campus ahead of the Henry Dorrbacker project. In this case, all four structures are built up to the sidewalk, and 307 State Street and 400 E. Grand Avenue are historic buildings as well. Providing contiguous dryland access and altering the interior floor elevations and exterior entrances to meet the FPE of 744.90 would be impractical and cause unnecessary hardship. This would create a disconnect from the adjacent buildings and the street; require extensive ramping and stairs to maintain access to building doorway thresholds and maintain ADA compliance; and require significant modifications to public sidewalks and streets to accommodate the raised floors. The block is surrounded by public streets, all of which have existing elevations at or below the BFE. Additionally, two of the structures are designated as historic, for which alterations to meet the FPE could adversely affect. HCP is specifically requesting that the lowest floors of the structures at least meet the current BFE as determined by FEMA at the time of construction, but not be raised to the FPE. The requested variance will provide relief to the proposed building renovations by requiring floor elevation changes of 0.12-feet to 0.84 feet for 307 State Street, up to 0.03-feet for 311 State Street, up to 0.10-feet for 317 State Street, and no change for 400 E. Grand Avenue. These floor changes will be able to match into existing public street and sidewalk elevations with fewer impacts.

Key Issues:

1. Section 5-421(b)(4-6) of the Ordinance requires that no modification, addition or maintenance to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50 percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. In this case, that primarily means raising the finished floor in some cases by

- more than two feet. Also, Section 5-416(a) of the Ordinance requires that contiguous dryland access for residential and commercial uses be provided for the structures. This is impractical because it would require significant modifications to public sidewalks and streets which have existing elevations at or below the BFE.
2. The current equalized assessed value of 307 State Street is \$212,200. Therefore, the cost of modifications to the buildings over their lifetime is limited to \$106,100. According to Building Permit records, \$44,590 of improvements have been made to 307 State Street. Therefore, the owner is limited to \$61,510 in improvements without a variance.
 3. The current equalized assessed value of 311 State Street is \$174,500. Therefore, the cost of modifications to the buildings over their lifetime is limited to \$87,250. According to Building Permit records, \$0 of improvements have been made to 311 State Street. Therefore, the owner is limited to \$87,250 in improvements without a variance.
 4. The current equalized assessed value of 317 State Street is \$224,900. Therefore, the cost of modifications to the buildings over their lifetime is limited to \$112,450. According to Building Permit records, \$68,507 worth of improvements have been made to 317 State Street. Therefore, the owner is limited to \$43,943 in additional improvements without a variance.
 5. The current equalized assessed value of 400 E. Grand Avenue is \$520,500. Therefore, the cost of modifications to the buildings over their lifetime is limited to \$260,250. According to Building Permit records, \$143,032 worth of improvements have been made to 400 E. Grand Avenue. Therefore, the owner is limited to \$117,218 in additional improvements without a variance.
 6. The attached Public Notice was sent to 15 nearby property owners and the Wisconsin Department of Natural Resources. As of this writing, Planning staff has not received any concerns. One property owner on the west side of State Street contacted staff for clarification of the public notice, and expressed support for improvements to the subject properties.
 7. The standards for granting a variance to the floodplain regulations are detailed in Section 5-426 of the Zoning Ordinance. The attached Findings of Fact evaluate this application against those standards.

Consistency with the Comprehensive Plan

- The Comprehensive Plan recommends Downtown Mixed Use for these properties. The proposed renovations are appropriate and consistent with the Comprehensive Plan.

Sustainability

If applicable, briefly comment on the environmental, economic, and/or social sustainability of this policy or program. Consider how current needs are met without compromising the ability of future generations to meet their own needs. Write N/A if not applicable

If approved, the variance would comply with *Economic Sustainability* as described in the Strategic Plan by making decisions in an economically and fiscally responsible way to further the health of the local economy.

