

**CITY OF EDGERTON
EDGERTON CITY HALL
12 ALBION STREET
EDGERTON, WI**

PLANNING COMMISSION

Wednesday, March 8, 2023 at 6:00 P.M.

NOTICE: The meeting noticed above will also be live streamed on a Zoom platform: To view the meeting, please select the link to the meeting listed on the **calendar events** on the City website's home page at www.cityofedgerton.com. Due to occasional technical difficulties, citizen participation via Zoom may not be possible.

1. Call to Order; Roll Call.
2. Confirmation of appropriate meeting notice posted Friday, March 3, 2023.
3. PUBLIC HEARING:
 - A. The Plan Commission will hold a public hearing to consider a request by Andrew Arnett/2 Burdick LLC for approval of zoning change from HMU Historic Mixed Use to B-2 Central Business District Commercial for the property located at 2 Burdick Street. (parcel 6-26-67).
 - B. Close the public hearing.
4. Consider a request by Andrew Arnett/2 Burdick LLC for approval of zoning change from HMU Historic Mixed Use to B-2 Central Business District Commercial for the property located at 2 Burdick Street. (parcel 6-26-67).
5. PUBLIC HEARING:
 - A. The Plan Commission will hold a public hearing to consider a request by the City of Edgerton to amend Section 22.304(5)(z) Husbandry, of the Zoning Ordinance to allow ducks in residential zoning districts.
6. Close the public hearing.
7. Consider a request by the City of Edgerton to amend Section 22.304(5)(z) Husbandry, of the Zoning Ordinance to allow ducks in residential zoning districts.
8. Consider approval of February 20, 2023 Plan Commission meeting minutes.
9. Consider approval of February 20, 2023 Joint Common Council and Plan Commission meeting minutes.
10. Consider final 3 lot certified survey for IKI Manufacturing on the corner of IKI Drive and Stoughton Road.
11. Consider a preliminary and final 2 lot certified survey for 1201-1205 Salem Drive (6-26-164A.05)

12. Set next meeting date and future agenda items.
13. Closed Session Pursuant to Wis. Stat. 19.85(1)(g) "Conferring with Legal Counsel for the Governmental Body who is rendering oral or written advice concerning strategy to be adopted by the Body with respect to litigation in which it is or is likely to become involved". Discuss and Consider extraterritorial land division in the Town of Fulton.
14. Return to open session and consider taking action on items discussed in closed session.
15. Adjourn.

cc: Commission Members All Council Members Department Heads
City Engineer Newspapers

NOTICE: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: 884-3341.

Notice is hereby given that a majority of the Common Council is expected to be present at the above scheduled noticed meeting to gather information about a subject over which they have decision-making responsibility. The only action to be taken at this meeting will be action by the Planning Commission."

TO: Edgerton City Council

FROM: Ramona Flanigan

MEETING DATE: March 8, 2023

GENERAL DESCRIPTION

Description of Request: Approval of a zoning change from HMU Historic Mixed Use to B-2 Central Business District.

Location: 2 Burdick Street (parcels #6-26-66 and 6-26-67)

