



AMENDED AGENDA
CITY OF WAUPUN PLAN COMMISSION
Waupun City Hall – 201 E. Main Street, Waupun WI
Wednesday, October 16, 2019 at 4:45 PM

CALL TO ORDER

ROLL CALL

PERSONS WISHING TO ADDRESS THE PLAN COMMISSION--*State name, address, and subject of comments. (2 Minutes)*

No Public Participation after this point.

FUTURE MEETINGS AND GATHERING INVOLVING THE PLAN COMMISSION

CONSIDERATION - ACTION

- 1.** Approve the minutes of the September 18, 2019 meeting.
- 2.** Notice to Halt Spirit Fields Plat and Rezone Petition
- 3.** Public Hearing - Ordinance Amendment to include safety covers in the Swimming Pool ordinances.
- 4.** **Extraterritorial Zoning Review of Certified Survey Map for Edwin & Alene A. Hull Life Estate in the Town of Waupun, Fond du Lac County.**

ADJOURNMENT

Upon reasonable notice, efforts will be made to accommodate disabled individuals through appropriate aids and services. For additional information, contact the City Clerk at 920-324-7915.



MINUTES (DRAFT)
CITY OF WAUPUN PLAN COMMISSION
Waupun City Hall – 201 E. Main Street, Waupun WI
Wednesday, September 18, 2019 at 4:45 PM

CALL TO ORDER

The Waupun Plan Commission met at 4:45 pm in the Council Chambers, City Hall, Waupun on September 18, 2019.

ROLL CALL

Members Present: Julie Nickel, Fred Lueck, Mike Matoushek, Elton TerBeest, Jerry Medema, and Jeff Daane

Members Excused: Derek Drews

Staff Present: Kathy Schlieve, Susan Leahy, and Daniel VandeZande

PERSONS WISHING TO ADDRESS THE PLAN COMMISSION--

Chairman Nickel asked if there were any persons wishing to address the committee on any items not included on today's agenda. Hearing nothing, Chairman Nickel proceeded to address the items listed for consideration and action on today's committee agenda.

FUTURE MEETINGS AND GATHERING INVOLVING THE PLAN COMMISSION

Chairman Nickel indicated the next scheduled Plan Commission meeting would be on Wednesday, October 16, 2019 at 4:45 pm.

CONSIDERATION - ACTION

1. Approve Minutes of the August 20, 2019 meeting.
Motion by TerBeest, seconded by Medema to approve the minutes of the August 20, 2019 meeting as presented. Motion carried, minutes approved, unanimously.
2. Public Hearing - Conditional Use Permit Application of Shane Rhodes at 812-814 Seymour St. for a split two-family dwelling per section 16.03(2)(d)(iii) of the Waupun Municipal Code.

Chairman Nickel read the call of the hearing and its purpose. Kathy Schlieve noted that the Plan Commission approved a CSM at last month's meeting which divided a duplex down a common wall at the center of the home. Today they are applying for a City Conditional Use Permit to divide the home into two (2) separate single family residences which are allowed in the present R-2 Zoning District.

Unit 1 will contain 6,300 sq. ft. and be owned by Doreen Nitschke and Unit 2 will be owned by Shane Rhodes and contain 6,282 sq. ft. Each unit would contain a master suite, living room, kitchen, dining area, laundry room, foyer, office and a 2 car attached garage. Shane Rhodes, proposed owner of Unit #2 was in attendance and spoke in favor of the Conditional Use Permit.

Lueck felt that the horse was put before the cart on this situation as the approval and recording of the CSM last month actually resulted in a violation of the Code by dividing the home before the Conditional Use Permit was issued and that authorizing the proposed use of 2 single family residences. Lueck noted that there have been many problems with zero lot line homes around the county and the problems are too numerous to list in these minutes.

No further information was forthcoming from the public or the committee so Chairman Nickel declared the hearing closed and asked for a motion to act on this Conditional Use Permit application.

Motion by Matoushek, seconded by Medema to grant a Conditional Use Permit for a split two family dwelling

in accordance with Section 16.03(2)(d)(iii) of the Waupun Municipal Code. This committee finds that the proposed use will not be detrimental to the adjacent land use as it is an appropriate use for this area, it will not create any traffic hazards, will not hinder future development in the area, will not create undesirable levels of noise or light in the immediate area, and will not cause property values to measurable decline.

Vote: Daane, Medema, TerBeest, Matoushek, Nickel - "AYE"

Lueck - "NAY"

Motion carried, 5/1.

3. Certified Survey Map review - extraterritorial zoning for property located at W7587 County Rd AW. Susan Leahy, City Zoning Administrator referenced the City's Subdivision Ordinance and that the jurisdiction of these regulations shall include all lands within the limits of the City of Waupun and within the limits of the Cities Extraterritorial area of 1 1/2 mile. The proposed lot is located in Part of the NE 1/4, NW 1/4, Section 1, T13N, R14E, Town of Trenton, Dodge County, Wisconsin.

The present owner is Greenfield Oaks LLC and the prospective buyer is Craig Slings. The proposed buyer said an original home has been razed and he plans on building a new home on this lot. The site presently contains two sheds. The site is located at W7587 CTH AW. The Dodge County Land Resources and Parks Committee have reviewed the proposed land division and they have placed restrictions with regard to the intended use of the new lot. This committee finds that the proposed use of this lot will not interfere with the City's Extraterritorial Zoning and future land use plan for this area.

Chairman Nickel called for a motion to act on this matter.

Motion by TerBeest, seconded by Matoushek to send a favorable recommendation to the Council on the proposed CSM under the City's Extraterritorial Zoning jurisdiction to create a 1.973 acre lot at W7587 CTH AW and located in part of the NE 1/4, NW 1/4. Section 1, T13N R14E, Town of Trenton, Dodge County, WI

Vote: Daane, TerBeest, Medema, Matoushek, Lueck, and Nickel - "AYE"

Motion carried, unanimously 6/0.

4. Discuss / Recommendation to the Common Council on the petition for annexation of land located at N2706 County Rd M, Waupun.

An annexation petition has been filed with the City by Molly Gilbertson and Sydney Hintz. The petition states the real estate is contiguous to the City of Waupun and is not presently served by any public sewer facilities. The real estate is presently in the Town of Waupun. The petition requests the real estate be annexed to the City of Waupun, be zoned R-1 Single Family Residential, be provided with City sewer services and be placed in the 6th Aldermanic District.