Staff Recommendation

- The Planning and Building Services Division recommends **approval** of a Variance to Section 5-421(b)(4-6) of the City of Beloit Floodplain Zoning Ordinance to allow modification, addition or maintenance to a nonconforming structure, which over the life of the structure would equal or exceed 50 percent of its present equalized assessed value without the entire structure being permanently changed to a conforming structure in compliance with the applicable requirements of the Floodplain Zoning Ordinance and **approval** of a Variance to Section 5-416(a) of the City of Beloit Floodplain Zoning Ordinance to not provide contiguous dryland access for residential and commercial uses for the properties located at 307 State Street, 311 State Street, 317 State Street, and 400 East Grand Avenue, based upon the attached Findings of Fact and subject to the following conditions:
 1. The applicant shall comply with required floodproofing measures to the flood protection elevation as applicable.
 2. The applicant shall obtain all applicable zoning and building-related approvals and permits needed prior to renovation and occupancy of the property.
 3. Any material changes in the adopted conditions or use of this property shall be approved by the Board of Appeals by amending this Variance.

Fiscal Note/Budget Impact

- If approved, the variance would allow for continued investment including improved housing options to contribute to a vibrant downtown.

Attachments

Findings of Fact, Applicant Submittals including Application, Narrative, FEMA Map and FEMA Exhibit, Public Notice, and Mailing List

CITY OF BELOIT

FINDINGS OF FACT

The applicant's request is for a Variance to Section 5-421(b)(4-6) of the City of Beloit Floodplain Zoning Ordinance to allow modification, addition or maintenance to nonconforming structures, which over the life of the structures would equal or exceed 50 percent of their present equalized assessed values without the entire structures being permanently changed to conforming structures in compliance with the applicable requirements of the City of Beloit Floodplain Zoning Ordinance, and to not provide contiguous dryland access for residential and commercial uses in compliance with Section 5-416(a) of the City of Beloit Floodplain Zoning Ordinance for the properties located at 307 State Street, 311 State Street, 317 State Street, and 400 E. Grand Avenue.

Under the standards for a Variance in Section 5-426(d) of the Zoning Ordinance, Planning staff finds:

- (a) Literal enforcement of the section will cause unnecessary hardship; and

Literal enforcement of the floodplain provisions would cause unnecessary hardship and would require raising the finished floor elevation between 0.83 feet to 2.84 feet over the four properties if the lowest floors were elevated to the flood protection elevation (FPE) of 744.90. Raising the floors of these buildings will create a disconnect from the adjacent buildings and the street; extensive ramping and stairs will be required to maintain access to building doorway thresholds and maintain ADA compliance; significant modifications to public sidewalks and streets would need to occur to accommodate the raised floors; the block is surrounded by public streets, all of which have existing elevations at or below the base flood elevation; and two of the structures are designated as historic, which alterations to meet the FPE could adversely affect.

- (b) The hardship is due to adoption of the floodplain section and unique property conditions, not common to adjacent lots or premises. In such case the section or map must be amended; and

The hardship is due to the adoption of the floodplain ordinance in 2008 as amended in 2015, which is more than 100 years after many of the buildings in downtown were constructed. Downtown properties have unique property conditions not common to adjacent lots or premises including zero-lot line construction, the original construction period, and location in downtown Beloit adjacent to the Rock River, which make it particularly and practically difficult to make these structures completely conform to contemporary Floodplain Zoning standards.

- (c) The variance is not contrary to the public interest; and

The variance is not contrary to the public interest. The applicant will comply with any applicable and required floodproofing measures to the FPE for future improvements.

- (d) The variance is consistent with the purpose of this section in Section 5-403.

The variance, subject to a condition requiring the lowest floor to be at or above BFE along with any applicable and required flood proofing, is consistent with the purpose of the ordinance in Section 5-403.

In addition to the criteria above, to qualify for a variance under FEMA regulations, the following criteria must be met:

- (a) The variance may not cause any increase in the regional flood elevation;
(b) Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE;
(c) Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the section.

The proposed variance meets the above criteria. No new structures are proposed that could impact the regional flood elevation. All four lots combined are less than 0.5 acres in total and are contiguous to existing structures constructed below the RFE. The variance is not contrary to the purpose of this section and is consistent with past variances for similar downtown buildings to meet the base flood elevation with no anticipated effect on public safety, public nuisances, costs of rescue and relief efforts compared to current conditions.

