

AGENDA
CITY OF BERLIN PLAN COMMISSION
TUESDAY, AUGUST 28TH, 2018 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
CITY OF BERLIN, WI

- 1) Call meeting to order - Roll Call
- 2) Public Participation
- 3) Approval of Minutes –Plan Commission Meeting July 31st, 2018
- 4) REVIEW AND DISCUSS CSM for 537 E. MARQUETTE ST.
Recommendation: Recommend the CSM for 537 E. Marquette Street to Common Council for approval.
- 5) PUBLIC HEARING FOR CONDITIONAL USE PERMIT FOR 327 SW FRANKLIN AVE. FOR 6 FOOT FENCE IN FRONT YARD SETBACK

Recommendation: Recommend the CUP to Common Council for approval.
- 6) Old Business
- 7) New Business
- 8) Next meeting date – September 25th, 2018
- 9) Adjourn

In adherence to the City of Berlin Public Meeting Participation Policy, public participation will be allowed under each agenda item at the discretion of the presiding officer. Attendees must register their intention to participate on either a general comments section or a specific agenda item prior to the meeting by filling out a Registration Card, which can be obtained from the Internet, City Clerk's office or in the City Hall Council Chambers at the podium. Registration Cards should be turned in prior to the meeting to either the presiding officer or City Clerk.

PLEASE CONTACT LINDSEY IF YOU CANNOT ATTEND - (920) 361-5156

CITY OF BERLIN PLAN COMMISSION MINUTES
July 31, 2018
CITY OF BERLIN
BERLIN, WISCONSIN

The July 31st, 2018 City Plan Commission meeting was called to order at 6:00 p.m. by Mayor Schramer. Roll call present were: Mayor Schramer, Bobbie Erdmann, Charlie Beard, Ed Marks, Mary Kubiak and Dave Secora. Also present were Lindsey Kemnitz and Attorney Chier.

First item on the agenda was approval of the June 26th, 2018 Plan Commission minutes. Secora moved to approve the June 26th, 2018 Plan Commission minutes as presented. Marks seconded the motion, which was carried by a voice vote.

Second item on the agenda was the public hearing for the conditional use permit for 327 SW Franklin Street for a 6 foot fence in the front yard setback. The public hearing opened at 6:03pm. The Mayor asked for anyone to speak in favor three times and anyone to speak against three times. No one spoke for either. The public hearing was closed at 6:04pm. Attorney Chier stated the applicant needs to provide evidence to meet the requirements of Section 82-641 of the zoning code. Kemnitz stated, she is unsure why the applicant is not present as she spoke to him last week about the meeting. Kubiak made a motion to postpone until next month. Bobbie 2nd the motion, which was carried by a voice vote. Kemnitz asked if there was specific info the board was looking for. The board asked for pictures of the blighted property.

There was no new or old business.

Marks moved to adjourn at 6:14 p.m. Beard seconded the motion, which carried by voice vote.

Lindsey Kemnitz, Community Development Director

CUP for 6' fence in front yard setback

August 21, 2018

TO: Plan Commission

FROM: Lindsey Kemnitz

SUBJECT: CUP for 6' fence in front yard setback

Charles Pfrang the representative of TCG Holdings 5 LLC at 327 SW Franklin Street is requesting to install a 6 foot fence in the front yard setbacks. The fence is already installed on SW Franklin Street. Attached is a picture of the fence. The reason for the fence is he is trying to sell the property and wanting to mask the neighbor's blighted property. Below is the section within the municipal code that is applicable. Attached is section 82-641 "Consideration of factors in granting permit". This section refers to the requirements that the zoning code has for Conditional Use Permits.

Section 82-567 Fences

(c) Height (1) In residential districts, only open or lattice type fences or hedges shall be permitted. Residential fences in side and rear yards shall not exceed six feet in height, with the exception of any portion of side yard fences within the front yard setback area, which shall not exceed four feet in height, without a conditional use permit. Residential fences and hedges located in the front yard or in the front yard setback area shall not exceed four feet in height, without a conditional use permit. A conditional use permit for residential fences and hedges located in the front yard or within the front yard setback area may only permit the fence to be increased to a maximum of six feet in height.

Attached are photos the applicant provided.

Recommendation: Recommend to Common Council the CUP for a 6 foot fence in the front yard setbacks at 327 SW Franklin Street.

Sec. 82-641. - Consideration of factors in granting permit.

- (a) When granting a conditional use permit, the common council shall take into consideration, in addition to the specific conditions provided in this article, the effect of the proposed use upon the health, safety and general welfare of occupants of surrounding lands. The common council shall consider, among other things, the particular facts and circumstances of each proposed use in terms of the following standards, and shall find adequate evidence that such use on the proposed location will:
- (1) Be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the area.
 - (2) Not be hazardous or disturbing to existing or future neighboring uses.
 - (3) Not be detrimental to property in the immediate vicinity or to the community as a whole.
 - (4) Be adequately served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such service.
 - (5) Have vehicular approaches to the property which shall be designed not to create interference with traffic on surrounding public streets, alleys, roads or sidewalks.
 - (6) Not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - (7) Not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - (8) Not violate state or federal floodplain or wetland areas.
- (b) The common council, with the recommendation of the plan commission, may require additional standards and conditions that may be deemed necessary in order for the conditional use requested to meet the standards of this article. Such additional standards and conditions may include, but not limited to, requirements pertaining to lot coverage, lot area, setbacks, off-street parking and loading, pedestrian and vehicular accessways, storage, fencing, screening, landscaping, open space, height limitations, lighting and hours of operation.