The annexation property is known as Lot 1 of Block 1 of the Plat of Harry H Hoard Hawthorn Park, situated in the SW 1/4, NE 1/4 of Section 33, T14N, R15E, Town of Waupun, Fond du Lac County, Wisconsin. The address is N2706 County Rd M, Waupun, and the tax parcel # is T21-14-15-99-HA-010-00.

City Attorney VandeZande explained the annexation process. He did note that the City received a letter from the State Department of Administration who reviews annexations. They note in their letter that upon their review, it was found the annexation to be against the public interest because annexation of this parcel will create an area of the Town of Waupun, Parcel N2716, will be surrounded by the City of Waupun and isolated from the rest of the Town. This is referred to as a "Town Island" which is prohibited by Wisconsin State Statute 66.0221 (1).

Molly Gilbertson, the property owner and petitioner said her septic system is failing and she wants to hook up the City's sewer. City Attorney VandeZande requests that the Plan Commission provide a favorable

recommendation to the City Council on the Condition that he will be able to find some case law that will authorize this annexation. There were no further comments or questions from the public or the committee so Chairman Nickel asked for a motion to act on this annexation request

Motion by Matoushek, seconded by Nickel to forward a favorable recommendation to the City Council on the annexation petition of Molly Gilbertson to annex Lot 1 of Block 1 of the Plat of Harry H Hoard Hawthorn Park, located in the SW 1/4, NE 1/4 Section 32, T14N R15E, Town of Waupun, Fond du Lac County, Wisconsin to annex said real estate to the City of Waupun. Said real estate to be Zoned R-1 Single Family Residential, said real estate to be provided with public sewer, said real estate to be placed in the 6th Aldermanic District, on the condition that the City Attorney can resolve the Town Island issue with the State Department of Administration.

Vote: Daane, TerBeest, Medema, Matoushek, Lueck, and Nickel - "AYE"
Motion carried, unanimously 6/0

TEMPORARY ADJOURNMENT

The Plan commission will temporarily adjourn to 910 Taft Ln. to view the pool cover for possible update to the municipal code.

Chairman Nickel asked for a Temporary Adjournment to view a pool cover issue at 910 Taft Ln regarding a possible ordinance amendment. Lueck asked if the City Attorney had any legal concerns with a temporary adjournment or if there was a problem with Ex Parte contact with the property owner or any neighbor. Attorney VandeZande said he had no legal concerns with either issue. The committee then left for 910 Taft Ln.

RECONVENE MEETING AT WAUPUN CITY HALL

The committee returned to the Council Chambers at approximately 5:30 pm and reconvened their temporary adjourned meeting.

CONSIDERATION - ACTION

5. Draft Pool Cover Ordinance amendment.

Mike Matoushek questioned the safety of the pool when the owners happen to go inside their home for a minute or two when young children are around. Jeff felt the pool appeared to be safe when the pool was closed with its safety cover. Jerry said he has discussed the pool cover with several people and he has gotten more negative comments than positive.

It takes approximately 30 seconds for the pool cover to cover the pool. The cover itself is a clear plastic type membrane and can hold approximately 475 pounds of weight on top of it.

Chairman asked for a motion to proceed with a possible ordinance amendment to allow a safety pool cover on a pool in lieu of an exterior barrier fence.

Motion by Nickel, seconded by Matoushek to proceed with a Public Hearing to discuss an ordinance amendment that will allow a locking safety cover on a swimming pool in lieu of a barrier fence.

Vote: Daane, TerBeest, Medema, Matoushek, Lueck, Nickel - "AYE"
Motion carried, unanimously 6/0.

ADJOURNMENT

Motion by Medema, seconded by Matoushek to adjourn the meeting. Motion carried, meeting adjourned at 5:44 pm.

Fred Lueck,
Secretary



AGENDA SUMMARY SHEET

MEETING DATE: 10/16/19

TITLE: Notice to Halt Spirit Fields Plat and Rezone Petition

AGENDA SECTION: Considerations - Actions

PRESENTER: Schlieve

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT
Economic Vitality	Cost Savings Estimated at \$150,000 Reduction of long-term infrastructure maintenance costs

The City of Waupun solicited developers through an RFP process for Spirit Fields with the goal of attracting single-family contractors to complete build out of the proposed Spirit Fields plat. The RFP expressly stated that the City reserved right to consider alternative developments for the site. During that process, a developer submitted a proposal for multi-family development on the site. As part of the proposal, the City would no longer be responsible for installation and ongoing maintenance of infrastructure on the site, which would yield an initial cost savings of approximately \$175,000. Longer-term there would be additional cost savings for long-term maintenance needs. The developer’s proposal will result in the addition of single-story, fully accessible, zero-barrier 2 bedroom, 2 bath units on the site that are designed for but not exclusive to senior living. The City Council accepted the proposal from this developer. The City is hereby notifying the Plan Commission that we have notified the State of WI to stop recording of the Spirit Fields plat. The City will maintain the parcel as original proposed Lot 1 of Mayfair Estates. As an aside, City Staff have worked with the Brittain House owner and resolved the parking lot issue on this site to make way for the development. The parking lot will relocate to the west edge of Lot 1 and the City will do a certified survey map to address that move. As a result of this change, the rezone petition for the site will also be halted. The lot will remain as a PCD, which permits multi-family development. A site plan for the multi-family development will appear on a future agenda for Plan Commission review and approval.

STAFF RECOMMENDATION: Information Only

ATTACHMENTS:

Mayfair Estates Map (for reference only)

RECOMMENDED MOTION:

N/A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that at a meeting of the Plan Commission of the City of Waupun, to be held in the Council Chambers in the City Hall of the City of Waupun on Wednesday, the 16th day of October, 2019 at 4:45 o'clock in the P.M. there will be considered an ordinance to amend Chapter 16 of the Municipal Code of the City of Waupun.

ORDINANCE # 19 - ____

AN ORDINANCE TO AMEND CHAPTER SIXTEEN OF THE MUNICIPAL CODE OF THE CITY OF WAUPUN ENTITLED "ZONING ORDINANCE."