A variance shall not:

- (a) Grant, extend or increase any use prohibited in the zoning district.
- (b) Be granted for a hardship based solely on an economic gain or loss.
- (c) Be granted for a hardship which is self-created.
- (d) Damage the rights or property values of other persons in the area.
- (e) Allow actions without the amendments to this section or map(s) required in Division 8, Amendments.
- (f) Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

The requested variance does not grant, extend or increase any use prohibited in the zoning district. Literal enforcement of the section will cause unnecessary hardship not solely based on economic gain or loss. The hardship is due to adoption of the floodplain section and unique property conditions and not self-created. The variance is not contrary to the public interest and does not damage the rights or property values of other persons in the area. The variance does not allow actions without amendments to this section or map(s) required in Division 8 related to obstructions or increase in base flood elevations. The proposed variance does not allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure. The variance ensures the exterior of historic structures are not altered in order to meet the Flood Protection Elevation.

CITY of BELOIT

Planning & Building Services Division

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

Board of Appeals Application Form

(Please Type or Print)

File Number: _____

1. **Property Address:** 307 State Street, 311 State Street, 317 State Street, and 400 E Grand Avenue

2. **Tax Parcel Number(s):** 13540635, 13540755, 13540750, 13540735

3. **Legal description:** Lot: _____ Block: _____ Subdivision: See FEMA Exhibit

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

4. **Owner of record:** Hendricks Commercial Properties, LLC Phone: 608-362-8981

525 3rd Street Beloit WI 53511
(Address) (City) (State) (Zip)

5. **Applicant's Name:** R,H, Batterman and Co., Inc. - Alex Feuling

2857 S Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)

608-365-4464 / 608-921-7618 / afeuling@rhbatterman.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. **Present zoning:** CBD-1, WPO **Present use:** Retail, Commercial, Assembly, Residential

7. **Proposed use (if different):** _____

8. **Purpose of application:** "Area" Variance "Use" Variance
 Administrative Appeal Administrative Appeal – Contested Case Proceedings

9. **Code from which relief is sought or appeal is taken:**
 Zoning Ordinance Floodplain Ordinance

10. **State specific sections of code and Variance(s) requested:** (Use separate sheet if necessary)

5-421 (b)(4-6)

11. **State specific hardship experienced by the applicant:** (Use separate sheet if necessary)

Raising existing building floors to flood protection elevation as required by the ordinance would require 0.83-feet to 2.84-feet of elevation change across the various buildings. Excessive ramping and stairs would be needed to maintain access to these buildings which are in a downtown district with zero setbacks. Significant modifications to public sidewalks and streets would need to occur which is not feasible. Additionally, adjacent buildings that are not part of the project would be disconnected and create a disjointed store-front setting. See the provided narrative for more details.

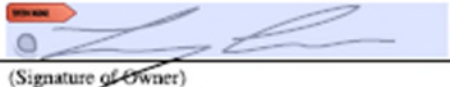
(Continued on back)

12. In order for this application to be considered complete, the applicant must attach a scale drawing (1" = 20' usually works best) showing the location of property lines and their dimensions, existing buildings and improvements, all abutting properties and improvements thereon, and the proposed changes or additions. You are required to furnish a legible drawing with enough detail that will adequately advise and inform the Board.

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

 / Alex Feuling / 10/15/2024
 (Signature of Applicant) (Print name) (Date)

The owner's signature below grants permission for the applicant to apply for the variance and permission for the Board of Appeals and City staff to inspect the subject building(s) and/or property.

 / Troy Anderson / 10/15/2024
 (Signature of Owner) (Print name) (Date)

The applicant acknowledges that this application is not deemed filed until dated and receipt acknowledged by a person authorized to receive the application. The applicant is entitled to receive a copy of the acknowledged application once it is officially reviewed and accepted.

