

AGENDA FOR PLANNING COMMISSION

MEETING NOTICE

A Planning Commission meeting will be held on Thursday, April 28, 2022 at <u>5:30 PM</u> in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.

ZOOM MEETING INFO

Join Zoom Meeting

https://us06web.zoom.us/j/2708608080?pwd=ZTZ0cmlLVEFEb1dzVDNwdi91UHFYQT09 Meeting ID: 270 860 8080 Passcode: 206751 One tap mobile +13126266799,,2708608080#,,,,*206751# US (Chicago)

Dial by your location +1 312 626 6799 US (Chicago) Meeting ID: 270 860 8080 Passcode: 206751 Find your local number: https://us06web.zoom.us/u/kdy7riNQPI

ROLL CALL

APPROVAL OF MEETING MINUTES

A. APPROVAL OF MARCH MINUTES

PUBLIC HEARING

Public hearing, Sec. 52-14 and 52-35(3), to consider adding Butcher Shops into permitted uses for Business District.

Discussion and recommendation on ordinance amendment to permitted uses in Business District

PUBLIC HEARING

Public hearing, Sec. (8) of 52-8, to consider amendments to Zoning/building permit ordinance

Discussion and recommendation on ordinance change for Sec. (8) of 52-8 Zoning/building permit

PUBLIC HEARING

Public hearing, Sec. (b)(3) of 52-209, amendments to fence height requirements ordinance

Discussion and recommendation for Sec. (b)(3) of 52-209 fence height requirements ordinance amendment

CERTIFIED SURVEY MAP

Review/Approval of, Certified Survey Map (CSM) for Boys & Girls Club, Description: Parcels "1" and "2" of Monroe County Certified Survey Map No. 13 CSM 152, Recorded as Document No. 489627 with the Monroe County Register of Deeds, located in Block 39 of the original plat of the City of Tomah, all in the NE 1/4 of the SW 1/4 of section 4, T17N, R1W, City of Tomah, Monroe County, Wisconsin

ADJOURNMENT

NOTICE: It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Becki Weyer, City Clerk, at 819 Superior Avenue, Tomah, WI 54660.

MINUTES FOR PLANNING COMMISSION

A Planning Commission was held on **Thursday, March 31, 2022 at <u>5:30 PM</u>** in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI. Bryan Meyer called to the meeting to order at 5:34PM.

ZOOM MEETING INFO

https://us06web.zoom.us/j/2708608080?pwd=ZTZ0cmlLVEFEb1dzVDNwdi91UHFYQT09

Dial by your location +1 312 626 6799 US (Chicago)

Meeting ID: 270 860 8080 Passcode: 206751

ROLL CALL

Present: Bryan Meyer, Brian rice, Remy Gomez, and John Glynn. Absent: Tina Thompson, Adam Gigous, and Mike Murray.

APPROVAL OF MEETING MINUTES

A. Motion by Gomez and second by Rice to approve previous months minutes. All ayes. Motion carried.

DISCUSSION ITEMS

- A. Discussion on fence height restriction in street side yard for reverse corner lots.

 After discussion on the safety issues and aesthetics of a 6ft fence on a reverse corner lot.

 Motion made by Glynn and second by Rice to allow fences up to 6' in height in the street side yard of reverse corner lots to equal the established front yard of the property on the key lot directly behind the property to never exceed 15'. Similar to our front yard setback averaging allowed in older established neighborhoods. All ayes. Motion carries.
- B. Discussion on allowing Butcher Shops as either a permitted use or conditional use in Business
 Districts.
 Motion made by Gomez and second by Glynn to allow butcher shops as permitted use in the
 - Business District. All ayes. Motion carried.
- C. Discussion on Commercial/Industrial Site Plan Reviews. Planning commission will start to review new builds and additions to commercial buildings prior to permits being issued by building inspector.
- D. Discussion on setbacks for Benton Street irregular lot.
 15' setback on Clark St and W Benton St. 10' setback on W Washington and a regular back yard setback on Mclean.
- E. Flood Plain Video

ADJOURN

Submitted by:

Motion made by Glynn and second by Gomez to adjourn at 6:32PM.