Applicant: Andrew Arnett/2 Burdick LLC

Current Zoning/Land Use: HMU / office and vacant

Parcel Size: approx. 5,935 sf

STAFF REVIEW COMMENTS

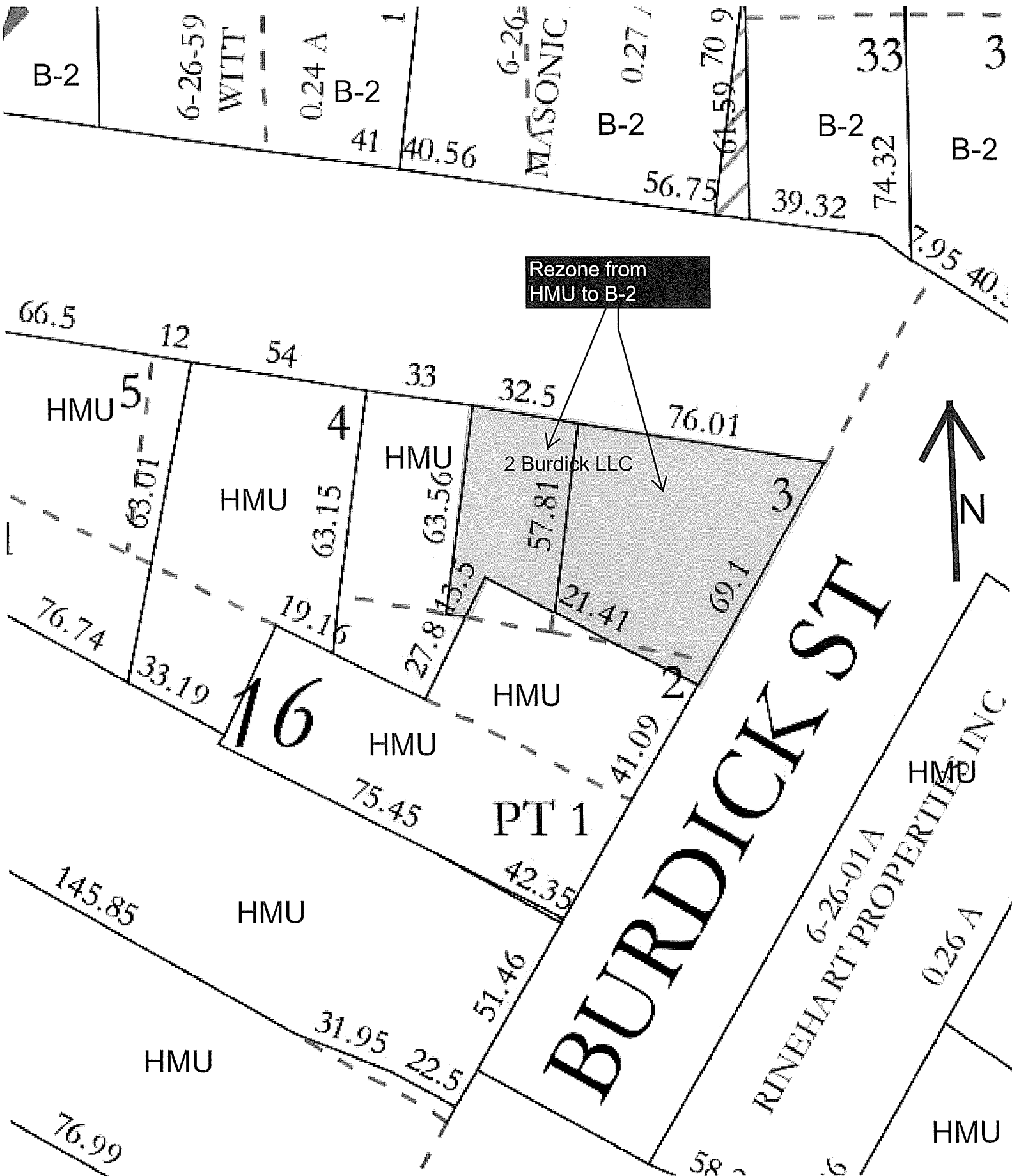
Staff has reviewed the petition for planning issues in accordance with the Edgerton Zoning and Subdivision Ordinances and has the following comments:

1. The subject parcels, located at 2 Burdick Street and the vacant lot west of 2 Burdick St, are zoned HMU. The petitioner proposes to rezone the subject parcels to B-2 which is the zoning of most of the downtown.
2. Zoning and land uses of adjacent parcels consist of the following: B-2 commercial (sf home and club) to the north; and HMU (sf house, storage and a clinic) to the west, south and east.
3. The structure on the property is built according to B-2 standards (no setbacks, no onsite parking, etc). The lots do not meet most of the HMU standards. Some of the land use of HMU District also do not fit a structure built as this one is.

STAFF RECOMMENDATION

Staff recommends the Plan Commission recommend approval of the rezoning. This recommendation is based on the finding that the potential public benefits of the proposed rezoning outweigh any and all potential adverse impacts of the proposed rezoning.

Burdick LLC Rezone Request



Memo

To: Plan Commission
From: Staff
Date: 2/28/2023
Re: March 8, 2023 Meeting

Proposed text amendment. New text is underlined and deleted text is struck through.

The proposed ordinance amendment would allow those properties that are currently allowed to have chickens (single family residential properties) to also have ducks. The chicken regulations allow for 6 chickens. The proposed ordinance allows for any combination of six ducks or chickens.

(z) Husbandry.

Description: Husbandry land uses include all operations primarily oriented to the on-site raising and/or use of animals at an intensity of less than one (1) animal unit (as defined in Section 22.102) per acre. Apiaries (bee keeping) are considered husbandry land uses.

General regulations not including apiaries, ducks and chickens

1. Permitted by Right: Not Applicable.
2. Permitted by Right with Additional Special Requirements: Not Applicable.
3. Conditional Use Regulations: {A-1}
 - a. Any building housing animals shall be located a minimum of three hundred (300) feet from any residentially zoned property, and one hundred (100) feet from all other lot lines.
 - c. All outdoor animal containments (pastures, pens, and similar areas) shall be located a minimum of ten (10) feet from any residentially zoned property.
 - d. Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.
4. Parking Regulations: One (1) space per employee on the largest work shift.

Regulations for apiaries only

1. Permitted by Right: Not Applicable.

2. Permitted by Right with Additional Special Requirements: Not Applicable.

3. Conditional Use Regulations: {For apiaries only: A-1, B-4, M-1, M-2, M-3}

a. Any buildings or hives housing animals or bees shall be located a minimum of three hundred (300) feet from any residentially zoned property, and one hundred (100) feet from all other lot lines.

b. All outdoor animal containments (pastures, pens, and similar areas) shall be located a minimum of ten (10) feet from any residentially zoned property.

c. Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.

