

Village of

Little Chute

AGENDA

VILLAGE OF LITTLE CHUTE PLAN COMMISSION MEETING

PLACE: Little Chute Village Hall – Village Board Room

DATE: Monday, June 12, 2017

TIME: 6:00 p.m.

- A. Call to order
 - B. Roll Call
 - C. Public Appearance for Items Not on the Agenda
1. Approval of Minutes from the Plan Commission Meeting of May 8, 2017
 2. Public Hearing—Variance Request for 739 Depot Street
 3. Action—Request for 739 Depot Street
 4. Review/Recommendation—CSM for Steven and Joy First
 5. Review/Recommendation—CSM for David Berghuis
 6. Unfinished Business
 7. Items for Future Agenda
 8. Adjournment

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made with as much advance notice as possible to the Clerk's Office at 108 West Main Street, (920) 423-3852 June 8, 2017

MINUTES OF THE PLAN COMMISSION MEETING—MAY 8, 2017

Call to Order

The Plan Commission meeting was called to order at 6:00 p.m. by President Vanden Berg

Roll Call

PRESENT: President Vanden Berg
Larry Van Lankvelt
Bill Van Berkel
Brian Huiting
Todd Verboomen
Jeff Elrick
Richard Schevers

ALSO PRESENT: Community Development Director Jim Moes, Parks Director Adam Breest, Diamond Club President John Elrick, Administrator Fenlon

Public Appearance for Items Not on the Agenda

None

Approve Minutes from the Plan Commission Meeting of March 20, 2017

*Moved by Commissioner Verboomen, seconded by Commissioner Elrick to
Approve the Minutes of March 20, 2017*

All Ayes— Motion Carried

Public Hearing—Conditional Use Permit for Automobile Fueling Station (Kwik Trip Inc.)

*Moved by Commissioner Huiting, seconded by Commissioner Van Lankvelt to enter into
Public Hearing*

All Ayes— Motion Carried

Resident Chris Winius, 1530 Freedom Road stated he is worried about increase in traffic and the hazards for children and concerned with litter and light pollution.

*Moved by Commissioner Van Berkel, seconded by Commissioner Verboomen to return to
Regular Session*

All Ayes— Motion Carried

Action— Conditional Use Permit for Automobile Fueling Station (Kwik Trip Inc.)

Commissioner Verboomen stated that the location is not ideal and hopes that there is a strategy in place to help with traffic flow and safety concerns. He also stated long term vision is to get public downtown and feels there may be better locations for Kwik Trip. Commissioner Elrick agrees that there may be better spots for Kwik Trip but feels we can adjust with traffic signals if needed. Commissioner Huiting questioned traffic back up and entrance and exits in and out of the store. Director Moes stated that if there are issues in the future, traffic lights or turn lanes can be added. Commissioner Van Berkel stated to keep in mind that Kwik Trip needs to build where it is best for their business. Commissioner Verboomen questioned school traffic and how Kwik Trip will affect drop offs and pickups for children. Commissioner Van Lankvelt agrees with traffic problems but the location will be ideal for Kwik Trip and most likely will need traffic signals eventually. Troy Mlezia, Kwik Trip Representative stated that Kwik Trip has been looking to build in Little Chute and they want to make the store entrance and exits convenient and safe to keep traffic flowing. Director Moes recommended as a condition for approval to add seven tall Evergreen trees on Florida Avenue and three more on Elm in addition to the six already approved keep the lighting and noise down in the neighborhood.

*Moved by Commissioner Elrick, seconded by Commissioner Van Lankvelt
To approve Conditional Use Permit for Automobile Fueling Station (Kwik Trip Inc.)*

6 Ayes– 1 Abstain, Verboomen-Motion Carried

Discussion/Action—Bridgewater CSM

*Moved by Commissioner Van Lankvelt, seconded by Commissioner Verboomen to
approve zoning for Bridgewater CSM*

All Ayes– Motion Carried

Discussion/Recommendation—Zoning Permit Ordinance

Director Moes recommends updating the Zoning Permit Ordinance that was put in place in the 1990's.