Cashintoa sy.		
Casey Skowronski	04/01/2022	
Casey Skowronski	Date	
Public Works and Utilities Bookkeeper	Date	

Meeting minutes to be approved on: April 28, 2022

CITY OF TOMAH PLAN COMMISSION STAFF COMMITTEE PREPARATION REPORT

February 24th, 2022

Agenda Item: Discussion on allowing Butcher Shops as either a permitted use or conditional use in Business Districts.

Summary and background information: Discussion on allowing Butcher Shops as either a permitted use or conditional use in Business Districts. Current ordinance only allows for processing activities as a permitted use in Industrial zoned districts.

Sec. 52-14. - Definitions.

Butcher Shop means a retail store supplying meat and poultry products where meat processing is limited to making cuts of meat from pre-processed carcasses.

Sec. 52-35. - Business districts.

- (a) *B business district*.
- (1) Established. The B business district is established to delineate areas, both developed and undeveloped, where retail and limited wholesale trade establishments may exist. No use permitted in this district shall be dangerous, offensive or detrimental to the neighboring areas or residents by reason of the emission of dust, gas, smoke, noise, fumes, odors, vibrations, etc.
- (2) *Principal uses*. Dwelling units may be established on the second or higher floors of buildings whose principal use is business or commercial. All business establishments shall be retail or service, dealing directly with the general public or wholesale sales in small quantities as an adjunct to the primary retail business. All goods produced on the premises shall be sold at retail on the premises where produced. The parking of trucks as an accessory use, when used in the conduct of a permitted business listed hereafter in this section, shall be limited to vehicles of not over 14,000 pounds gross vehicle weight when located within 50 feet of a residential district boundary line.
- (3) Permitted uses. The following uses are permitted in the B district: appliance dealers; art and school supply stores; automotive parts sales stores; automobile sales lots and show room lots, providing all vehicles will be in operative condition; antique shops; appliance stores; bakeries (retail); barbershops and beauty parlors; banks and other financial institutions; butcher shops; candy and ice cream stores; caterers; clothing and dry goods stores; clinics; clubs; cocktail lounges; drugstores and pharmacies; department stores; electrical supply stores (retail); food stores and supermarkets; food lockers (retail); florist shops; fraternal organizations; furniture stores; funeral homes; hotels; inns; insurance agencies; jewelry stores; lumber yards; liquor stores; medical facilities and

clinics; mini storage facilities; music stores; markets (fruit and vegetable); newsstands; opticians and optical supply stores; offices; paint and wallpaper stores; shoe stores; taverns; tourist information and hospitality centers; upholsterers; variety stores; veterinary clinics (small animal); and other uses similar to or customarily incidental to any of the above uses.

(4) *Conditional uses*. Governmental and cultural uses, transportation uses, drive-in theaters, drive-in restaurants, **butcher shops**, motels, funeral homes, drive-in banks, vehicle repair and sales, maintenance garages, recreational uses, recycling areas (not to include salvage yards or can crushing) provided the same are more than 500 feet from a residential area and enclosed by fences as directed by the planning commission, and R-1, R-2 and R-3 dwellings.

Recommendation: Discuss adding butcher shops as either a permitted use or conditional use in the Business District.

Shane Rolff	2/4/22
Zoning Administrator	Date

Ordinance Amending Sections 52-14 and 52-35(3) of the City of Tomah Municipal Code

The Common Council of the City of Tomah, Monroe County, Wisconsin, do ordain as follows:

SECTION ONE: Section 52-14 Definitions is hereby amended to add the following:

Butcher Shop means a retail store supplying meat and poultry products where meat processing is limited to making cuts of meat from pre-processed carcasses.

SECTION TWO: Section (3) of 52-35 Business districts is hereby amended to read as follows:

(3) Permitted uses. The following uses are permitted in the B district: appliance dealers; art and school supply stores; automotive parts sales stores; automobile sales lots and show room lots, providing all vehicles will be in operative condition; antique shops; appliance stores; bakeries (retail); barbershops and beauty parlors; banks and other financial institutions; butcher shops; candy and ice cream stores; caterers; clothing and dry goods stores; clinics; clubs; cocktail lounges; drugstores and pharmacies; department stores; electrical supply stores (retail); food stores and supermarkets; foot lockers (retail); florist shops; fraternal organizations; furniture stores; funeral homes; hotels; inns; insurance agencies; jewelry stores; lumber yards; liquor stores; medical facilities and clinics; mini storage facilities; music stores; markets (fruit and vegetable); newsstands; opticians and optical supply stores; offices; paint and wallpaper stores; shoe stores; taverns; tourist information and hospitality centers; upholsterers; variety stores; veterinary clinics (small animal); and other uses similar to or customarily incidental to any of the above uses.