Regulations for chicken and duck keeping only

1. Permitted by Right: Not Applicable.

2. Permitted by Right with Additional Special Requirements: {For chicken and duck keeping only: R-1, R-2, R-3 and R-4}

a. No more than a combined total of six (6) chickens or ducks on a lot containing a single-family dwelling only; keeping of ducks and chickens is not allowed on residential lots containing two (2) or more dwelling units.

b. Keeping of roosters is prohibited.

c. Ducks must be flightless.

d. Slaughter of chickens or ducks is prohibited on site.

e. The chickens and ducks shall be provided with a structurally sound covered enclosure and an attached fenced enclosure. Chickens and ducks must be kept in the covered enclosure or an attached fence enclosure at all times. The enclosures must be maintained in good repair and kept free from rodents and other vermin. The fence of the enclosure shall be of sufficient opacity or webbing to contain a chicken or duck.

f. The covered and the fenced enclosures shall be located in a rear yard only. The covered enclosure shall be a minimum of twenty-five (25) feet from any residential structure on any adjacent lot.

g. The total area of the covered and fenced enclosure shall not exceed seventy-five (75) square feet except when the rear yard of the property is fenced in which case the rear yard can serve as the fenced enclosure. If the fenced enclosure also serves as a rear yard fence, the rear yard fence shall be 100% opaque. The total area of the covered enclosure shall be a minimum of four (4) square feet per chicken or duck. The total area of the fenced enclosure must be a minimum of six (6) square feet per chicken or duck. The covered enclosure is not considered an accessory structure as defined in Subsection 22.304(5)(d).

h. Neither cChickens nor ducks shall not be allowed to be kept within a residential dwelling or garage.

i. Any electrical work requires an electrical permit through the building inspection department.

i. ~~Prior to the establishment of the use and prior to~~A permit is issued ~~prior to~~ work commencing on the enclosure, a permit must be issued, and an inspection must be completed, is complete and the improvements must be found to be satisfactory,; ~~and prior to the establishment of the use in accordance with Chapter 29.~~

j. Shall comply with Subsection 22.207, standards and procedures applicable to all special uses.

3. Conditional Use Regulations: Not Applicable.

**FEBRUARY 20, 2023 PLAN COMMISSION MEETING MINUTES
CITY OF EDGERTON**

Commission Chair Chris Lund called the meeting to order at 6:00 p.m.

Present: Chris Lund, Jim Burdick, Theran Springstead, Jim Kapellen, Julie Hageman and Ron Webb (arrived at 6:03).

Also present: City Administrator Ramona Flanigan, City Clerk Wendy Loveland, and a few citizens.

Flanigan confirmed the meeting agendas were properly posted on Friday, February 17, 2023 at the Post Office, Edgerton Library, the City website and City Hall.

PUBLIC HEARING: The Plan Commission held a public hearing to consider a request by Jenson Family Generations Trust/Julie Jenson for approval of a zoning change from B-1 Local Business to R-2 Residential Two District for the property at 510 N Main St.

CONSIDER AMENDMENT TO ZONING MAP FOR 510 N MAIN ST: A Jim Kapellen/Jim Burdick motion to approve amending the zoning for 510 N Main St from B-1 Local Business to R-2 Residential Two District passed on a 6/0 roll call vote.

MINUTES: A Theran Springstead/Julie Hagemann motion to approve the February 8, 2023 Plan Commission minutes passed, all voted in favor.

Being no other business before the Commission, a Chris Lund/Julie Hagemann motion to adjourn passed, all voted in favor.

Ramona Flanigan/wjl
City Administrator

**FEBRUARY 20, 2023 JOINT COMMON COUNCIL AND
PLAN COMMISSION MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order for the City Council at 5:45 p.m.

Present: Casey Langan, Candy Davis, Tim Shaw, and Jim Burdick.

Excused: Paul Davis

Absent: Sarah Braun

Commission Chair Christopher Lund called the meeting to order for the Plan Commission at 5:45 p.m.

Present: Chris Lund, Jim Burdick, Theran Springstead, Jim Kapellen, and Julie Hagemann.

Excused: Paul Davis

Absent: Ron Webb

Others Present: City Administrator Ramona Flanigan, City Clerk Wendy Loveland and a few citizens.

Loveland confirmed the meeting agendas were properly posted on Friday, February 17, 2023 at the Post Office, City Hall, City website, and the Edgerton Library.

PUBLIC HEARING: The Council and Plan Commission held a public hearing to gather public input on the request by Jenson Family Generations Trust/Julie Jenson to amend the City of Edgerton Comprehensive Plan for 510 N Main Street to change the zoning from General Business to Single Family Residential.

City Administrator Ramona Flanigan stated the property was used as a commercial office. The owner would like to sell the property as a residential home. The parcel was built as a residential parcel but is zoned commercial. The demand is higher for residential properties than commercial therefore staff is recommending amending the Comprehensive Plan to allow the plan amendment for 510 N Main St.

Hearing no further comments, the Mayor closed the public hearing.

PLAN COMMISSION ACTION ON RESOLUTION 06-23: A Jim Kapellen/Julie Hagemann motion to adopt City of Edgerton Resolution 06-23: Recommending the amendment to the City of Edgerton Comprehensive Plan for 510 N Main St passed on a 5/0 roll call vote.