*Moved by Commissioner Verboomen, seconded by Commissioner Van Lankvelt to have
the Village Board approve updating the Zoning Permit Ordinance.*

All Ayes– Motion Carried

Unfinished Business

None

Items for Future Agenda

None

Adjournment

*Moved by Commissioner Huiting, seconded by Commissioner Van Lankvelt to Adjourn
the Plan Commission Meeting at 6:40 p.m.*

All Ayes– Motion Carried

VILLAGE OF LITTLE CHUTE

By: Michael Vanden Berg, Village President

Attest: Laurie Decker, Village Clerk

**VILLAGE OF LITTLE CHUTE
Notice of Public Hearing**

Notice is hereby given that a Public Hearing will be held by the Plan Commission to consider request for variance from the Chapter 44-Zoning Ordinance, in the Village of Little Chute, Outagamie County, Wisconsin.

The request is for property located at: 739 Depot Street
Owners/Applicants: Dale and Deborah Smith

Described as: 1988 AMENDMENT TO 1917 ASSESSORS PLAT LOT 4 BLK 42

Applicant requests a variance to construct an addition on the rear of the home 5 feet from the North lot line, the minimum side setback in this plat is 5 feet. The current home is 1 foot from the North side lot line and is therefore currently nonconforming with respect to current side setback. The property is located in area zoned RC conventional single family district.

Nonconforming uses means any structure, use of land, use of land and structure in combination or characteristic of use, such as yard requirement or lot size, which was existing at the time of the effective date of the ordinance from which this zoning chapter is derived or amendments thereto and which is not in conformance with this Zoning Code. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading or distance requirements shall not be considered a nonconforming use, but shall be considered nonconforming with respect to those characteristics.

Notice is further given that the said meeting is open to the public and that the applicants and any other persons interested may appear and be heard for or against the granting of variance by this Commission.

If you have any questions, please contact the Zoning Administrator at (920)423-3870.

DATE OF HEARING: June 12th, 2017
TIME OF HEARING: 6:00 P.M.
PLACE OF HEARING: Village Hall Board Room
 108 West Main Street Little Chute, WI 54140

Laurie Decker, Village Clerk

Run: May 31st & June 7th, 2017

Any person wishing to attend who, because of a disability, requires special accommodations, should contact the Village Clerk, 108 W. Main St., Little Chute, (920) 788-7380, at least 48 hours prior to the meeting so that arrangements can be made.



APPLICATION FOR HEARING REQUEST FOR VARIANCE OF THE ZONING CODE

PROPERTY APPEAL SITE ADDRESS 739 DEPOT ST

APPLICANT DALE SMITH

ADDRESS/ZIP 819 BRIARWOOD AVE TELEPHONE 920 470 1883

CITY/ZIP LITTLE CHUTE W.I. 54140 FAX _____

Email address dsmith@tann.com

Appellant named above, files herewith this application for variance from regulations of the zoning code.

Description of variance requested and reasons for appeal:

I WOULD LIKE TO PUT AN ADDITION ON THE HOME MY WIFE AND I WOULD OCCUPY
THE HOME PRIMARY RESIDENCY. THE ADDITION WOULD BE 5' FROM THE NORTH LOT LINE
RUNNING 24' LONG I WOULD LIKE TO BE GRANTED PERMISSION TO BUILD WITH A SET BACK OF
5' FROM THE NORTH LOT LINE. ADDING A MASTER BEDROOM AND BATHROOM AND FULL
BASMENT UNDER ADDITIONAL AREA.

Attach any and all documentation to this application which applicant wishes to be reviewed at hearing.

Scale drawings of proposed and existing paving and structures showing all heights and setbacks from property lines as well as percentage of lot coverage MUST be included with application for variance.

Applicant or their representative should attend hearing to answer questions of the review board or commission.

Appellant herewith requests to fix a time for public hearing within as short a reasonable time as possible to give proper notice of such hearing as well as due notice to parties of interest.

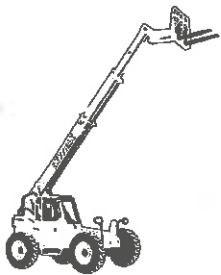
I CERTIFY THAT THIS APPLICATION AND ANY ATTACHMENTS ARE, TO THE BEST OF MY KNOWLEDGE, COMPLETE AND ACCURATE IN ACCORDANCE WITH ALL APPLICABLE CODES.

APPLICANT SIGNATURE Dale Smith

DATE 5/12/17

NON REFUNDABLE, HEARING APPLICATION FEE of \$175.00 must accompany application at time of submittal.