SECTION THREE: All ordinances in conflict with the foregoing are hereby repealed.

SECTION FOUR: This ordinance shall take effect upon passage and publication.

	Michael Murray, Mayor
ATTEST:	
Rebecca Weyer, City Clerk	
READ:	
PASSED:	
PUBLISHED:	

CITY OF TOMAH PLAN COMMISSION STAFF COMMITTEE PREPARATION REPORT **April 28th, 2022**

Agenda Item: Recommendation on amendment to allow Plan Commission review of Commercial & Industrial development site plans.

Summary and background information: The City of Tomah current ordinance limits review time for the Zoning Administrator to 10 days from the date of complete submittal of the required documents. The amendment would allow 10 days for approval once the Plan Commission completes their review. The proposed amendment states the permit shall be reviewed by the Plan Commission and granted or denied in writing within ten days of the Plan Commission review rather than 10 days from the date of submittal.

Recommendation: I recommend the	proposed amendment as provided.	
Shane Rolff	4/25/22	
Zoning Administrator	Date	_

ORDINANCE NO.

Ordinance Amending Section 52-8 (8) of the City of Tomah Municipal Code

The Common Council of the City of Tomah, Monroe County, Wisconsin, do ordain as follows:

SECTION ONE: Section (8) of 52-8 Zoning/building permit is hereby amended to read as follows:

- (8) (a) Residential One- and Two-Family Dwellings. The permit shall be granted or denied in writing by the building inspector within ten days. The permit shall expire within six months, unless substantial work has commenced as determined by the building inspector. Any permit issued in conflict with the provisions of this chapter shall be null and void.
- (b) Commercial and Industrial New Construction. The permit shall be reviewed by the Plan Commission and granted or denied in writing within ten days of the review. The permit shall expire within six months, unless substantial work has commenced as determined by the building inspector. Any permit issued in conflict with the provisions of this chapter shall be null and void.

SECTION TWO: All ordinances in conflict with the foregoing are hereby repealed.

SECTION THREE: This ordinance shall take effect upon passage and publication.

	Michael Murray, Mayor	
ATTEST:		
Rebecca Weyer, City Clerk		
READ:		
PASSED:		

PUBLISHED:

Sec. 52-8. Zoning/building permit.

Applications for a zoning/building permit shall be made in duplicate to the building inspector on forms furnished by the inspector and shall include the following, where applicable:

- (1) Names and addresses of the applicant, owner of the site, architect, professional engineer and contractor.
- (2) Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure; existing and proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.
- (3) Plat of survey prepared by a registered land surveyor showing the location, boundaries, dimensions, elevations, regulated air space, uses and size of the subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street; and side and rear yards. In addition, the plat of survey shall show the location, elevation and use of any abutting lands and their structures within 40 feet of the subject site. The plat of survey shall be required for all proposed construction, with the exception of the R-1 and R-2 districts as defined in this chapter. The plat of survey shall be required in R-1 and R-2 districts only for construction of new principal buildings.
- (4) Proposed sewage disposal plan if municipal sewerage service is not available. This plan shall be approved by the city engineer who shall certify in writing that satisfactory, adequate and safe sewage disposal is possible on the site as proposed by the plan, in accordance with applicable local, county and state health agency regulations.
- (5) Proposed water supply plan if municipal water service is not available. This plan shall be approved by the city engineer who shall certify in writing that an adequate and safe supply of water will be provided.
- (6) Additional information as may be required by the plan commission, city engineer and building, plumbing or health inspectors.
- (7) Receipt from the treasurer in the amount of the current permit fee set by resolution of the city council.
- (8) The permit shall be granted or denied in writing by the building inspector within ten days. The permit shall expire within six months, unless substantial work has commenced. Any permit issued in conflict with the provisions of this chapter shall be null and void.
 - (a) Residential one & two family dwellings. The permit shall be granted or denied in writing by the building inspector within ten days. The permit shall expire within six months, unless substantial work has commenced. Any permit issued in conflict with the provisions of this chapter shall be null and void.
 - (b) Commercial & Industrial new construction. The permit shall be reviewed by the Plan Commission and granted or denied in writing within ten days of the review. The permit shall expire within six months, unless substantial work has commenced. Any permit issued in conflict with the provisions of this chapter shall be null and void.