COUNCIL ACTION ON ORDINANCE 23-02: A Casey Langan/Jim Burdick motion to introduce and approve the first reading, waive the second reading and adopt City of Edgerton Ordinance 23-02: Adopt an Amendment to the 2015 City of Edgerton Comprehensive Plan for 510 N Main St passed on a 4/0 roll call vote.

Being no other business before the Plan Commission, a Jim Kapellen/Theran Springstead motion to adjourn passed, all voted in favor.

Being no other business before the Council, a Casey Langan/Candy Davis motion to adjourn passed, all voted in favor.

Wendy Loveland

City Clerk

Council Adopted March 6, 2023

TO: Edgerton Plan Commission

FROM: Staff

MEETING DATE: March 8, 2023

GENERAL DESCRIPTION

Description of Request: Petition for approval of a final 3 lot certified survey map

Location: 107 Maple Court - South corner of Stoughton Road and IKI Drive

Applicant: IKI Manufacturing

Current Zoning/Land Use: M-2 and M-1 / manufacturing facility

Proposed Lot sizes: 5.82 acres, 7.47 acres, and 13.07 acres

STAFF REVIEW COMMENTS

Staff has reviewed the petition for planning issues in accordance with the Edgerton Zoning and Land Division Ordinances and has the following comments:

1. The petitioner proposes to consolidate 10 lots into 3 lots.
3. Each of the proposed lots has street frontage.
4. The petitioner will not be required to pay the parkland and park improvement impact because the lots are not residential.

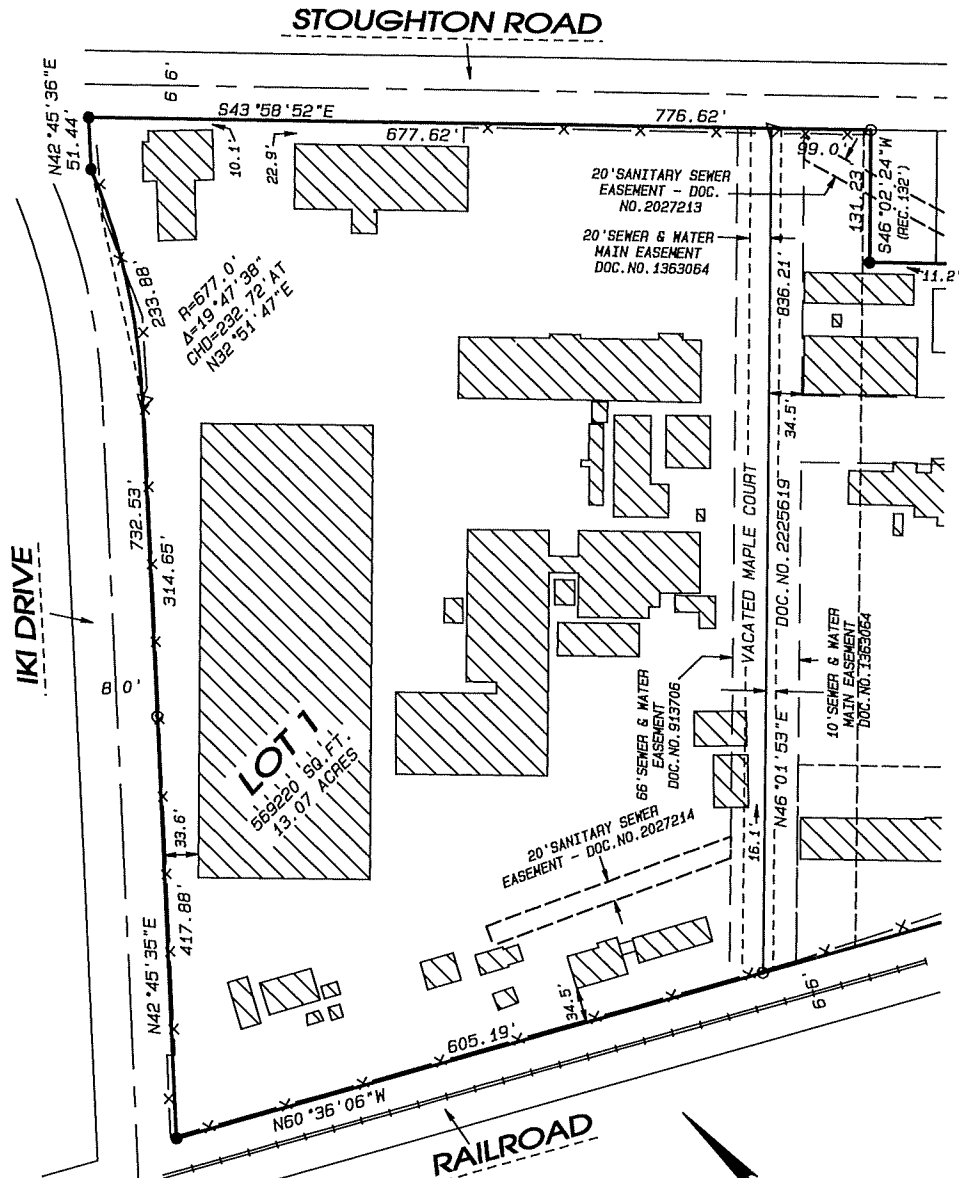
STAFF RECOMMENDATION

Staff recommends the Plan Commission recommend approval of the proposed final 3 lot CSM located at 107 Maple Court subject to the following conditions:

1. The final CSM indicates all easements for public utilities currently located on the site.

CERTIFIED SURVEY MAP

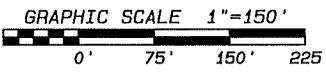
PART OF OUTLOT 9, ASSESSOR'S PLAT OF THE CITY OF EDGERTON AND PART OF VACATED MAPLE CT. & ST. (DOC. NO. 1856610 & 2225619) AND VACATED W. ROLLIN STREET (DOC. NO. 1856610), ALL BEING LOCATED IN THE SW 1/4 OF THE NE 1/4, NW 1/4 OF THE SE 1/4, NE 1/4 OF THE SW 1/4 AND SE 1/4 OF THE NW 1/4 OF SECTION 4, T. 4N., R. 12E. OF THE 4TH P.M., CITY OF EDGERTON, ROCK COUNTY, WISCONSIN.



-- SEE SHEET 3 --

LEGEND:

- SET IRON PIN, 3/4" x 24", 1.5 LBS./LIN. FT.
- FOUND 3/4" IRON PIN
- ⊙ FOUND 1" IRON PIPE
- ⊕ FOUND ALUMINUM MONUMENT
- △ SET MAG NAIL
- x-x- FENCE
- ▨ BUILDING



Combs & Associates

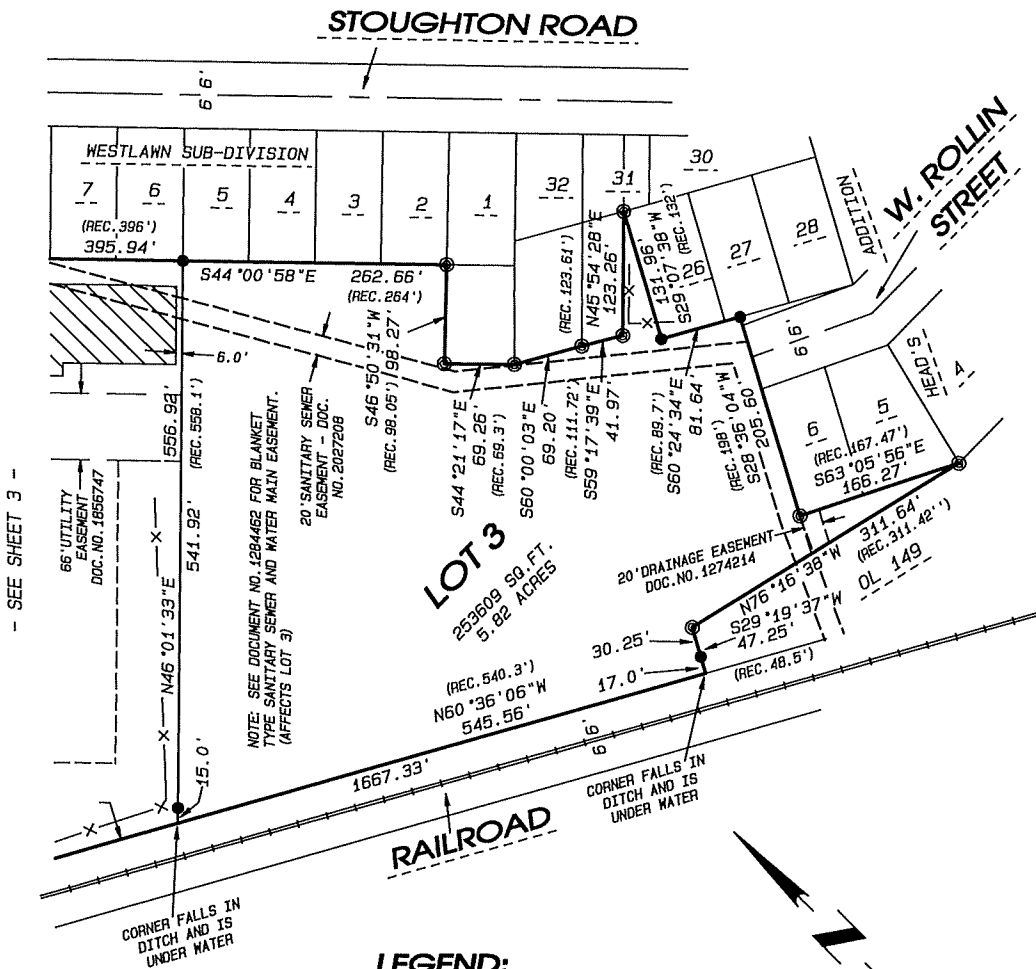
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- CIVIL ENGINEERING

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

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

CERTIFIED SURVEY MAP

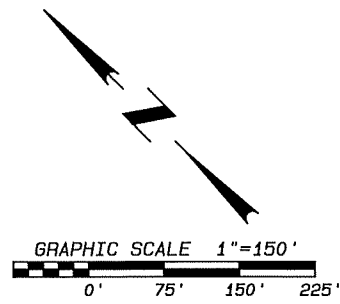
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& ASSOCIATES