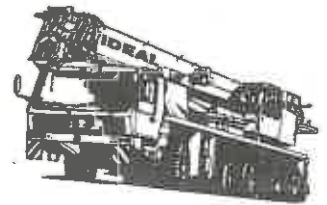
Date received and Village person receiving application [Signature] 5-12-17



IDEAL

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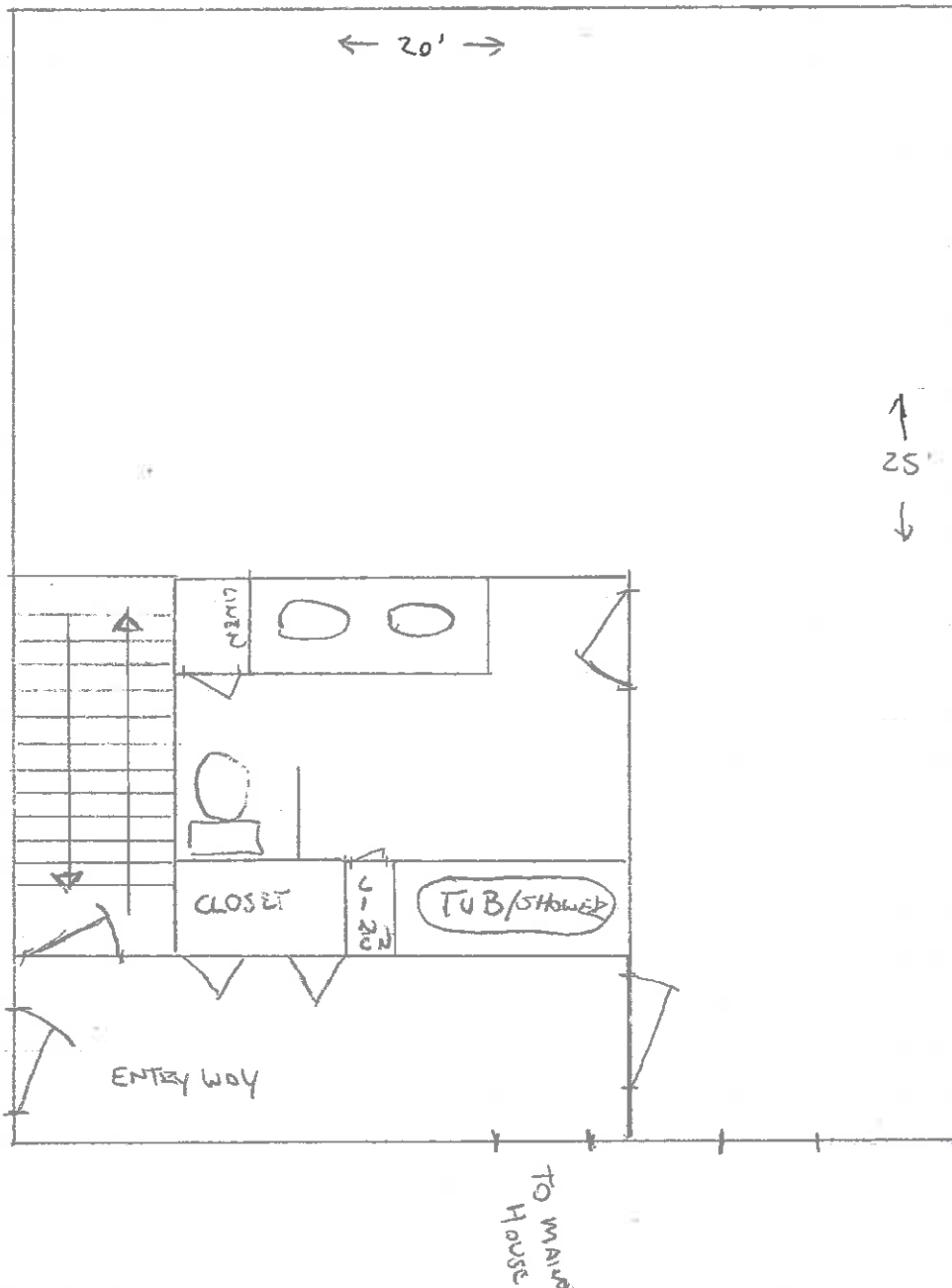
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608-241-4092
800-825-0640

MILWAUKEE
414-463-5438

LACROSSE
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Village of Little Chute



