



**A G E N D A**  
**CITY OF WAUPUN PLAN COMMISSION MEETING**  
**VIRTUAL AND TELECONFERENCE**  
**Wednesday, December 16, 2020 at 4:45 PM**

**VIDEO CONFERENCE AND TELECONFERENCE**

The Waupun Plan Commission will meet virtually at 4:45 pm on December 16, 2020 via Zoom. The Public may access the conference meeting online or by phone. Instructions to join the meeting are provided below.

To Join Zoom Meeting

<https://us02web.zoom.us/j/84136646745?pwd=N3ZjWmZHVzY2RC9lWnN2UUZTNDRVUz09>

Meeting ID: 841 3664 6745

Passcode: 592366

Phone: +1 312 626 6799 US (Chicago)

**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 minutes of the November 18, 2020 meeting.
- [2.](#) Review CSM of Waupun West Realty JIG, LLC for Part of Lots 1, 2, 3, 4, 5, 7, 8, 9, 10 & all of Lots 12 & 13, Block 2, Harris Park Subdivision.
3. Discuss property compliance issues at 124 E Main St.

**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**  
**CITY OF WAUPUN PLAN COMMISSION MEETING**  
**201 E Main St**  
**Wednesday, November 18, 2020 at 4:45 PM**

**CALL TO ORDER**

The Waupun Plan Commission met vitrually at 4:45 pm via Zoom.

**ROLL CALL**

Member Present: Julie Nickel, Fred Lueck, Jerry Medema, Jill Vanderkin, Elton TerBeest, and Mike Matoushek

Member Excused: Jeff Daane

Staff Present: Sarah VanBuren, Kathy Schlieve (by phone), and Sue Leahy

**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 meeting of the Plan Commission will be Wednesday, December 16, 2020 at 4:45 pm.

**CONSIDERATION - ACTION**

1. Approve minutes of the October 21, 2020 Meeting.  
Motion by Matoushek, seconded by Medema to approve the minutes of the October 21, 2020 Plan Commission meeting as presented. Motion carried, unanimously.
2. Public Hearing - Rezoning Petition of David Garcia to rezone property at 118 Commercial St. from the R-4 Central Area Single Family Residential District to the M-1 Closed Storage/Light Manufacturing District.

Chairman Nickel read the call of the hearing and its purpose. Kathy Schlieve, City Administrator called in by phone and said the rezoning would be OK as there is similar zoning on the feed mill across the street and would not be considered spot zoning. Lueck questioned if the rezoning will be in accordance with the City's new Land Use Map. If not, the plan will probably have to be revised. Kathy believes the zoning will not be in accordance with the new land use map so that will have to be amended. City Zoning Administrator Sue Leahy said she had not checked that out. Kathy feels the new use will be consistent with the adjacent uses and not spot zoning. There is a parking lot to the west, a feed mill to the east, and Flexographic Packaging Co to the north.

David Garcia called in by phone and said he has a small tree trimming business and he intends to take the home down as it is falling down and full of mold. He wants to build a 40' x 60' storage structure for his equipment and also use it for minor maintenance.

Chairman Nickel said Jeff Riel, a neighbor that has rental property in the area and is opposed as he believes this use will lower his property value. TerBeest feels the existing home is nothing but junk and the City should put something new there. Rick Fletcher, a neighbor about 150' to the south called in and indicated he was in favor of this new proposal for the property.

No further facts were presented for or against this rezoning petition, so Chairman Nickel declared the hearing closed and asked for a motion to act on this rezoning request.

Motion by Matoushek, seconded by Vanderkin to provide a favorable recommendation to the City Council on the request of David Garcia to rezone property at 118 Commercial St. from the R-4 Central Area Single Family Residential District to an M-1 Closed Storage/Light Manufacturing Zoning District.

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

Motion carried, unanimously - 6/0.

3. Public Hearing - Conditional Use Permit Application of Darrell Stibb at 707 and 709 Brandon 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. The applicant did not appear at the Public Hearing. Sue Leahy, City Zoning Administrator indicated the home is presently a duplex and is for sale. The owner will apparently live on one side of the structure and possibly a relative on the other side. The home may be 15-20 years old according to TerBeest. Sue noted the home is not centered on the lot so she is not sure if both proposed units will have the minimum 4,000 sq. ft. for each individual lot as required by the ordinance. Sue also noted that a CSM and recorded covenants will be forthcoming. There is a common wall for the zero lot line.

No further facts were presented for committee review, so Chairman Nickel declared the hearing closed and called for a motion to act on this request.

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 as we find the proposed split two family (Zero Lot Line) dwelling will not be detrimental to the adjacent lands in this area, we also find this use will be an appropriate use for the area that will not create traffic hazards, it will not hinder future development in the area, will not create undesirable levels of noise or light in the immediate area or cause property values to measurably decline.