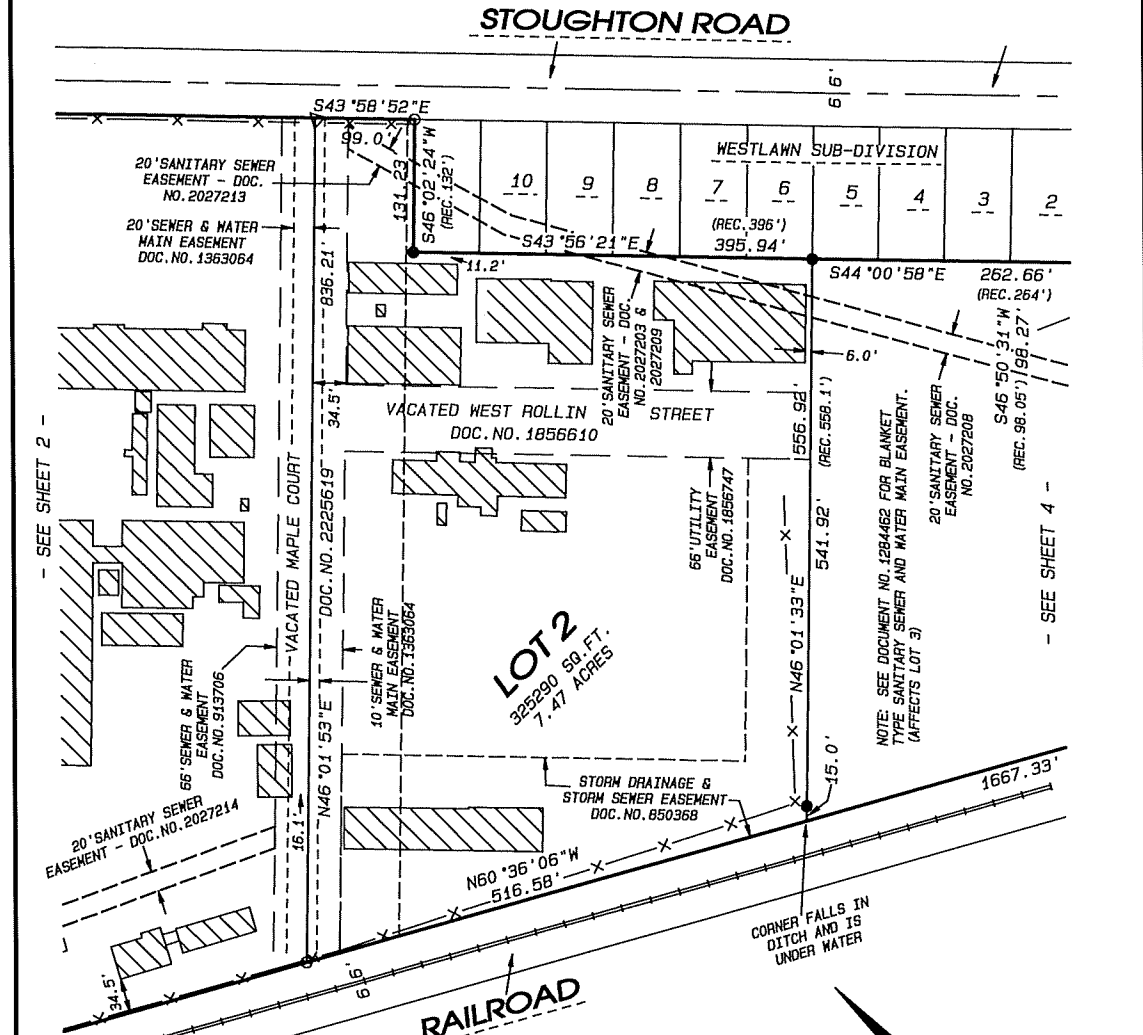
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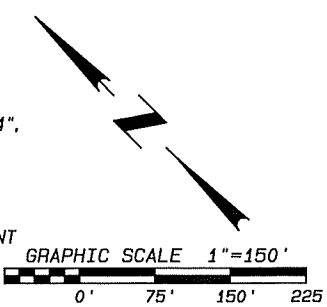
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NOTE: SEE DOCUMENT NO. 748099 FOR POSSSBLE 6 FOOT GAS EASEMENT OVER PART OF LOT 2. UNABLE TO PLOT.