Not a survey

1 inch = 20 feet



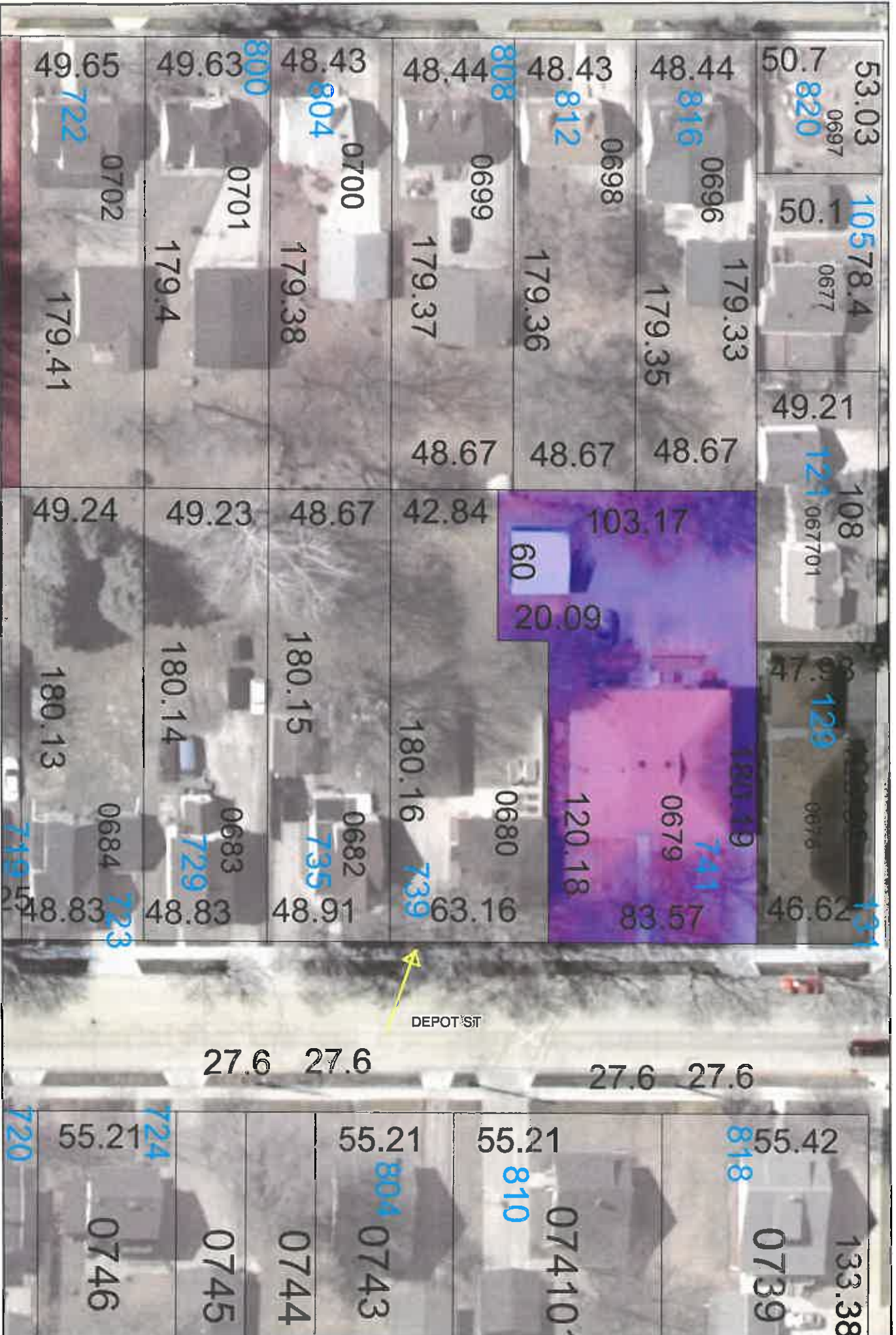


Village of Little Chute

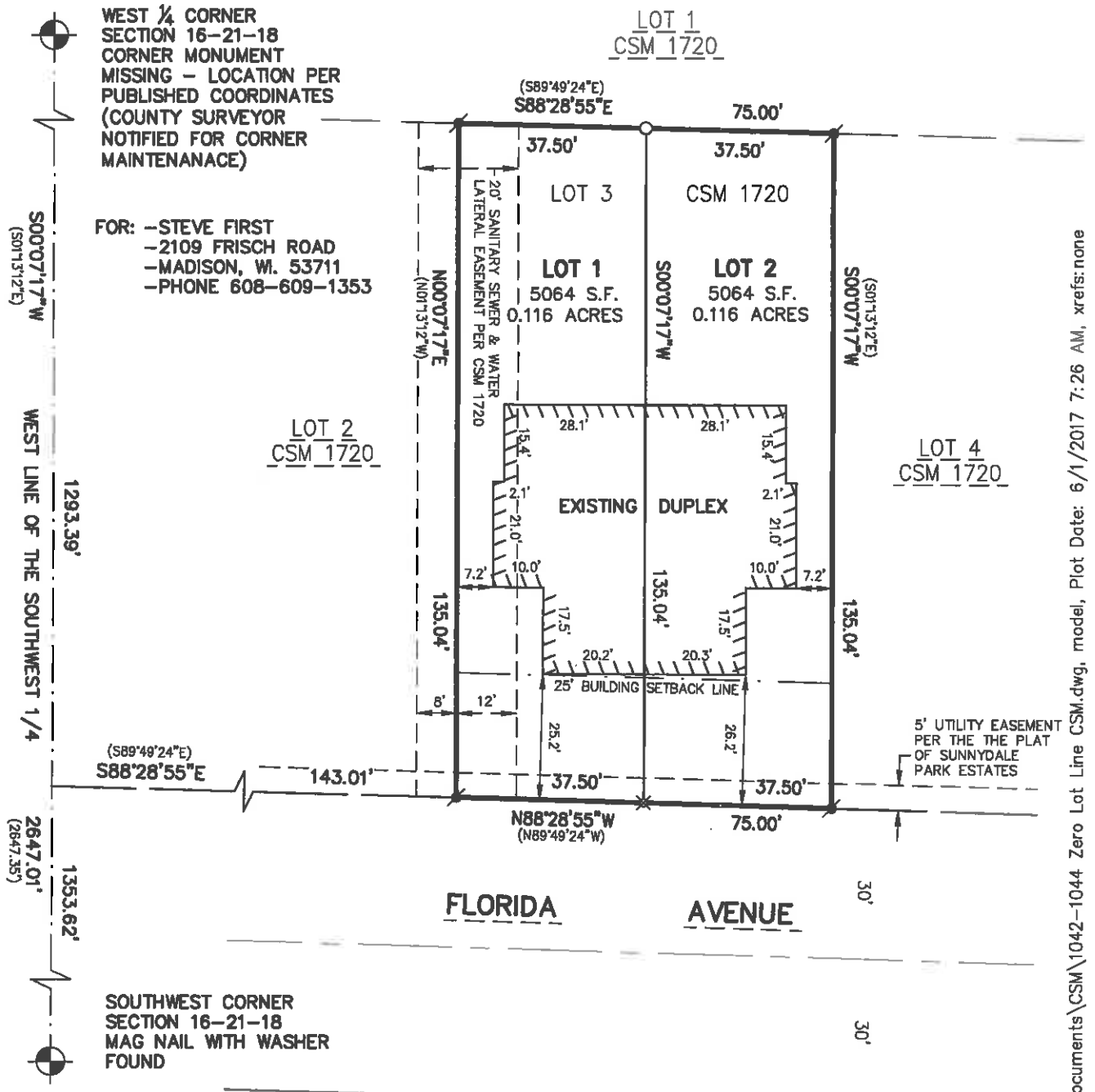


Not a survey

1 inch = 50 feet



ALL OF LOT 3 OF CERTIFIED SURVEY MAP NO. 1720 AS RECORDED IN VOLUME 9 OF MAPS ON PAGE 1720 AS DOCUMENT NO. 1093632, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

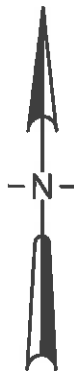


SCALE - FEET

LEGEND

- - 3/4" x 24" ROUND IRON REBAR WEIGHING 1.5 lbs./lineal ft. SET
- ⚡ - 3/4" ROUND STEEL REBAR FOUND
- ✕ - CHISEL CROSS SET IN CONCRETE
- ⊙ - CERTIFIED LAND CORNER OUTAGAMIE COUNTY
- () - RECORDED BEARING AND/OR DISTANCE
- S.F. - SQUARE FEET

BEARINGS ARE REFERENCED TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 16, T21N, R18E, WHICH BEARS S00°07'17"W PER THE PUBLISHED OUTAGAMIE COUNTY COORDINATE SYSTEM.