Hearings are usually held in City Hall Forum, City Hall, 100 State Street at 7:00 P.M.

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

To be completed by Planning Staff:

Filing fee: **\$300.00** Amount paid: _____ Meeting date: _____

Application accepted by: _____ Date: _____

No. of notices: _____ X mailing cost (\$0.50) = cost of mailing notices: \$ _____

Date Notice Published: _____ Date Notice Mailed: _____

APPLICANT SUBMITTALS



October 14, 2024

Board of Appeals Application Supplemental Narrative:

Hendricks Commercial Properties, LLC (HCP) is seeking a variance to sections 5-421(b)(4-6) of the City of Beloit Floodplain Zoning District Ordinance to allow modifications exceeding 50 percent of its present equalized assessed value to nonconforming existing structures located at 400 East Grand Avenue, 307 State Street (307-309 State Street/409-411 Broad Street), 311 State Street (311-315), and 317 State Street (317-319) without permanently changing the existing nonconforming structures to conforming structures with a conforming use in compliance with the applicable requirements of this ordinance and to not provide contiguous dryland access for residential and commercial uses in compliance with Section 5-416(a). HCP requests that existing floor elevations at or above base flood elevation (BFE) of 742.90' be allowed to remain at existing elevations and existing floor elevations below BFE be brought up to a minimum of BFE instead of the flood protection elevation (FPE) of 744.90' as required by the ordinances.

The proposed improvements for the properties are as follows:

WIBEL 307

We intend to maintain and renovate the interior &/or exterior of the structure, on an as required basis, to preserve the historic nature of the building while ensuring it can be properly maintained and utilized in a safe manner for years to come. Works may include but shall not be limited to: upgrading building services like Mechanical Ventilation & Air Conditioning, Plumbing & Drainage & Electrical, revitalization and/or restoration of existing masonry structures, including facades, existing wood flooring and other architectural features of merit, upgrades to building egress and other appropriate building life safety issues, new interior finishes and improved basement works for flood water mitigation. It is intended that the usage would remain Retail / Commercial / Assembly.

WIBEL 311

We intend to maintain and renovate the interior &/or exterior of the structure, on an as required basis, to preserve the main street nature of the building while ensuring it can be properly maintained and utilized in a safe manner for years to come. Works may include but shall not be limited to: upgrading building services like Mechanical Ventilation & Air Conditioning, Plumbing & Drainage & Electrical, revitalization and/or restoration of existing masonry structures, including facades, replacement of westerly windows and reinstalment of easterly windows, installation of new roofing with new water management system, new interior finishes, and improved basement works for flood water mitigation. It is intended that the usage would remain Retail / Commercial at Ground Floor and Residential at 2F.

WIBEL 317

We intend to maintain and renovate the interior &/or exterior of the structure, on an as required basis, to preserve the main street nature of the building while ensuring it can be properly maintained and utilized in a safe manner for years to come. Works may include but shall not be limited to: upgrading building services like Mechanical Ventilation & Air Conditioning, Plumbing & Drainage & Electrical, revitalization and/or restoration of existing masonry structures, including facades, replacement of windows, installation of new roofing with new water management system, new interior finishes, and improved basement works for flood water mitigation. It is intended that the usage would remain Retail / Commercial at Ground Floor and Residential at 2F.

608.365.4464
www.rhbatterman.com

BELOIT | CORPORATE
2857 S. Bartells Dr.
Beloit, WI 53511

ELKHORN
1040 N. Wisconsin St.
Elkhorn, WI 53121

JANESVILLE
19 N. High St.
Janesville, WI 53548

WIBEL 400

Specific details for improvements to this building are undetermined at this time but will generally maintain and renovate the interior &/or exterior of the structure, on an as required basis, in order to preserve the historic nature of the building while ensuring it can be properly maintained and utilized in a safe manner for years to come.

Existing basements and crawl spaces for all the existing buildings would be used for existing/new utility runs and maintenance access and would not have any habitable spaces or permanent building equipment. Floodwater release valves, water/vapor barriers, and partial wrapping of the foundations may be installed.