THE COMMON COUNCIL OF THE CITY OF WAUPUN ORDAINS:

SECTION 1: Section 16.01(10) of the Municipal Code of the City of Waupun entitled "Zoning Map" is amended to provide as follows: real estate currently owned by the City of Waupun and described as Lots 5 - 9 of the proposed Spirit Fields Plat, being presently zoned R-2 Two Family Residential District, is rezoned to the PCD District.

SECTION 2: All ordinances or portions of ordinances inconsistent with the provisions of this ordinance are repealed. In particular, this ordinance is intended to repeal the provisions of ordinance 19-02.

SECTION 3: This Ordinance shall be in full force and effect on its passage and publication as provided by law.

Enacted this ____ day of _____, 2019.

Julie J. Nickel
Mayor

ATTEST:

Angela Hull
City Clerk

PLEASE TAKE FURTHER NOTICE that the ordinance is on file in the office of the Zoning Administrator in the City Hall of the City of Waupun, Wisconsin and may be inspected during regular business hours.

PLEASE TAKE FURTHER NOTICE that all persons desiring to be heard on the proposed ordinance in support thereof or in opposition thereto, must appear at the said meeting of the Plan Commission of the City of Waupun.

Susan Leahy
Zoning Administrator
City of Waupun
(PUBLISH October 2 and October 9, 2019)

COMMON COUNCIL
CITY OF WAUPUN, WISCONSIN

ORDINANCE NUMBER 19-02

AN ORDINANCE TO AMEND CHAPTER SIXTEEN OF THE MUNICIPAL CODE OF THE CITY OF WAUPUN ENTITLED "ZONING ORDINANCE."

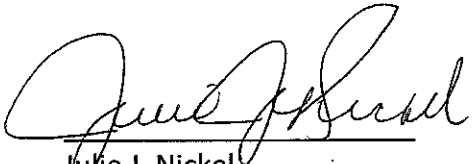
THE COMMON COUNCIL OF THE CITY OF WAUPUN, DO ORDAIN:

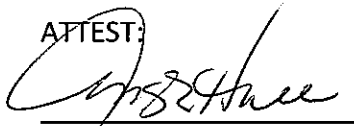
SECTION 1: Section 16.01 (10) of the Municipal Code of the City of Waupun entitled "Zoning Map" is amended so that real estate currently owned by the City of Waupun, and presently zoned in the PCD District is rezoned to the R-2 Two Family Residential District. The real estate to be rezoned is described as follows:

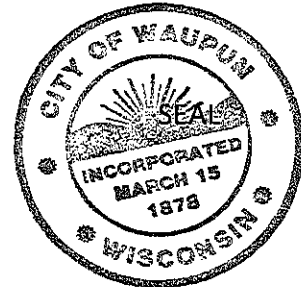
Lots 5-9 of the proposed Spirit Fields Plat

SECTION 2: This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

Enacted this 11th day of June, 2019.


Julie J. Nickel
Mayor

ATTEST:

Angela J. Hull
City Clerk



MAYFAIR ESTATES

LANDS BEING LOT 1 OF CERTIFIED SURVEY MAP NO. 6812 AS RECORDED IN VOLUME 46 OF CERTIFIED SURVEYS ON PAGES 201-204 IN THE DODGE COUNTY REGISTER OF DEEDS OFFICE AND BEING PART OF THE SW.1/4 OF THE SW.1/4 AND PART OF THE SE.1/4 OF THE SW.1/4 OF SECTION 4, T.13N., R.15E., CITY OF WAUPUN, DODGE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, Michael J. Laue, Professional Land Surveyor of the State of Wisconsin do hereby certify that by order of the City of Waupun (owner), I have made a resurvey of Lot 1 of Certified Survey Map No. 6812 as recorded in Volume 46 of Certified Surveys on Pages 201-204 in the Dodge County Register of Deeds Office and being part of the SW.1/4 of the SW.1/4 and part of the SE.1/4 of the SW.1/4 of Section 4, T.13N., R.15E., City of Waupun, Dodge County, Wisconsin

Said parcel contains 537,817 sq.ft. / 12.346 acres more or less, and dedicating for street purposes 97,390 sq.ft. / 2.234 acres more or less.

Bearings referenced to the West line of the SW.1/4 of Section 4-13-15 which bears N.00°46'46"W.

I further certify that this map is a correct representation of all of the exterior boundaries of the land surveyed and the division of that land; that I have complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the City of Waupun Subdivision Control Ordinance in surveying and mapping the same to the best of my knowledge and belief.

Michael J. Laue, S-1435

Dated: _____ day of _____, 20____

CITY COUNCIL RESOLUTION:

Resolved, that Mayfair Estates, in the City of Waupun, Dodge County Wisconsin, City of Waupun, owner, is hereby approved by the City Council.

Kyle Clark, Mayor Date

I hereby certify that the foregoing is a true copy of a resolution duly adopted by the City Council of the City of Waupun, Dodge County, Wisconsin,

on the _____ day of _____

Angela Hull, City Clerk

- PLAN COMMISSION CERTIFICATE -

STATE OF WISCONSIN)
DODGE COUNTY) SS

Approved this _____ day of _____

City of Waupun Plan Commission

Chairman

- OWNER'S CERTIFICATE OF DEDICATION -

As Owner(s), I (we) hereby certify that I (we) caused the land described on this PLAT to be surveyed, mapped and dedicated as represented on this PLAT. I (we) also certify that this PLAT is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

- (1) Department of Administration - Plat Review
- (2) Department of Transportation
- (3) City of Waupun, Dodge County, Wisconsin
- (4) Dodge County Planning & Development Department

WITNESS the hand and seal of said owners this _____ day of _____
In the presence of:

OWNER(S) _____
City of Waupun Mayor/ Kyle Clark

City of Waupun Clerk/ Angie Hull

STATE OF WISCONSIN)
DODGE COUNTY) SS

Personally came before me this _____ day of _____, 20____, the above named, to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

My commission expires by: _____
Notary Public

- CERTIFICATE OF TREASURERS -

STATE OF WISCONSIN)
DODGE COUNTY) SS

We, _____, duly appointed, qualified and acting City Treasurer of the City of Waupun, and _____, the duly elected, qualified and acting Treasurer of County of Dodge, do hereby certify that in accordance with the records in our respective offices there are no unpaid taxes, unpaid special assessments, or unredeemed tax sales as of _____ on any of the land included in this plat.