McMAHON
ENGINEERS ARCHITECTS

1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
Tel: (920) 751-4200 Fax: (920) 751-4284
www.mcmgrp.com

DRAFTED BY: **DOUG WOELZ**

ALL OF LOT 3 OF CERTIFIED SURVEY MAP NO. 1720 AS RECORDED IN VOLUME 9 OF MAPS ON PAGE 1720 AS DOCUMENT NO. 1093632, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, David M. Schmalz, Wisconsin Professional Land Surveyor S-1284, certify that I have surveyed, divided and mapped all of Lot 3 of Certified Survey Map No. 1720 as recorded in Volume 9 of Maps on page 1720 as Document No. 1093632, Located in the Northwest 1/4 of the Southwest 1/4 of Section 16, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin containing 10,128 square feet (0.232 acres) of land.

That I have made this survey by the direction of the Owners of said Land.

I further certify that this map is a correct representation of the exterior boundary lines of the land surveyed and the division of that land, and that I have complied with section 236.34 of the Wisconsin Statutes and the Village of Little Chute Subdivision Ordinance in surveying, dividing and mapping the same.

Given under my hand and seal this _____ day of _____, 20____.

David M. Schmalz, WI Professional Land Surveyor S-1284

NOTES:

THIS CSM IS ALL OF TAX PARCEL No. 260301001

THE PROPERTY OWNER OF RECORD IS: BENJAMIN S. FIRST AND IVY A.W. FIRST, HUSBAND & WIFE, AS SURVIVORSHIP MARITAL PROPERTY AS TO EACH OTHER, AN UNDIVIDED ONE HALF INTEREST AND STEVEN J. FIRST AND JOY A. FIRST, HUSBAND & WIFE, AS SURVIVORSHIP MARITAL PROPERTY AS TO EACH OTHER, AN UNDIVIDED ONE HALF INTEREST

THIS PROPERTY IS CONTAINED WHOLLY WITHIN LANDS DESCRIBED IN DOCUMENT No. 1623566.

PER SEC. 44-47.-RT TWO FAMILY RESIDENTIAL DISTRICT (VILLAGE OF LITTLE CHUTE ZONING ORDINANCE) RESTRICTIVE COVENANTS SHALL BE RECORDED AT THE COUNTY REGISTER OF DEEDS, PROVIDING DECLARATIONS AND/OR BYLAWS SIMILAR TO THOSE TYPICALLY RECORDED ON A DECLARATION OF CONDOMINIUM. SAID COVENANTS SHALL PROVIDE FOR MEDIATION OF ANY AND ALL DISPUTES BETWEEN OWNERS OF EACH UNIT AND ANY THIRD PARTY WITH REGARD TO CONSTRUCTION, USE, AND MAINTENANCE OF THE REAL PROPERTY. FURTHERMORE, SAID COVENANTS SHALL SPECIFICALLY STATE THAT THE VILLAGE AND ALL APPROVING AUTHORITIES SHALL NOT BE HELD RESPONSIBLE FOR SAME, AND THAT SAID COVENANTS SHALL INURE TO ALL HEIRS AND ASSIGNS.

CERTIFICATE OF TREASURERS

I, being the duly elected, qualified and acting Treasurer, do hereby certify that in accordance with the records in my office there are no un-paid taxes or un-paid special assessments on any of the lands included in this Certified Survey Map as of:

Village Finance Director Date
Teri Matheny

Authorized Signature, County Treasurer Date

Printed Name

VILLAGE BOARD APPROVAL

Approved by the Village of Little Chute, Outagamie County, Wisconsin, by the Village Board on the _____ day of _____, 20____.

Village President Date
Mike Vanden Berg

Village Clerk Date
Laurie Decker

ALL OF LOT 3 OF CERTIFIED SURVEY MAP NO. 1720 AS RECORDED IN VOLUME 9 OF MAPS ON PAGE 1720 AS DOCUMENT NO. 1093632, LOCATED IN THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 16, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

Benjamin S. First and Ivy A.W. First, husband & wife, as survivorship marital property as to each other, an undivided one half interest, As Owner(s), I/We hereby certify that I/we caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on this Certified Survey Map. I also certify that this Certified Survey Map is required to be submitted to the following for approval.

Village of Little Chute

Dated this _____ day of _____, 20____.

Benjamin S. First

Ivy A.W. First

State of Wisconsin)
)ss
_____County)

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

Notary Public

_____ County, _____

My commission expires_____

OWNER'S CERTIFICATE

Steven J. First and Joy A. First, husband & wife, as survivorship marital property as to each other, an undivided one half interest, As Owner(s), I/We hereby certify that I/we caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on this Certified Survey Map. I also certify that this Certified Survey Map is required to be submitted to the following for approval.