From the included FEMA Exhibit, the existing floor elevations of WIBEL 307 range from 742.06' to 742.78', the existing floor elevations of WIBEL 311 range from 742.87' to 743.05', the existing floor elevations of WIBEL 317 range from 742.80' to 743.59', and the existing floor elevations of WIBEL 400 range from 743.22' to 744.07'. The current 100-year (1% annual flood hazard chance) elevation is 742.90'. The requirements of the non-conforming structures without a variance are to bring the lowest finished floor elevation to a minimum of 2-feet above the 100-year flood elevation and a 15-foot area around the perimeter of the building to 1-foot above the 100-year flood elevation. This would require the proposed floors for each building to be brought to a minimum elevation of 744.90' and a 15-foot area around the perimeter of the buildings to be brought to a minimum elevation of 743.90'. This is a required fill of 2.84-feet to 2.12-feet for WIBEL 307, 2.03-feet to 1.85-feet for WIBEL 311, 2.10-feet to 1.31-feet for WIBEL 317, and 1.68-feet to 0.83-feet for WIBEL 400. Raising the floors of these buildings this amount will create a disconnect from the adjacent buildings and the street. Adjacent streets and sidewalks have existing elevations ranging from 741.50' to 743.00'. Extensive ramping and stairs will be required to maintain access to building doorway thresholds and maintain ADA compliance. The existing buildings are in the Central Business District (CBD-1) downtown zoning district with zero setbacks, significant modifications to public sidewalks and streets would need to occur to accommodate the raised floors which is not a feasible solution. Additionally, there are adjacent buildings, not owned by HCP, that may not be planning any improvements in the near future creating further disconnect in a store-front setting. Another requirement of the Section 416(a)(3) ordinance is that contiguous dryland access shall be provided from a structure to land outside of the floodplain. The block is surrounded by public streets State Street, Broad Street, E Grand Avenue, and the Broad Street Public Parking lot all of which have existing elevations at or below the base flood elevation. HCP is unable to alter public streets and parking lots to meet the requirements.

The requested variance will provide relief to the proposed building renovations by requiring floor elevation changes of only 0.84-feet to 0.12-feet for WIBEL 307, 0.03-feet to 0.00-feet for WIBEL 311, 0.10-feet to 0.00-feet for WIBEL 317, and no change for WIBEL 400. Required floor changes will be able to match into existing public street and sidewalk elevations easier and with less impacts.

The City of Beloit Floodplain Zoning District Ordinance are as follows for reference:

5-421(4) - No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50 percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dryland access must be provided for residential and commercial uses in compliance with Section 5-416(a). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50 percent provisions of this paragraph.

5-421(5) - No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50 percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the

applicable requirements of this ordinance. Contiguous dryland access must be provided for residential and commercial uses in compliance with Section 5-416(a).

5-421(6) - If on a per event basis the total value of the work being done under paragraphs 4 and 5 equals or exceeds 50 percent of the present equalized assessed value, the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this section. Contiguous dryland access must be provided for residential and commercial uses in compliance with Section 5-416(a).

5-416(a) - Residential Uses. Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of Division 6, Nonconforming Uses.

1. The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of Section 5-416(a)(2) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.

2. The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation.

3. Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in paragraph (4).

4. In developments where existing street or sewer line elevations make compliance with paragraph (3) impractical, the City of Beloit may permit new development and substantial improvements where roads are below the regional flood elevation, if:

(a) The City of Beloit has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or