Date _____ City Treasurer

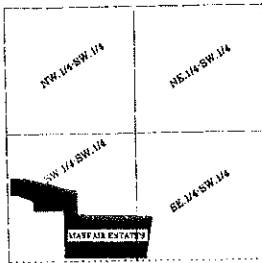
Date _____ County Treasurer

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.
Certified _____ 6th 20 16
Department of Administration

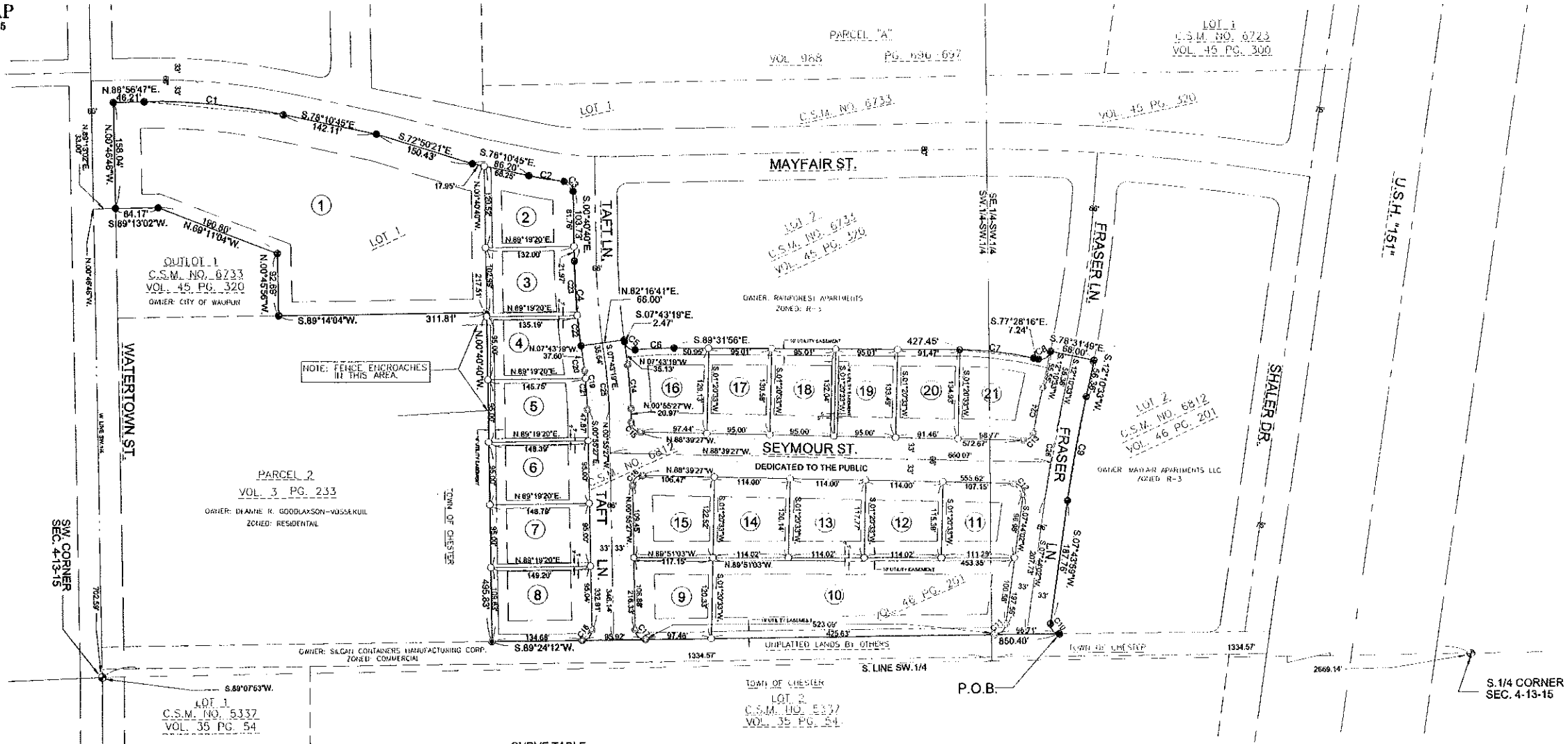


MAYFAIR ESTATES

LANDS BEING LOT 1 OF CERTIFIED SURVEY MAP NO. 6812 AS RECORDED IN VOLUME 46 OF CERTIFIED SURVEYS ON PAGES 201-204 IN THE DODGE COUNTY REGISTER OF DEEDS OFFICE AND BEING PART OF THE SW.1/4 OF THE SW.1/4 AND PART OF THE SE.1/4 OF THE SW.1/4 OF SECTION 4, T.13N., R.15E., CITY OF WAUPUN, DODGE COUNTY, WISCONSIN.



LOCATION MAP
SW.1/4, SECTION 4-13-15
SCALE: 1" = 1000'



CURVE TABLE:

Curve	Delta Angle	Chord Bearing	Radius	Arc Length	Chord Length	Tangent Bearings
C1	12°52'28"	S 84°36'59" E	834.00	209.87	209.43	N 88°58'47"E. - S 78°10'45"E.
C2	05°14'31"	S 80°48'00" E	580.00	53.08	63.05	S 78°10'45"E. - S 83°19'23"E.
C3	82°44'38"	S 42°02'58" E	15.00	21.60	19.83	S 83°19'23"E. - S 00°40'40"E.
C4	07°02'39"	S 04°11'59" E	1033.00	127.00	128.02	S 00°40'40"E. - N 07°43'19"W.
C5	88°02'35"	S 51°44'36" E	15.00	23.05	20.85	S 07°43'19"E. - N 84°20'00"E.
C6	06°13'58"	N 87°21'05" E	633.00	57.88	57.95	N 84°20'00"E. - S 89°31'56"E.
C7	12°03'40"	S 83°30'06" E	533.00	112.20	111.99	S 89°31'56"E. - S 77°28'16"E.
C8	91°03'33"	N 58°59'57" E	15.00	23.84	21.41	S 77°28'16"E. - N 11°33'52"E.
CR	04°40'48"	S 10°11'20" W	1907.00	160.82	160.82	S 12°10'33"W. - S 07°43'59"W.
C10	98°19'48"	S 41°25'55" E	12.98	22.25	10.82	S 07°43'59"W. - N 89°24'12"E.
C11	81°40'10"	N 48°34'07" E	17.38	24.74	22.70	S 07°43'59"W. - S 89°24'12"W.
C12	98°30'23"	N 40°24'15" W	15.00	25.27	22.38	N 07°43'59"E. - N 88°39'27"W.
C13	80°17'48"	N 51°11'40" E	15.00	21.02	19.34	S 01°20'33"W. - S 88°39'27"E.
C14	06°47'52"	S 04°19'23" E	688.00	67.15	67.11	S 07°43'19"E. - S 00°55'27"E.
C15	87°44'00"	S 44°47'27" E	15.00	22.97	20.70	S 00°55'27"E. - N 89°39'27"W.
C16	92°16'00"	S 45°12'33" W	15.00	24.16	21.63	N 89°39'27"W. - S 00°55'27"E.
C17	88°40'22"	S 45°46'30" E	15.00	23.48	21.15	S 00°55'27"E. - S 89°24'12"W.
C18	90°19'38"	S 44°14'22" W	14.81	23.51	21.15	S 00°55'27"E. - S 89°24'12"W.
C19	06°47'52"	N 04°19'23" W	500.00	60.33	50.30	N 00°55'27"W. - N 07°43'19"W.
C20	01°23'15"	N 07°01'41" W	500.00	12.11	12.11	
C21	05°24'37"	N 03°37'45" E	500.00	47.21	47.19	
C22	02°32'42"	S 09°26'58" E	1033.00	45.88	45.88	
C23	04°28'57"	N 02°55'38" E	1033.00	81.11	81.09	
C24	01°57'59"	N 11°32'24" E	2033.00	69.77	69.77	S 12°10'33"W. - N 07°43'59"E.
C25	06°47'52"	S 04°19'23" E	688.00	67.15	67.11	S 07°43'19"E. - N 00°55'27"W.
C26	04°40'48"	S 10°11'23" W	200.00	183.36	183.26	S 12°10'33"W. - N 07°44'02"E.

AREA TABLE:

LOT	SQUARE FEET	ACRES
1	126,147.4	2.8732
2	14,025.6	0.3222
3	13,681.4	0.3142
4	13,317.2	0.3062
5	14,042.2	0.3222
6	14,116.2	0.3242
7	14,153.2	0.3252
8	16,380.2	0.3762
9	13,842.2	0.3182
10	52,418.2	1.2042
11	13,363.2	0.3072
12	13,289.2	0.3052
13	13,561.2	0.3112
14	13,831.2	0.3182
15	14,749.2	0.3392
16	14,778.2	0.3392
17	12,336.2	0.2832
18	12,474.2	0.2892
19	12,812.2	0.2992
20	12,271.2	0.2822
21	16,042.2	0.3682
TOTAL LOT AREA	440,427.4	10.1122
AREA OF DEDICATION	97,390.4	2.2342
TOTAL AREA	537,817.4	12.3462

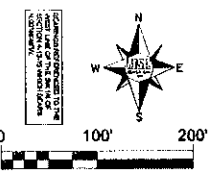
SETBACK REQUIREMENTS
(AS PER CURRENT ZONING CODE)

LOTS 2 - 21	LOT 1
FRONT = 30'	40'
REAR = 25'	20'
SIDE = 6'	20'

ZONING:

LOT 1 = P.C.D. / COMMUNITY DEVELOPMENT

LOTS 2-21 = R-2 / TWO FAMILY RESIDENTIAL DISTRICT



LEGEND

- FD, B.C.A.M.
- FD, 1" IRON PIPE
- FD, 3/4" IRON REBAR
- SET 1-1/4" (O.D.) BY 18" IRON ROD-3.66 LBS./FT.
- SET 3/4" (O.D.) BY 18" IRON ROD-1.50 LBS./FT.
- AREA DEDICATED TO THE PUBLIC

There are no objections to this plat with respect to Secs 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats as provided by s. 236.12, Wis Stats.

Certified *[Signature]* 20.11.11
[Signature]
 Department of Administration

MSA TRANSPORTATION • MUNICIPAL DEVELOPMENT • ENVIRONMENTAL

201 Corporate Dr. • Waupun, WI 53186
 920.867.4212 • 1.800.562.8330 • Fax: 920.867.4250
 WISCONSIN PROFESSIONAL ENGINEERS

SHEET 1 OF 2
 PROJECT NO.: R 00212048.0
 REVISION: 12/18/2015

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that at a meeting of the Plan Commission of the City of Waupun, to be held in the Council Chambers in the City Hall of the City of Waupun on Wednesday, the 16th day of October, 2019 at 4:45 o'clock in the P.M. there will be considered an ordinance to amend Chapter 16 of the Municipal Code of the City of Waupun.

ORDINANCE # 19 - ____

AN ORDINANCE TO AMEND CHAPTER NINE OF THE MUNICIPAL CODE OF THE CITY OF WAUPUN ENTITLED "PUBLIC NUISANCES" AND CHAPTER SIXTEEN ENTITLED "ZONING CODE"

THE COMMON COUNCIL OF THE CITY OF WAUPUN ORDAINS:

SECTION 1: Section 9.02(4)(i) of the Municipal Code of the City of Waupun entitled "Public Nuisances Affecting Peace and Safety" is repealed and recreated to provide as follows:

- (i) Any pool containing more than 12 inches of water and having sides of more than 18 inches which does not also have a barrier side or fence surrounding the pool with a minimum height of 48 inches above ground level, or a pool cover in full compliance with Section 16.01(11)(g) of this Municipal Code.