Village of Little Chute

Dated this _____ day of _____, 20____.

Steven J. First

Joy A. First

State of Wisconsin)
)ss
_____County)

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

Notary Public

_____ County, _____

My commission expires_____

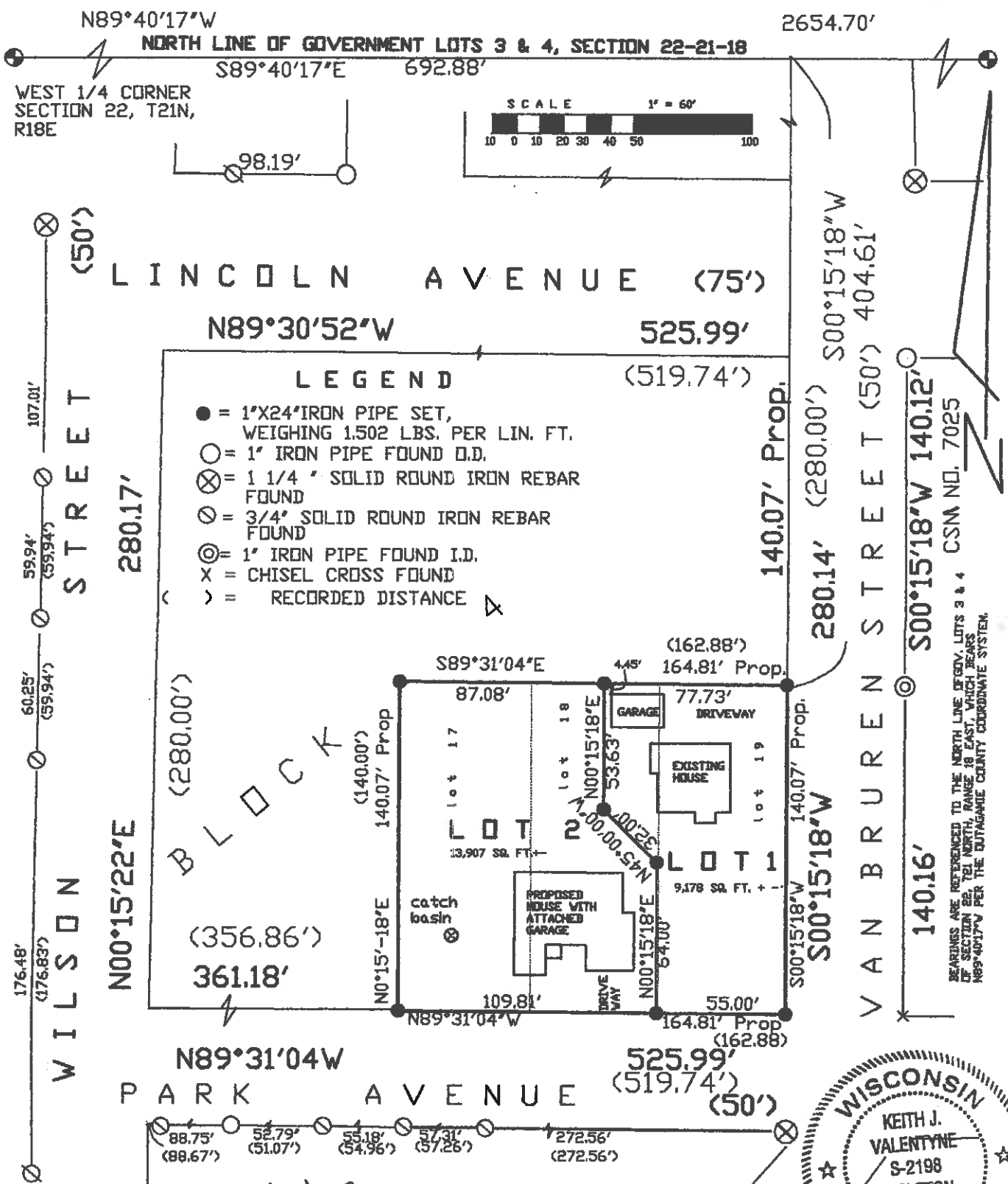
CERTIFIED SURVEY MAP

NO. _____

ALL OF LOTS SEVENTEEN, EIGHTEEN AND NINETEEN (17, 18 & 19), BLOCK FOUR (4), ASSESSOR'S PLAT OF THE VILLAGE OF LITTLE CHUTE, LOCATED IN GOVERNMENT LOT FOUR (4) OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