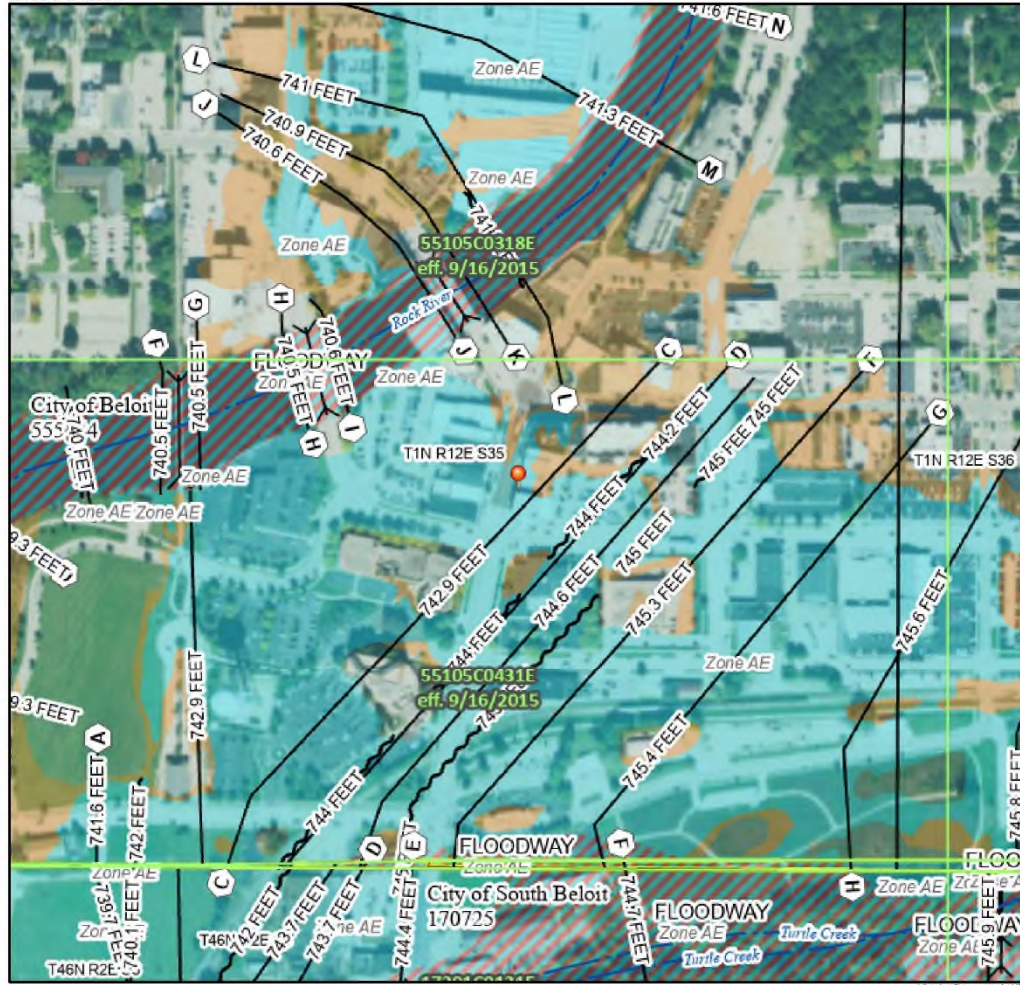
(b) The City of Beloit has a DNR-approved emergency evacuation plan.

5-416(c) - Any commercial structure which is erected, altered or moved into the floodfringe shall meet the requirements of Section 5-416(a). Subject to the requirements of Section 5-416(e), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