SECTION 2: Section 16.01(11)(g) of the Municipal Code of the City of Waupun entitled "Zoning Code – Swimming Pools" is repealed and recreated to provide as follows:

- (g) **Swimming Pools.** Swimming pools shall be considered an accessory use and shall observe all side yard and rear yard setbacks as required by this Ordinance. All swimming pools with more than 12 inches of water and sides of more than 18 inches shall be fully enclosed by barrier sides or fencing or, in the alternative, shall be fully covered when not in immediate use by a pool safety cover, subject to the following specifications. Swimming pool barrier sides or fencing shall fully surround the pool with a minimum height of 48 inches above ground level, constructed as not to have voids, holes or openings larger than 4 inches in one dimension, and all gates or doors shall be constructed so as to be capable of being locked, and shall be closed and secured so as to prevent unlatching by persons outside the pool at all times when the pool is not in actual use. Swimming pool safety covers shall meet the standards of ASTM F1346-91(2018), Standard Performance Specification for Safety Covers and Labeling 14-12 Requirements for All Covers for Swimming Pools, Spas and Hot Tubs, ASTM International. Anyone wishing to install a swimming pool must submit a plan or sketch of the installation to the Building Inspector and obtain the appropriate permit(s) prior to proceeding with the installation.

SECTION 3: All ordinances or portions of ordinances inconsistent with the provisions of this ordinance are repealed.

SECTION 4: This Ordinance shall be in full force and effect on its passage and publication as provided by law.

Enacted this day of, 2019.

Julie J. Nickel
Mayor

ATTEST:
Angie Hull
City Clerk

PLEASE TAKE FURTHER NOTICE that the ordinance is on file in the office of the Zoning Administrator in the City Hall of the City of Waupun, Wisconsin and may be inspected during regular business hours.

PLEASE TAKE FURTHER NOTICE that all persons desiring to be heard on the proposed ordinance in support thereof or in opposition thereto, must appear at the said meeting of the Plan Commission of the City of Waupun.

Susan Leahy
Zoning Administrator
City of Waupun
(PUBLISH October 2 and October 9, 2019)



Fond du Lac County

PLANNING/PARKS DEPARTMENT
(920) 929-3135
FAX (920) 929-7655

City/County Government Center
160 South Macy Street, Fond du Lac, WI 54935

10/8/2019

Angie Hull
City of Waupun Clerk
201 E. Main St.
Waupun, WI 53963

Re: CSM/HULL LIFE ESTATE

Dear Ms. Hull:

In accordance with the Fond du Lac County Subdivision Ordinance and Section 236 of Wisconsin Statutes, a **copy** of the (certified survey) plat is hereby submitted to the City of Waupun for your initial review.

<input checked="" type="checkbox"/> TOWN OF WAUPUN	<input type="checkbox"/> HIGHWAY DEPARTMENT
<input checked="" type="checkbox"/> COUNTY PLANNING DEPARTMENT	<input type="checkbox"/> STATE HIGHWAY DEPARTMENT
<input checked="" type="checkbox"/> CITY OF WAUPUN	<input type="checkbox"/>

Upon County Planning Department receiving the original certified survey map back from the Town, we will then forward it to you for your approval or objection. Please return it to us as soon as possible. If you object to the CSM, notify this department immediately. If you approve the plat, have the certification signed.

Sincerely,

Sam Tobias
Planning & Parks Director

ST:kg
enc.

cc: Town Clerk



N3756 Hickory Road | Fond du Lac, WI 54937 | (920) 517-1683 | www.compass-surveying.com

October 4, 2019

Sam Tobias
County Planner
City-County Building
160 South Macy Street
Fond du Lac, WI 54935

Re: Edwin & Alene Hull Life Estate CSM.
Project # 190075

Dear Mr. Tobias:

We are sending you the original Certified Survey for the Edwin & Alene Hull Life Estate, and four copies of the same.

Enclosed is a check in the amount of \$135.00 to cover the Fond du Lac County review fee.

As per the requirements of Fond du Lac County and the Fond du Lac County Subdivision Ordinance, Section 2.3, "Letter of Intent," the following information is provided for your use:

1. Owner: Edwin & Alene Hull Life Estate
2. Buyer: Lot 1 (To be determined)
Outlot 1 (To be retained by Edwin & Alene Hull Life Estate)
Outlot 2 (To be retained by Edwin & Alene Hull Life Estate)
3. Surveyor: Jeffrey S. Butzke
4. Present land use: Farmland Preservation
(Property is currently zoned Farmland Preservation District / No Rezoning will be necessary prior to the approval of this CSM as Lot1 is the original Farm Residence of this Base Farm Tract. The use for both Outlot 1 and 2 shall remain as A-1 Farmland Preservation.)
5. Proposed land use: Same
6. Soil tests will not need to be performed for Lot 1 of this CSM as an existing POTWS is in place on this lot. **NO** soil tests shall be submitted to the Fond du Lac County Code Enforcement Office prior to the final approval of this Certified Survey Map.

After County approval and signatures, please forward the originals back to our office.

Sincerely,

Compass Surveying, LLC

Jeffrey S. Butzke, P.L.S.

cc: Edwin & Alene Hull Life Estate



CERTIFIED SURVEY MAP

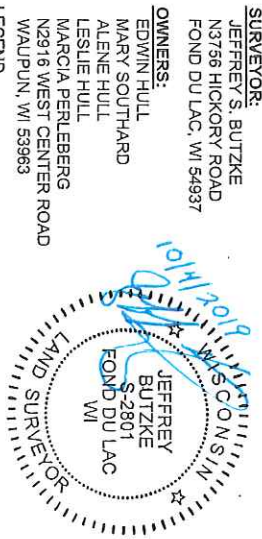
FOR EDWIN & ALENE A. HULL LIFE ESTATE,

and MARY A. SOUTHARD, LESLIE D. HULL & MARCIA K. PERLEBERG as Joint Tenants

A REDIVISION OF LOT 1, CSW # 488, VOL. 4, PG. 88 AND A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 28 AND A PART OF THE SOUTHEAST 1/84 OF THE SOUTHWEST 1/4, SECTION 29, T. 14 N.-R. 15 E., TOWN OF WAUPUN, FOND DU LAC COUNTY, WISCONSIN.