CURRENT ZONING IS SINGLE FAMILY RESIDENTIAL, AVERAGE SETBACK WITHIN 500' RADIUS IS 20'

CENTER OF SECTION 22



Keith J. Valentyne 5/23/2017
 KEITH J. VALENTYNE PLS -2198 DATED
 (920) 419-3369 sheet 1 of 3 sheets



CERTIFIED SURVEY MAP NO. _____

SURVEYORS CERTIFICATE:

I, KEITH J. VALENTYNE, PROFESSIONAL WISCONSIN LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, COMBINED AND MAPPED ALL OF LOTS SEVENTEEN, EIGHTEEN AND NINETEEN (17,18 & 19), BLOCK FOUR (4), ASSESSOR'S PLAT TO THE VILLAGE OF LITTLE CHUTE, LOCATED IN GOVERNMENT LOT FOUR (4) OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY WISCONSIN. BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 22; THENCE S89°40'17"E, 692.88 FEET ALONG THE NORTH LINE OF GOVERNMENT LOT 4 TO THE EAST LINE AND ITS EXTENSION NORTH OF BLOCK 4 OF THE ASSESSOR'S PLAT OF THE VILLAGE OF LITTLE CHUTE; THENCE S00°15'18"W, 264.54 FEET ALONG SAID EAST LINE TO THE NORTHEAST CORNER OF LOT 19, BLOCK 4 ASSESSORS PLAT OF THE VILLAGE OF LITTLE CHUTE AND THE POINT OF BEGINNING; THENCE CONTINUING S00°15'18"W, 140.07 FEET RECORDED AS 140.00 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID BLOCK 4 : THENCE N89°31'04"W, 164.81 FEET RECORDED AS 162.81 ALONG SAID SOUTH LINE OF BLOCK 4 TO THE SOUTHWEST CORNER OF LOT 17 OF SAID BLOCK 4; THENCE N00°15'18"E, 140.07 FEET RECORDED AS 140 FEET, ALONG THE WEST LINE OF SAID LOT 17 TO THE NORTH LINE OF SAID LOT 17; THENCE S89°31'04"E, 164.81 FEET, RECORDED AS 162.88' ALONG THE NORTH LINE OF LOTS 17, 18 AND 19 TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO ANY EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF THE OWNER, DAVID T. BERGHUIS, 527 LAMERS ROAD, KIMBERLY, WI 54136.

THE WITHIN MAP IS A TRUE AND CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LANDS SURVEYED.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES ALONG WITH THE SUBDIVISION ORDINANCES OF OUTAGAMIE COUNTY AND THE VILLAGE OF LITTLE CHUTE IN THE SURVEYING AND MAPPING OF THE SAME.

DATED THIS 22 DAY OF MAY, 2017

Keith J. Valentyne

5/23/2017

KEITH J. VALENTYNE PLS-2198



CERTIFIED SURVEY MAP NO. _____

OWNER'S CERTIFICATE:

I, DAVID T. BERGHUIS, HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED HEREIN TO BE SURVEYED, DIVIDED, COMBINED AND MAPPED AS REPRESENTED ON THIS CERTIFIED SURVEY MAP. I ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL:
VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY

DAVID T. BERGHUIS DATED

STATE OF WISCONSIN)
)SS
OUTAGAMIE COUNTY)

PERSONALLY CAME BEFORE ME ON THIS _____ DAY OF _____, 2017, THE ABOVE NAMED PERSONS TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC

TREASURER'S CERTIFICATE:

I, BEING DULY ELECTED, QUALIFIED AND ACTING TREASURER, DO HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP AS OF:

_____ COUNTY TREASURER
VILLAGE OF LITTLE CHUTE

VILLAGE BOARD APPROVAL CERTIFICATE:

THIS CERTIFIED SURVEY MAP WAS APPROVED BY THE VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN BY THE VILLAGE BOARD ON THIS _____ DAY OF _____ 2017.

_____ VILLAGE CLERK
VILLAGE PRESIDENT

NOTES:

- (1) THIS CSM IS ALL OF TAX PARCEL NUMBERS 260006500, 260006600, AND 260006700.
- (2) THE PROPERTY OWNER OF RECORD IS DAVID T. BERGHUIS.
- (3) THE CSM IS WHOLLY CONTAINED WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENTS: DOCUMENT NO. 2029393

Keith J. Valentyne 5/23/2017
KEITH J. VALENTYNE PLS-2198 DATED