National Flood Hazard Layer FIRMeta



89°22'7"W 42°30'10"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

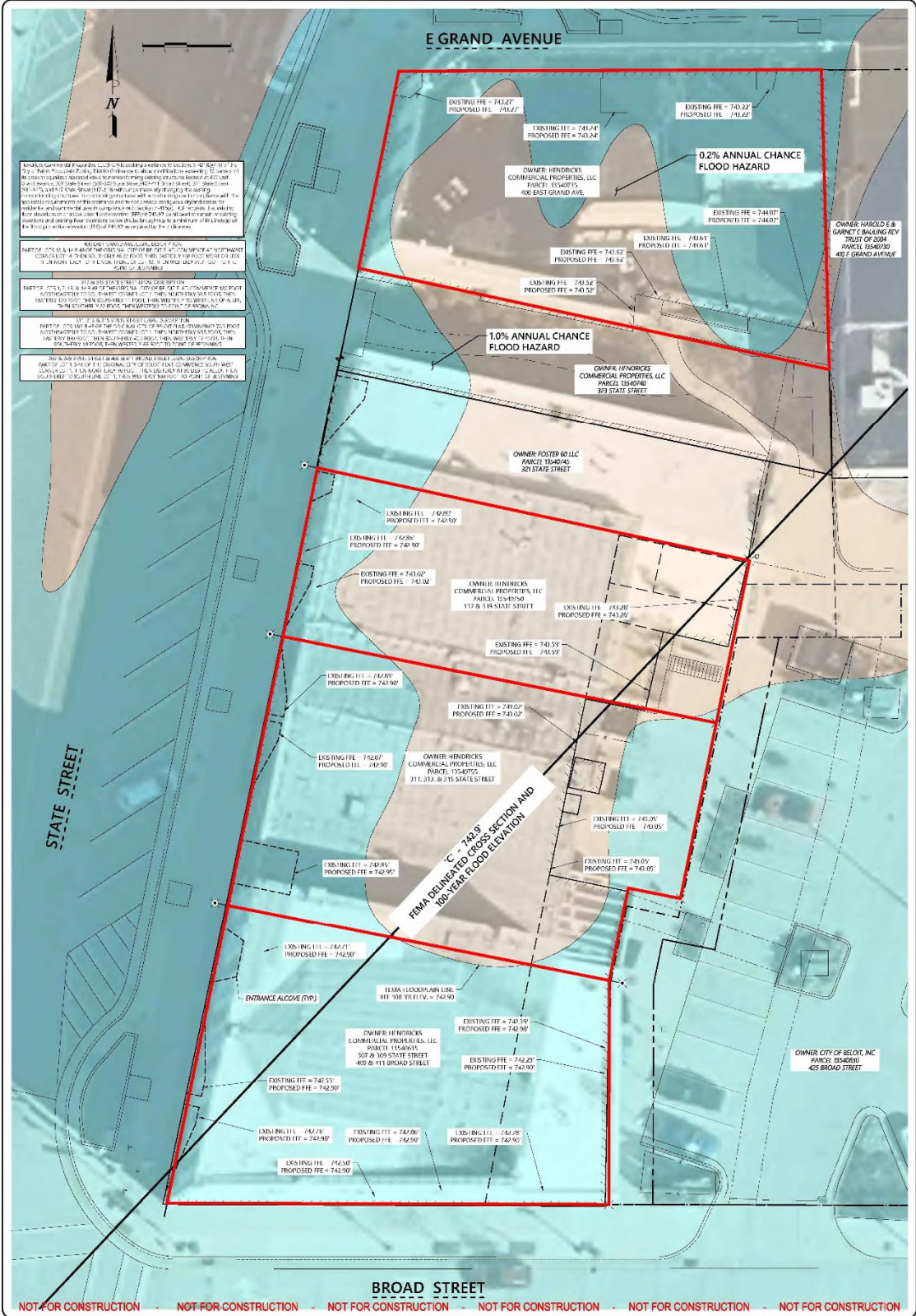
SPECIAL FLOOD HAZARD AREAS	<ul style="list-style-type: none"> Without Base Flood Elevation (BFE) Zone A, V, A99 With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	<ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile, Zone X Future Conditions 1% Annual Chance Flood Hazard, Zone X Area with Reduced Flood Risk due to Levee, See Notes, Zone X Area with Flood Risk due to Levee, Zone D
OTHER AREAS	<ul style="list-style-type: none"> NO SCREEN Area of Minimal Flood Hazard, Zone X Effective LOMRs Area of Undetermined Flood Hazard, Zone D
GENERAL STRUCTURES	<ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES	<ul style="list-style-type: none"> 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation 17.5 Coastal Tract Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Tract Baseline Profile Baseline Hydrographic Feature
MAP PANELS	<ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped <p>The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.</p>

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/29/2023 at 2:29 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