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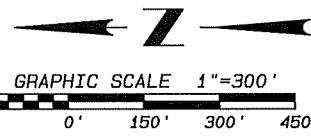
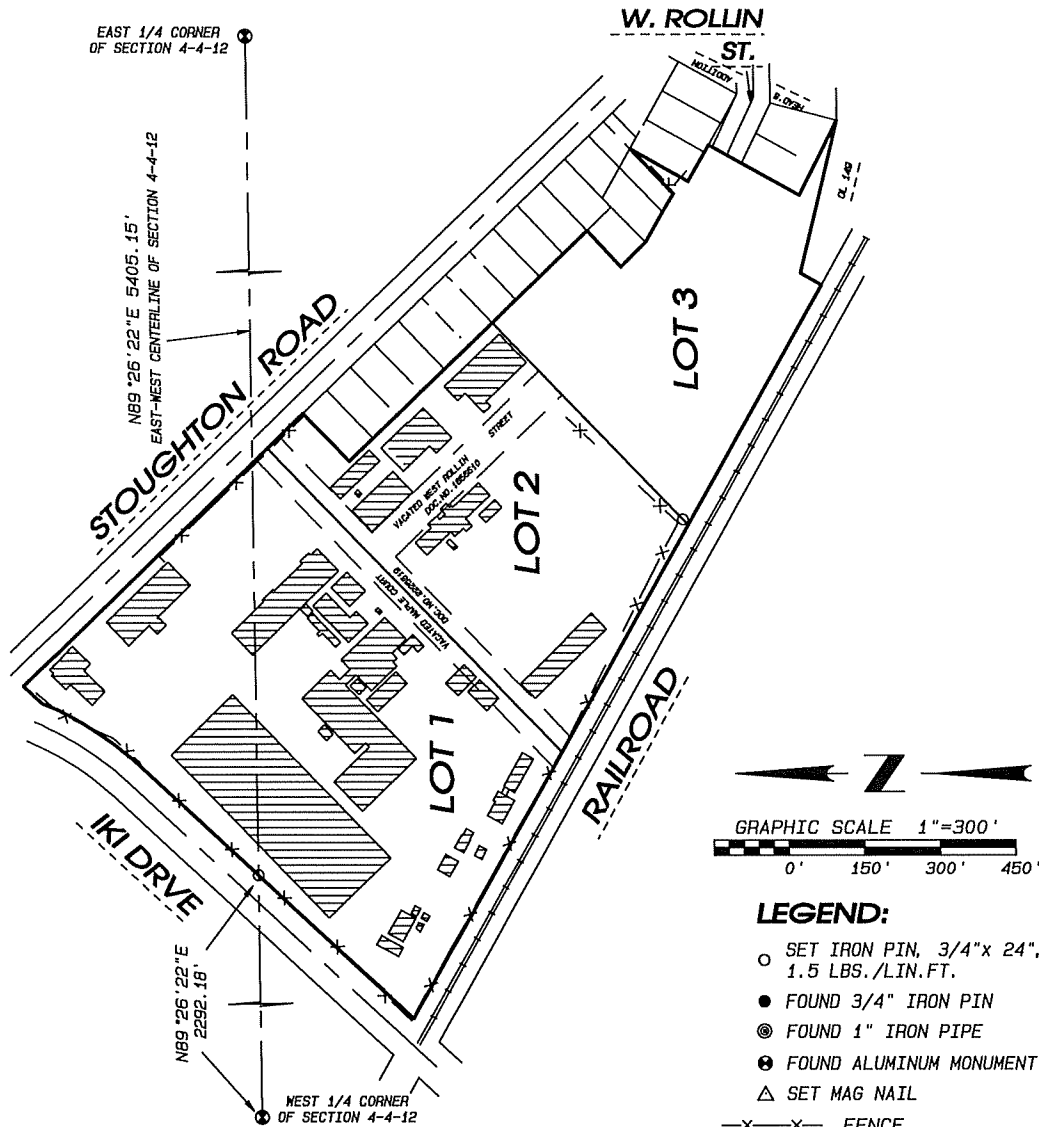
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CERTIFIED SURVEY MAP

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- ▨ BUILDING

NOTE: FIELDWORK COMPLETED JANUARY 26, 2023.

NOTE: ASSUMED NB9°26'22"E ALONG THE EAST-WEST CENTERLINE OF SECTION 4-4-12.

NOTE: SEE DOCUMENT NO. 427626 FOR BLANKET-TYPE ELECTRIC EASEMENT.

NOTE: A SURVEY BY DAVID RIESOP DATED 3/18/2020 WAS USED IN RETRACING THE BOUNDARIES FOR THIS SURVEY.

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TO: Edgerton Plan Commission

FROM: Ramona Flanigan

MEETING DATE: March 8, 2023

GENERAL DESCRIPTION

Description of Request: Petition for approval of a preliminary and final certified survey to create two lots

Location: 1201 and 1205 Winston Drive

Applicant: Frisoli

Current Zoning/Land Use: R-4 Residential District Four/residential (two unit)

Proposed Lot Sizes: 5,163 sq ft and 5,134 sq ft

STAFF REVIEW COMMENTS

Staff has reviewed the petition for planning issues in accordance with the Edgerton Zoning and Land Division Ordinances and has the following comments:

1. The subject parcel is zoned R-4. There is currently a duplex on the parcel.
2. The petitioner proposes to divide the parcel to create 2 lots so that each side of the duplex and the lot can be sold separately.
3. The proposed lots comply with the lot area and width requirements of the Zoning Ordinance.
4. The petitioner has already paid the parkland fees.