CITY OF TOMAH PLAN COMMISSION STAFF COMMITTEE PREPARATION REPORT

February 24th, 2022

Agenda Item: Discussion on fence height restriction in street side yard for reverse corner lots.

Summary and background information: Current ordinance allows for a 6' fence in the side and rear yards of a property. The 6' allowance may not be appropriate for the street facing side yards on reverse corner lots. Discuss options to regulate to the fence height in the side yards of reverse corner lots. (see attachments for options)

Sec. 52-209. - Fences and hedges.

Requirements.

- (1) No fence exceeding three feet in height shall be erected, constructed or maintained in front of the setback line for principal buildings on any premises within a residential district.
- (3) On any corner lot where a front or side yard is required or provided, no fence, hedge or other obstruction shall be placed so as to interfere with clear vision from one street to the other across the corner. See traffic visibility provisions in section 52-114.

Sec. 52-114. - Traffic visibility.

No obstruction, such as structures, parking or vegetation, shall be permitted in any district between the heights of $2\frac{1}{2}$ feet and ten feet above the plane through the mean curb grades within the triangular space formed by any two existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines located a minimum of 15 feet from their intersection. In the case of arterial streets intersecting with other arterial streets or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to 50 feet.

Recommendation: Discuss current ordinance to decide if an amendment is necessary.

Shane Rolff	2/4/22
Zoning Administrator	Date

Options for regulating fences in the street side yard of reverse corner lots

- 1) Limit the height in the street side yard of reverse corner lots to the same as the restriction in front yards of 3'.
- 2) Require a vision clearance triangle where the street side yard of the reverse corner lot abuts the front yard of the key lot directly behind the property.
- 3) Allow fences up to 6' in height in the street side yard of reverse corner lots to equal the established front yard of the property on the key lot directly behind the property to never exceed 15'. Similar to our front yard setback averaging allowed in older established neighborhoods.
- 4) Maintain the status quo and allow fences up to 6' in height in the street side yard of reverse corner lots.

Definition of a reverse corner lot:

Lot, reversed corner means a corner lot, the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

ORDINANCE NO

Ordinance Amending Sections 52-209 (b)(3) of the City of Tomah Municipal Code

The Common Council of the City of Tomah, Monroe County, Wisconsin, do ordain as follows:

SECTION ONE: Section (b)(3) of 52-209 *Requirements* is hereby by amended to read as follows:

(3) On any corner lot where a front or side yard is required or provided, no fence, hedge or other obstruction shall be placed so as to interfere with clear vision from on street to the other across the corner. On reverse corner lot fences up to 6 feet in height are allowed on the street side yard to equal the established front yard of the property on the key lot directly behind the property to never exceed 15 feet. See traffic visibility provisions in section 52-114.

SECTION TWO: All ordinances in conflict with the foregoing are hereby repealed.