A PART OF TAX PARCEL NUMBERS:

T21-14-15-28-11-001-00, T21-14-15-28-002-00,
T21-14-15-28-12-003-00, T 21-14-15-28-004-00 &
T21-14-15-28-016-006-00



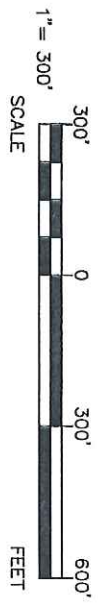
SURVEYOR:
JEFFREY S. BUTZKE
N3756 HICKORY ROAD
FOND DU LAC, WI 54937

OWNERS:
EDWIN HULL
MARY SOUTHARD
ALENE HULL
LESLIE HULL
MARCIA PERLEBERG
N2918 WEST CENTER ROAD
WAUPUN, WI 53963

LEGEND

- - 3/4" x 18" REBAR SET WEIGHING 1.50 LBS./FT.
- ▲ - 1" IRON PIPE FOUND.
- - RAILROAD SPIKE FOUND.
- ⊕ - CAST ALUMINUM MONUMENT FOUND.

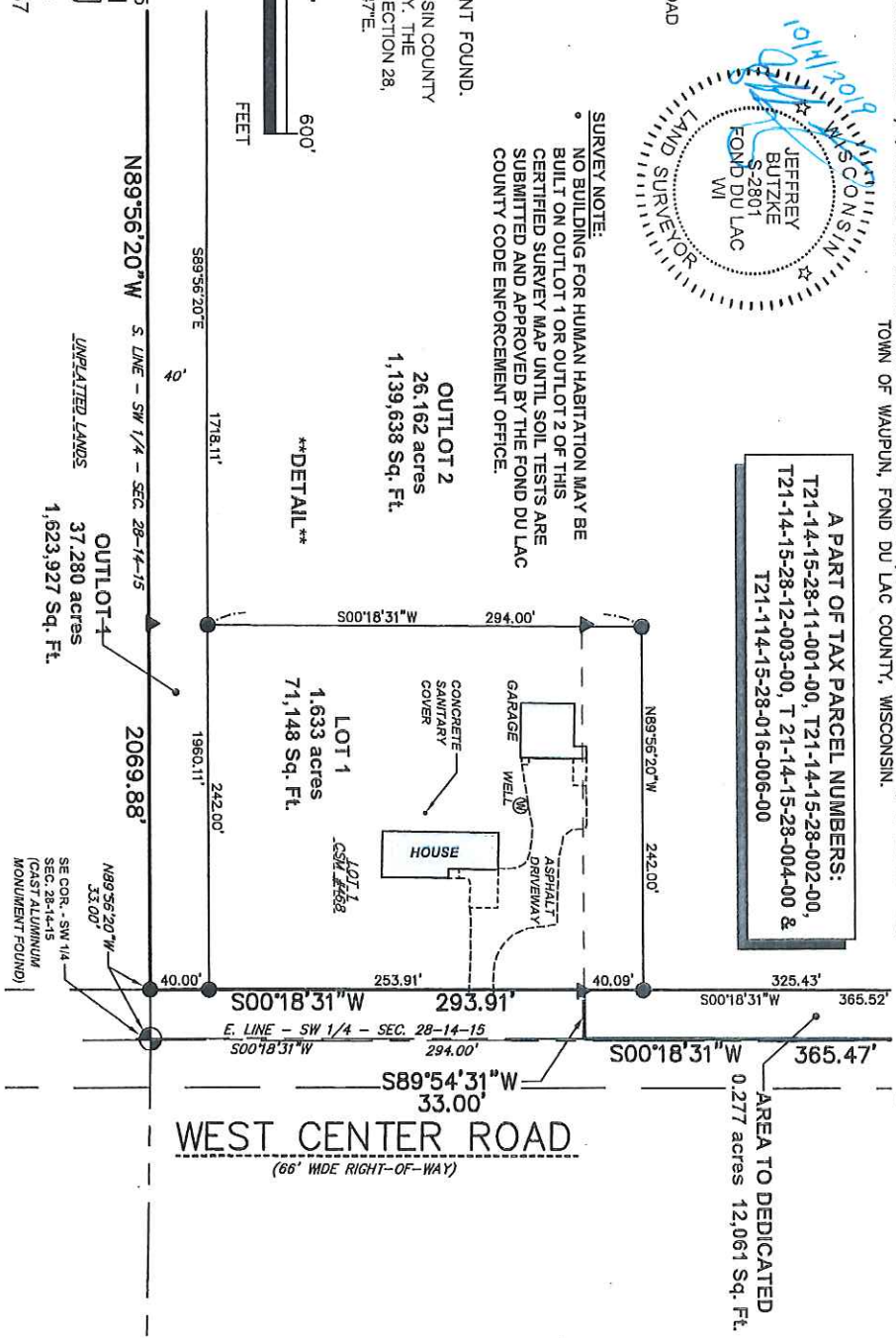
NORTH POINT REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, FOND DU LAC COUNTY. THE WEST LINE OF THE SOUTHWEST QUARTER, SECTION 28, T. 14 N.-R. 15 E., HAS A BEARING OF N00°58'47"E.



SURVEY NOTE:
NO BUILDING FOR HUMAN HABITATION MAY BE BUILT ON OUTLOT 1 OR OUTLOT 2 OF THIS CERTIFIED SURVEY MAP UNTIL SOIL TESTS ARE SUBMITTED AND APPROVED BY THE FOND DU LAC COUNTY CODE ENFORCEMENT OFFICE.

OUTLOT 2
26.162 acres
1,139,638 Sq. Ft.

DETAIL



PROJECT NO. 190075
N3756 Hickory Road | Fond du Lac, WI 54937

CERTIFIED SURVEY MAP

A RE-DIVISION OF LOT 1, CERTIFIED SURVEY MAP NO. 468, VOLUME 4, PAGE 68 AND A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 28 AND A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 29, T. 14 N.-R. 15 E., TOWN OF WAUPUN, FOND DU LAC COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Jeffrey S. Butzke, Professional Land Surveyor, hereby certify:

That I have surveyed, divided, mapped and dedicated a parcel of land described below.