PROJECT: 13/28/2014.DWG



NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

SHEET NO.	1
DATE	08/15/14
DESIGNED BY	AP
APPROVED BY	AP
PROJECT NO.	2402.H

STATE STREET BUILDING RENOVATIONS
HENDRICKS COMMERCIAL PROPERTIES, LLC

34208 FLOOD PLAN VARIANCE EXHIBIT 2/WS

FEMA EXHIBIT

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

DATE	10/26/2014
SCALE	AS SHOWN

2017 Main St. Suite 100
Beloit, WI 53511
800.365.4864

19 N. High Street
Beloit, WI 53511
800.743.9150

1000 N. Wisconsin St.
Beloit, WI 53511
(608) 375-2250

Batterman
engineers surveyors planners
www.batterman.com

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

October 28, 2024

To Whom It May Concern:

R.H. Batterman and Co., Inc. – Alex Feuling on behalf of Hendricks Commercial Properties, LLC has filed an application for a Variance to Section 5-421(b)(4-6) of the City of Beloit Floodplain Zoning Ordinance to allow modification or addition or maintenance to a nonconforming structure, which over the life of the structure would equal or exceed 50 percent of its present equalized assessed value without the entire structure being permanently changed to a conforming structure in compliance with the applicable requirements of the floodplain/zoning ordinance, and to not provide contiguous dryland access for residential and commercial uses in compliance with Section 5-416(a) in a Central Business District - Core (CBD-1), Wellhead Protection Overlay (WPO) zoning district for the properties located at:

307 State Street, 311 State Street, 317 State Street and 400 E. Grand Avenue.

The following public hearing will be held regarding this requested Variance:

Board of Appeals: Tuesday, November 12, 2024, at 7:00 PM or as soon thereafter as the matter can be heard in the City Hall Forum, 100 State Street.

We are interested in your opinion. You may mail your comments to the attention of TJ Nee at 100 State Street, Beloit, Wisconsin 53511 or via email to neet@beloitwi.gov. You may also call (608) 364-6711 to provide your comments over the phone.

You may submit a letter to the Board of Appeals, 100 State Street, Beloit, Wisconsin 53511, to either support or oppose the applicant's request. The standards for granting a variance to the floodplain regulations are in Section 5-426 of the Zoning Ordinance.

For more information, contact TJ Nee at neet@beloitwi.gov or 608-364-6711.

WILL DISSER. P.E.
WDNR
3911 FISH HATCHERY ROAD
FITCHBURG, WI 53711

REGAL REXNORD CORP
111 W MICHIGAN ST
MILWAUKEE, WI 53203

FIRST NATIONAL BANK & TRUST CO.
345 E GRAND AVE
BELOIT, WI 53511

MICHAEL D. JERO
862 E PETUNIA LN
BELOIT, WI 53511

CENTRE 1 BANCORP, INC
345 E GRAND AVE
BELOIT, WI 53511

HAYNES PROPERTIES, LLC
11015 MAIN ST
ROSCOE, IL 61073

JAMES E DOSCHADIS REVOCABLE
TRUST OF 2014
2634 CHATSWORTH DR
BELOIT, WI 53511

DAVID W. WARNTJES
2256 S RIVERSIDE DR
BELOIT, WI 53511

BLACKHAWK BANK
PO BOX 499
MATTOON, IL 61938-0499

SIEKIERSKI REVOCABLE TRUST
1632 GARFIELD AVE
BELOIT, WI 53511

430 EAST GRAND AVENUE
HOLDINGS, LLC
525 3RD ST STE 300
BELOIT, WI 53511

JR PROPERTY HOLDINGS, LLC
W8473 SMOCK VALLEY RD.
MONROE, WI 53566

HARRIS ACE HARDWARE, LLP
PO BOX 467
JANESVILLE, WI 53547

JEFFREY T. JOHNSON
310 ½ STATE STREET
BELOIT, WI 53511

JOHN L. MANSFIELD
312 STATE STREET STE C
BELOIT, WI 53511

HAROLD E & GARNET E BAULING REV
TRUST OF 2004
2480 BLARNEY STONE DR
BELOIT, WI 53511