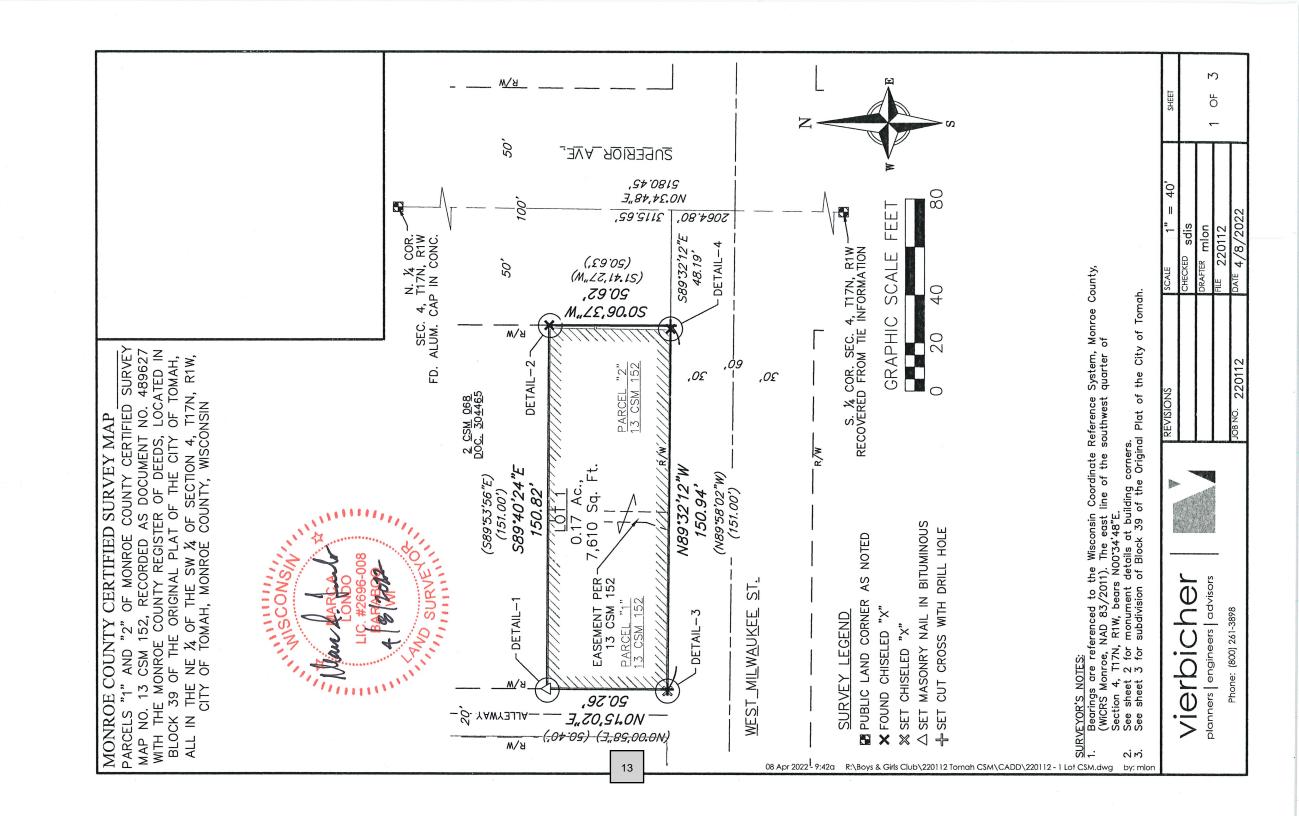
SECTION THREE: This ordinance shall take effect upon passage and publication.

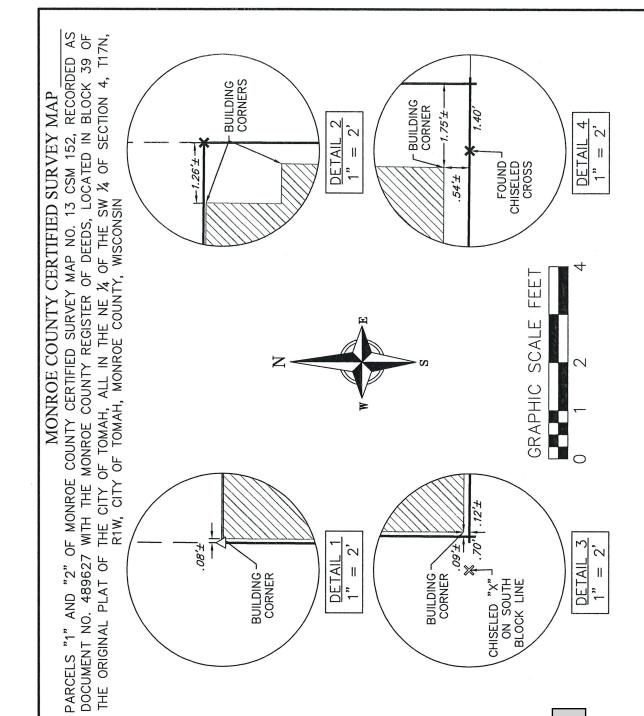
	Michael Murray, Mayor
ATTEST:	
Rebecca Weyer, City Clerk	
READ:	
PASSED:	
PUBLISHED:	

Sec. 52-209. Fences and hedges.