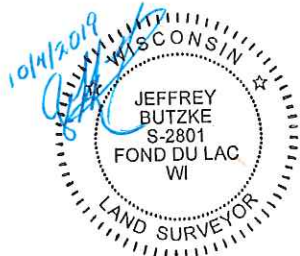
That I have made such Certified Survey Map under the direction of Mary A. Southard, Authorized Representative of the Life Estate of Edwin and Alene Hull of a parcel of land being bounded and described as follows:

A Re-Division of Lot 1, Certified Survey Map No. 468, recorded in Volume 4, Page 68, Certified Survey Maps, Fond du Lac County Register of Deeds Office as Document No. 269673, being a part of the Southeast 1/4 of the Southwest 1/4 and a part of the Southwest 1/4 of the Southwest 1/4, Section 28 and a part of the Southeast 1/4 of the Southeast 1/4, Section 29, T. 14 N.-R. 15 E., Town of Waupun, Fond du Lac County, Wisconsin, and being more particularly described as follows:

Commencing at the Southwest corner of the Southwest 1/4, said Section 28; thence North 00°-58'-47" East along the West line of the Southwest 1/4, said Section 28, 100.01 feet to the **point of beginning**; thence North 89°-55'-31" West along a line that is 100.00 feet Northerly of and parallel with the South line of the Southeast 1/4, said Section 29, 597.65 feet; thence North 00°-45'-53" East along a line that is 55.00 feet Easterly of and parallel with the West line of the East 1/2 of the Southeast 1/4, said Section 29, 1212.59 feet; thence North 89°-54'-32" East along the North line of the South 1/2 of the Southeast 1/4, said Section 29, 603.82 feet; thence North 89°-57'-36" East along the North line of the South 1/2 of the Southwest 1/4, said Section 28, 660.65 feet; thence South 00°-48'-42" West along the East line of the West 1/2 of the West 1/2, said Section 28, 657.76 feet; thence South 89°-59'-21" East along the North line of the South 1/2 of the South 1/2 of the Southwest 1/4, said Section 28, 1987.70 feet to a point on the East line of the Southwest 1/4, said Section 28; thence South 00°-18'-31" West along the East line of the Southwest 1/4, said Section 28, 365.47 feet; thence South 89°-54'-31" West, 33.00 feet to a point on the West right-of-way line of West Center Road; thence South 00°-18'-31" West along said West right-of-way line, 293.91 feet to a point on the South line of the Southwest 1/4, said Section 28; thence North 89°-56'-20" West along the South line of the Southwest 1/4, said Section 28, 2069.88 feet; thence North 00°-58'-47" East, 100.01 feet; thence North 89°-56'-20" West along a line that is 100.00 feet Northerly of and parallel with the South line of the Southwest 1/4, said Section 28, 556.66 feet to the point of beginning and containing 65.353 acres (2,846.774 Sq. Ft.) of land more or less and being subject to all easements and restrictions of record.

That such is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the Subdivision Ordinance of the Town of Waupun, City of Waupun and Fond du Lac County in surveying, dividing, mapping and dedicating the same.




Jeffrey S. Butzke, P.L.S. No. S-2801

Compass Surveying, LLC
Fond du Lac, Wisconsin 54935

Project Number: 190075

CERTIFIED SURVEY MAP # _____

VOLUME _____

PAGE _____

SHEET 3 OF 6 SHEETS

CERTIFIED SURVEY MAP

A RE-DIVISION OF LOT 1, CERTIFIED SURVEY MAP NO. 468, VOLUME 4, PAGE 68 AND A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 28 AND A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 29, T. 14 N.-R. 15 E., TOWN OF WAUPUN, FOND DU LAC COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

As the Authorized Representative of the Edwin & Alene Hull Life Estate, I hereby certify that I caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. I also certify that this plat is required by s. 236.10 or s. 236.12 to be submitted to the following for approval or objection:

- 1. Town of Waupun
- 2. City of Waupun
- 3. Fond du Lac County Planning & Development Department

WITNESS the hand and seal of said owner this _____ day of _____, 2019.

IN PRESENCE OF:

Mary A. Southard
(Authorized Representative of the Edwin & Alene Hull Life Estate)

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2019, the above named Mary A. Southard to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, _____ County, WI
My Commission Expires: _____



CERTIFIED SURVEY MAP # _____

VOLUME _____

PAGE _____

SHEET 4 OF 6 SHEETS

CERTIFIED SURVEY MAP

A RE-DIVISION OF LOT 1, CERTIFIED SURVEY MAP NO. 468, VOLUME 4, PAGE 68 AND A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 28 AND A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 29, T. 14 N.-R. 15 E., TOWN OF WAUPUN, FOND DU LAC COUNTY, WISCONSIN.

CITY OF WAUPUN PLAN COMMISSION CERTIFICATE

STATE OF WISCONSIN)
DODGE COUNTY) SS

Upon review by the Plan Commission of the City of Waupun, this Certified Survey Map and the resulting lots conform to the current Zoning Ordinance of the City of Waupun.

It is hereby recommended by the City of Waupun Plan Commission that this Certified Survey Map along with the resulting lots are approved by the Common Council of the City of Waupun, Dodge County.

Julie Nickel, Plan Commission Chairman

Date

CITY OF WAUPUN COMMON COUNCIL CERTIFICATE

STATE OF WISCONSIN)
DODGE COUNTY) SS

This Certified Survey Map along with the resulting lot is hereby approved by the Common Council of the City of Waupun, Dodge County this ___ day of _____, 2019.

Julie Nickel, Mayor

Angela Hull, City Clerk

CERTIFIED SURVEY MAP # _____

VOLUME _____

PAGE _____

SHEET 5 OF 6 SHEETS



CERTIFIED SURVEY MAP

A RE-DIVISION OF LOT 1, CERTIFIED SURVEY MAP NO. 468, VOLUME 4, PAGE 68 AND A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 28 AND A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 29, T. 14 N.-R. 15 E., TOWN OF WAUPUN, FOND DU LAC COUNTY, WISCONSIN.

TOWN OF WAUPUN TOWN BOARD CERTIFICATE

STATE OF WISCONSIN)
FOND DU LAC COUNTY) SS

This Certified Survey Map along with the resulting lot has been approved in accordance with the town zoning ordinance and those lands shown as "dedicated to the public" are hereby accepted by the Town Board of the Town of Waupun this _____ day of _____, 2019.

Randy Vande Slunt, Chairperson

Susan Alsum, Clerk

FOND DU LAC COUNTY PLANNING CERTIFICATE

STATE OF WISCONSIN)
FOND DU LAC COUNTY) SS

Approved in accordance with Section 236.12, Wisconsin Statutes this _____ day of _____, 2019.

Director of Planning

CERTIFIED SURVEY MAP # _____

VOLUME _____

PAGE _____

SHEET 6 OF 6 SHEETS