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

Lueck - "NAY"

Motion carried 5/1

4. Public Hearing - Rezoning Petition from the City of Waupun to rezone property described as A resurvey of Lots 1 & 2 and Outlot 1 of CSM #7278.

Chairman Nickel read the call of the hearing and its purpose. Kathy Schlieve, City Administrator, noted the property (the old Washington School property) is presently zoned in a B-4 Interchange Business District, which is now proposed to be rezoned to an R-3 Multi-Family Residential District. This area was planned for small businesses or a small box store, however the economy has changed and retail businesses are having a hard time, so she has had to re-evaluate the land use for this area. There are other multifamily units in the area and most are full. A contractor is proposing a senior friendly housing complex for the property and therefore the need to rezone the lot. Sue said the builders are promoting this project as senior friendly and they will cater to the elderly.

Lueck said he is concerned with all the multifamily units going up in the City. He doesn't want the City to become like Beaver Dam as they have very little area for single family homes so just about everything going up there is multifamily and that has been causing a big problem for that City. Many of the units are cheaply built and they are pulling in a lot of low income people from the Madison & Milwaukee areas resulting in many problems for the Police and Fire Departments, EMS, Hospital, welfare, food pantry and other health services. He does not want to see that happen in Waupun. The only good thing about it is the structure adds to the tax base but the influx of new people to the City very seldom brings in new jobs. Contractors working on these units and their owners are usually from out of town and then they leave when the project is complete.

Kathy noted these 28 units are not income restrictive. They are market rate apartments. The units will be single story. Lueck questioned if the rezoning is in accordance with the City's new Land Use Map? Kathy said it is not and that will have to be changed which requires a Public Hearing.

No further facts were presented for or against this proposed rezoning so Chairman Nickel closed the hearing and asked for a motion on this rezoning request of the City.

Motion by Medema, seconded by TerBeest to refer a favorable recommendation to the City Council on the request of the City of Waupun to rezone lands in the NE 1/4, NW 1/4, Sec 4, T13N, R15E, City of Waupun from the B-4 Interchange Business District to the R-3 Multi-Family Residential zoning district to allow a 28-unit apartment complex on said property.

Vote: TerBeest, Matoushek, Vanderkin, Medema, Nickel – “AYE”

Lueck – “NAY”

Motion carried 5/1

5. Certified Survey Map Review - A resurvey of Lots 1 & 2 and Outlot 1 of CSM #7278. (The former Washington School Site)

The purpose of the resurvey is to release a 10' stormwater easement created by CSM #7278.

Motion by Nickel, seconded by Matoushek to recommend to the City Council the approval of said CSM and the release of a 10' wide stormwater easement and located in the fractional NE 1/4, NW 1/4, Section 4, T13N, R15E, City of Waupun, Dodge County, Wisconsin.

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

Motion carried, unanimously 6/0

## **ADJOURNMENT**

Motion by Matoushek, seconded by Medema to adjourn the meeting. Motion carried, meeting adjourned at 5:16 pm.