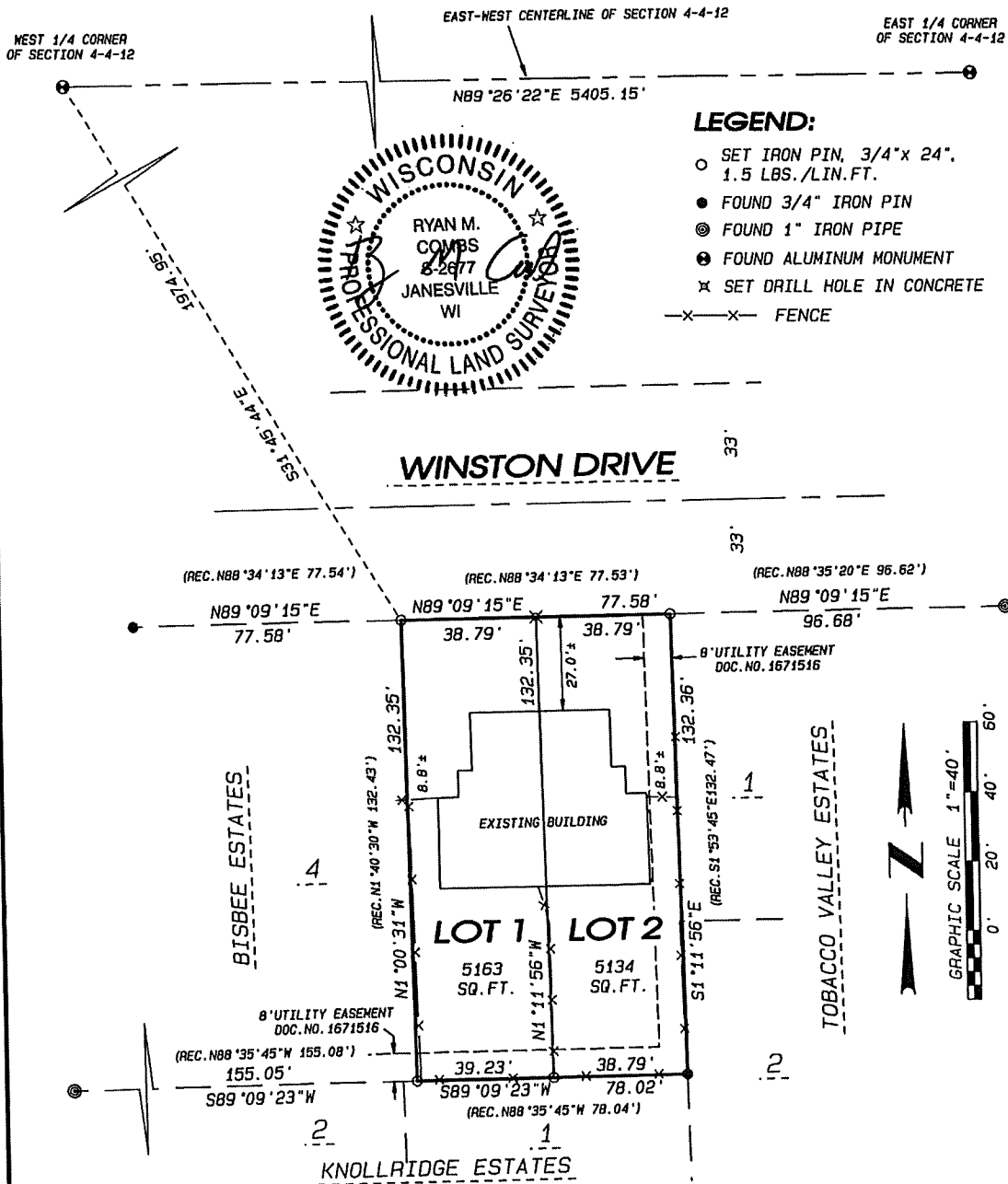
STAFF RECOMMENDATION

Staff recommends the Plan Commission recommend approval of the preliminary and final certified survey to create two lots for the parcel located at 1201 and 1205 Winston Drive subject to the following conditions:

1. The final certified survey indicate all easements.
2. The petitioner provides evidence that a maintenance agreement was recorded for the property.
3. The building is constructed in accordance with the building code for zero lot line developments.
4. The petitioner has paid the \$10 platting fee for the one additional lot.

CERTIFIED SURVEY MAP

LOT 5, BISBEE ESTATES, BEING LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 4, T.4N., R.12E. OF THE 4TH P.M., CITY OF EDGERTON, ROCK COUNTY, WISCONSIN. FORMERLY BEING PART OF OUTLOTS 62, 64 AND 65 OF THE ASSESSOR'S PLAT OF THE CITY OF EDGERTON.



NOTE: FIELDWORK COMPLETED FEBRUARY 21, 2023.

NOTE: ASSUMED N89°26'22"E ALONG THE EAST-WEST CENTERLINE OF SECTION 4-4-12.

SEE DOC. NO. 418647 FOR POSSIBLE BLANKET-TYPE ELECTRIC EASEMENT. VAGUE DESCRIPTION.

Project No. 123 - 012 For: FRISOLI SHEET 1 OF 3 SHEETS



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