- (a) Permits. No person shall erect or construct any fence on any premises in the city without first obtaining a permit. Applicant for such permit shall provide a property survey map bearing the seal and signature of a Wisconsin Professional (Registered) Land Surveyor showing the applicant's property ownership line(s) and monuments marking the corners of the property. A sketch showing known lot lines (as evidenced by survey monuments), fence location and design shall accompany the application for such permit. The building inspector shall approve the application before construction.
- (b) Requirements.
 - (1) No fence exceeding three feet in height shall be erected, constructed or maintained in front of the setback line for principal buildings on any premises within a residential district.
 - (2) Property owners shall locate fences no closer than two feet from the property line so that each side of the fence may be properly maintained by the owner of the fence while on said owners property. This requirement can be waived if a maintenance free fence is installed. A property survey which identifies both the boundaries of the property and the location of the proposed fence is required to obtain a building permit.
 - *Property survey:* Property lines that have been determined and defined by a Wisconsin professional land surveyor, marked on the ground by monuments at the property corners and delineated on a signed and sealed map using minimum standards as defined by AE-7 of the Wisconsin Administrative Code.
 - (3) On any corner lot where a front or side yard is required or provided, no fence, hedge or other obstruction shall be placed so as to interfere with clear vision from one street to the other across the corner. On reverse corner lot fences up to 6 feet in height are allowed on the street side yard to equal the established front yard of the property on the key lot directly behind the property to never exceed 15 feet. See traffic visibility provisions in section 52-114.
 - (4) No fence exceeding six feet in height shall be erected, constructed or maintained on any premises in a residential zoning district. Security fences are permitted in all districts except residential districts, but shall not exceed ten feet in height and shall be of an open type similar to woven wire or wrought iron fencing. Fences exceeding six feet in height to a maximum height of eight feet installed for the purpose of providing visual screening for onsite utilities, dumpsters, or similar items may be allowed by the plan commission. Swimming pool fences are covered in section 52-210. Chain link or metal wire fences shall not exceed four feet in height on properties with residential uses.
 - (5) No barbed wire or electric fence under six feet in height shall be permitted within the city, except when used for agricultural purposes. Any barbed wire or electric fence over six feet in height shall be approved by the building inspector prior to construction.
 - (6) Any fence which exists at the time of the passage of the ordinance from which this chapter is derived, but does not conform with the provisions thereof, shall not be altered or enlarged without making the entire fence conform with the provisions of this section.
 - (7) Any fence constructed so as to make it impassible for the reading of gas, electrical and water meters shall have a gate which gives access to them without entering through any building.

(Code 1993, § 17.72(1); Ord. No. 2012-09-07-D, § 1, 9-11-2012; Ord. No. 2017-12-17-D, §§ 2, 3, 12-12-2017; Ord. No. 2021-01-01-D, 1-12-2021; Ord. No. 2021-01-01-D, 1-12-2021)





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SURVEYOR'S CERTIFICATE:

1, Marc A. Londo, Wisconsin Professional Land Surveyor No. 2696, hereby certify. That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes, Chapter A—E7 of the Wisconsin Administrative Code and the subdivision regulations of the City of Tomah, and under the direction of Ms. Karen DeSanto, Executive Director of the Boys and Girls Club of West—Central Wisconsin, I have surveyed, divided and mapped this Certified Survey, that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is located in the Northeast % of the Southwest % of Section 4, T17N, R1W, City of Tomah, Monroe County, Wisconsin, containing 0.17 Acres of land and described as follows:

of Monroe County Certified Survey Map 13 CSM 152 recorded as Document No. 489627 with the Deeds. originally described as Lot 6 of Block 39 of the Original Plat of the City of Tomah. ð ,,2 '1" and Parcel "2 County Register Monroe arcel

08 Apr 2022 - 9:38a R:\Boys & Girls Club\220112 Tomah CSM\CADD\220112 - 1 Lot CSM.dwg by: mlon

Dote WISCONSIII 4/8/2022 Marc A. Londo, W PLS # Vierbicher Associates, Inc 400 Viking Drive Reedsburg, WI 53959 (608) 524—6468

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Phone: (800) 261-3898

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