Fred Lueck  
Secretary

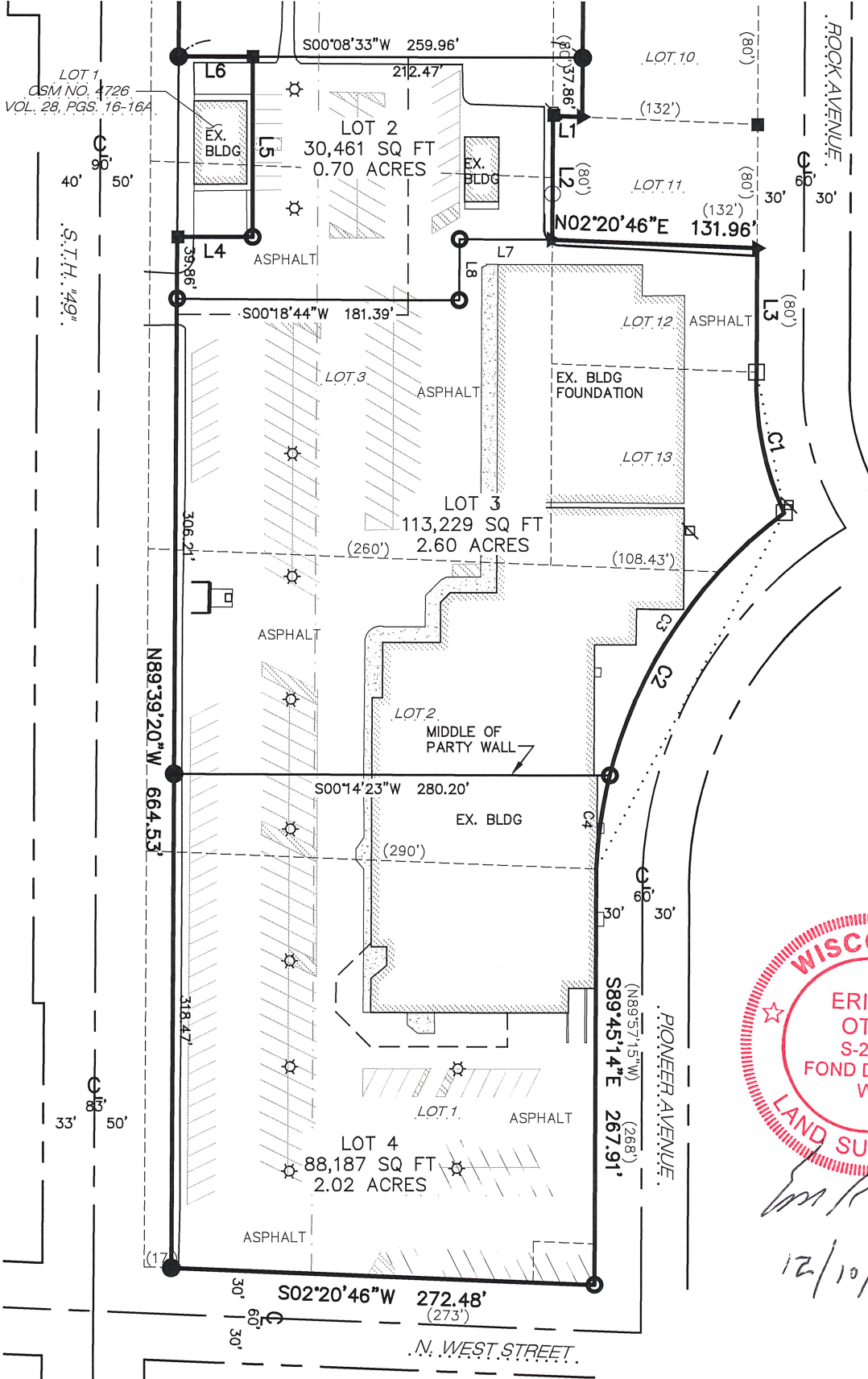




CERTIFIED SURVEY MAP NO. \_\_\_\_\_

FOR  
**WAUPUN WEST REALTY JLG, LLC**

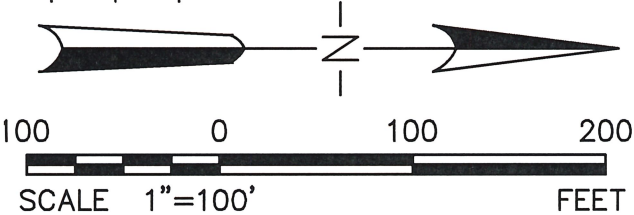
PART OF LOTS 1, 2, 3, 4, 5, 7, 8, 9, 10 & ALL OF LOTS 12  
& 13, BLOCK 2, HARRIS PARK SUBDIVISION  
CITY OF WAUPUN, FOND DU LAC COUNTY, WISCONSIN



Parcel Line Table		
Line #	Direction	Length
L1	S02°20'46"W	18.99'
L2	S89°45'14"E	79.97'
L3	S89°45'14"E	79.97'
L4	N00°08'33"E	48.26'
L5	S89°57'51"W	116.00'
L6	S00°08'33"W	47.49'
L7	S00°18'44"W	59.82'
L8	S89°41'16"E	39.47'



12/10/2020



PROJECT NUMBER: 842.5063  
DATE: DECEMBER 10, 2020

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	93.63'	200.02'	26°49'16"	N78°53'31"E	92.78'
C2	268.37'	302.34'	50°51'33"	S62°11'14"E	259.65'
C3	207.11'	302.34'	39°14'56"	S56°22'55"E	203.08'
C4	61.26'	302.34'	11°36'37"	S81°48'42"E	61.16'



CERTIFIED SURVEY MAP NO. \_\_\_\_\_

PART OF LOTS 1, 2, 3, 4, 5, 7, 8, 9, 10 AND ALL OF LOTS 12 AND 13  
BLOCK 2, HARRIS PARK SUBDIVISION  
CITY OF WAUPUN, FOND DU LAC COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, Eric R. Otte, Professional Land Surveyor, hereby certify:

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

That I have made such Certified Survey by the direction of Michael and Waupun West Realty JIG, LLC, bounded and described as follows:

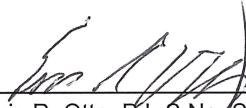
Part of Lots 1, 2, 3, 4, 5, 7, 8, 9, 10 and all of Lots 12 and 13, Block 2, Harris Park Subdivision being part of the Southwest 1/4 of the Southeast 1/4 and part of the Southeast 1/4 of the Southwest 1/4 of Section 31, T. 14 N.-R. 15 E., City of Waupun, Fond du Lac County, Wisconsin and more particularly described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of said Section 31; thence South 89°-59'-02" West along the South line of the Southwest 1/4 of said Section 31, 144.36 feet; thence North 02°-20'-46" East, 49.65 feet to a point on the North right of way line of S.T.H. "49" and to the point of beginning; thence continuing North 02°-20'-46" East, 259.63 feet; thence South 89°-45'-14" East, 324.87 feet to a point on the East line of said Lot 10; thence South 02°-20'-46" West along said East line, 18.99 feet to the Southeast corner of said Lot 10; thence South 89°-45'-14" East along the South line of Lot 11, said Block 2, 79.97 feet to the Southwest corner of said Lot 11; thence North 02°-20'-46" East along the East line of said Lot 11, 131.96 feet to a point on the South right of way line of Rock Avenue; thence South 89°-45'-14" West along said South right of way line, 79.97 feet; thence continuing along said South right of way line on a curve to the left having a radius of 200.02 feet, 93.63 feet along curve to a point which is North 78°-53'-31" East, 92.78 feet from last described point and to a point on the South right of way line of Pioneer Road; thence along said South right of way line on a curve to the left having a radius of 302.34 feet, 268.37 feet along curve to a point which is South 62°-11'-14" East, 259.65 feet from last described point; thence South 89°-45'-14" East along said South right of way line, 267.91 feet to a point on the West right of way line of N. West Street; thence South 02°-20'-46" West along said West right of way line, 272.48 feet to a point on the North right of way line of S.T.H. "49"; thence North 89°-39'-20" West along said North right of way line, 664.53 feet to the Southeast corner of Lot 1, Certified Survey Map No. 4726, recorded in Volume 28, Pages 16-16A, Certified Survey Maps, Fond du Lac County Register of Deeds Office; Thence North 00°-08'-33" East along the East line of said Lot 1, 48.26 feet to the Northeast corner of said Lot 1; thence South 89°-57'-51" West along the North line of said Lot 1, 116.00 feet to the Northwest corner of said Lot 1; thence South 00°-08'-33" West along the West line of said Lot 1, 47.49 feet to a point on the North right of way line of S.T.H. "49"; thence North 89°-39'-20" West along said North right of way line, 297.00 feet to the point of beginning and containing 7.06 acres (307,714 sq. ft.) of land, more or less.

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 City of Waupun in surveying, dividing, and mapping the same.



  
Eric R. Otte, P.L.S No. S-2440  
J.E. Arthur and Associates, Inc.  
Fond du Lac, Wisconsin 54935

Dated this 10TH day of  
DECEMBER, 2020  
Project No. 842.5063  
Field Notes: Volume 143, Page

D. T. Hitsman, Field Asst.

CITY OF WAUPUN APPROVAL CERTIFICATE

Approved in accordance with the Subdivision Ordinance of the City of Waupun this

\_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Julie Nickel, Mayor

CERTIFIED SURVEY MAP # \_\_\_\_\_

VOLUME \_\_\_\_\_

PAGE \_\_\_\_\_

SHEET 3 OF 4 SHEETS

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

PART OF LOTS 1, 2, 3, 4, 5, 7, 8, 9, 10 & ALL OF LOTS 12  
& 13, BLOCK 2, HARRIS PARK SUBDIVISION  
CITY OF WAUPUN, FOND DU LAC COUNTY, WISCONSIN

**CONSENT OF CORPORATE MORTGAGEE**

Sterling Federal Bank ISAOA, a corporation duly organized and existing under and by virtue of the laws of the State of Illinois, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this certified survey, and does hereby consent to the above certificate of Waupun West Realty JJG, LLC.

In witness whereof, said Sterling Bank ISAOA has caused these presents to be signed

\_\_\_\_\_  
(Print Name) \_\_\_\_\_ (Title)

and countersigned by

\_\_\_\_\_  
(Print Name) \_\_\_\_\_ (Title)

at Sterling, Illinois, and its corporate seal to be hereunto affixed on this

\_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

***Sterling Federal Bank ISAOA***

\_\_\_\_\_  
Signature

COUNTERSIGNED:

\_\_\_\_\_  
Signature

STATE OF ILLINOIS)  
COUNTY ) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_

\_\_\_\_\_  
(Print Name) and \_\_\_\_\_ (Print Name)  
of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such Mortgage Documentation Officers and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_, Wisconsin

My Commission Expires \_\_\_\_\_



*[Handwritten Signature]*  
12/10/2020

CERTIFIED SURVEY MAP # \_\_\_\_\_

VOLUME \_\_\_\_\_

PAGE \_\_\_\_\_

SHEET 4 OF 4 SHEETS