(Code 1989, §§ 13-1-64, 13-1-65)

DATE: August 21, 2018

TO: Plan Commission

FROM: Lindsey Kemnitz

RE: Certified Survey Map- 537 E. Marquette St.

BACKGROUND:

Richard Hayes owns the parcel at 537 E. Marquette Street. He has since passed away and the family is trying to sell the property. The property is zoned Ag-1 and is required to have a minimum of 5 acres per lot with minimum frontage of 150 feet. The structures on the property meet the setback requirements.

V P

Notes:

1. This CSM is contained wholly within Parcel #20-01072-0000.
2. No Wetlands per Green Lake County Mapping.
3. No Floodplain per FEMA.
4. These parcels may contain area which may be used for surface water drainage for these and other parcels. A surface water drainage plan and an erosion control plan may be required by the City of Berlin prior to issuance of building permits. Contact the City of Berlin for more information regarding these issues.

The purpose of this CSM is to split up Parcel # 206-01072-0000 into three CSM lots in order to meet county zoning requirements.
Date of Survey: June 28, 2018

North is Referenced to the East Line of the NE1/4 of 3-17-13, which is recorded as bearing N.00°00'34"E. per CSM 3334.



Drawn By: JMS
Date: 20180702
Job Number: 18-0131
Sheet: 1 of 3

Surveyed By:
BOSSHARD SURVEYING, LLC
 PO BOX 344 Neshkoro, WI 54960
 Phone: 920-293-4001 & 262-527-4672
www.BosshardSurveying.com

Owner of Record:
Richard P. Hayes
537 E. Marquette St.
Berlin, WI 54923

Surveyed For:
Patti Herring
W454 State Rd. 91
Berlin, WI 54923

Property Address:
537 E. Marquette St.
Berlin, WI 54923

- ⊕ Existing County Monument
- ⊙ FOUND 1" Iron Pipe (Unless Noted)
- FOUND 3/4" Rebar (Unless Noted)
- X FOUND Chiseled "X" on Boulder
- SET 1" x 24" Iron Pipe
Weighing 1.65 lbs/lin. ft.
- △ Septic Vent



(IN FEET)
1 inch =200 ft.



GREEN LAKE COUNTY CERTIFIED
SURVEY MAP # _____

V _____ P _____

Being A Part of the Fractional NE 1/4 of the NE 1/4,
And Part of the SE 1/4 of the NE 1/4, All Located in
Section 3, Township 17 North, Range 13 East, City
of Berlin, Green Lake County, Wisconsin.

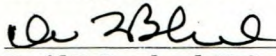
SURVEYOR'S CERTIFICATE:

I, **David T. Bosshard**, Professional Land Surveyor, hereby certify:

That under the direction of **Patti Herring**, of Berlin, Wisconsin, I have surveyed and mapped
this Certified Survey Map being a part of the fractional NE 1/4 of the NE 1/4, and a part of the SE
1/4 of the NE 1/4, all located in Section 3, T.17N., R.13E., City of Berlin, Green Lake County, WI,
being more fully described as follows:

Beginning at a chiseled X on a boulder at the NE Corner of Lot 1, CSM 3334, hereafter described
as the Point of Beginning (POB); thence N.89°53'45"W., along the North line of said CSM,
330.00 feet to the NW corner of said Lot 1; thence S.00°00'34"W., along the West line of said
CSM, 990.00 feet to the centerline of Marquette Street, also being the South line of the NE 1/4 of
said Section 3; thence N.89°55'07"W., along said centerline, 333.96 feet; thence N.01°08'11"W.,
along a line marking the East Right-of-Way (ROW) of Lesky Street, 1654.50 feet; thence
S.89°30'37"E., to the East line of the NE 1/4 of said Section 3, 631.44 feet; thence S.00°00'34"W.,
along said Section line, 660.01 feet to the POB.
Said land contains 743,401 sq.ft. (17.06 acres).

Subject to all easements and restrictions of record. Portions of this map may lie within
floodplain and wetland boundaries. That said Map is a correct representation of the exterior
boundaries of the land surveyed; That I have fully complied with the Provisions of Section
236.34 of the Wisconsin Statutes and Green Lake County Subdivision Regulations in surveying
and mapping the same to the best of my knowledge and belief.


David T. Bosshard, PLS 2641
June 29, 2018
Drafted by J. Schulz



Surveyed By:

BOSSHARD SURVEYING, LLC
PO BOX 344 Neshkoro, WI 54960
Phone: 920-293-4001 & 262-527-4672
www.BosshardSurveying.com

GREEN LAKE COUNTY CERTIFIED
SURVEY MAP # _____

V _____ P _____

Being A Part of the Fractional NE 1/4 of the NE 1/4,
And Part of the SE 1/4 of the NE 1/4, All Located in
Section 3, Township 17 North, Range 13 East, City
of Berlin, Green Lake County, Wisconsin.

OWNER'S CERTIFICATE:

As Owner(s) we hereby certify that we caused the land on this certified survey map to be surveyed, and mapped and divided as represented on this certified survey map.

Witness the hand and seal of this _____ day of _____, 2018.

Patricia Herring, Personal Representative

STATE OF WISCONSIN)
)ss.
_____ COUNTY)

Personally came before me on _____,
The above-named Michael P. Bresnan to me known to be
the person who executed the foregoing instrument and
acknowledged the same.

Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

CITY OF BERLIN CERTIFICATE:

Approved this _____ day of _____, 2018.

Signature

Print Name and Title



