



AGENDA

VILLAGE OF LITTLE CHUTE PLAN COMMISSION MEETING

PLACE: Little Chute Village Hall – Village Board Room

DATE: Monday, November 13th 2023

TIME: 6:00 p.m.

Virtually attend the November 13th Plan Commission meeting at 6 PM by following the link here:

Join Zoom Meeting

<https://us06web.zoom.us/j/83929892655>

Meeting ID: 839 2989 2655

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

- 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 October 9, 2023
2. Public Hearing – Conditional Use Permit, 839 Moasis 4B
3. Public Hearing – Conditional Use Permit, 1100 West Main Street
4. Discussion/Action – 839 Moasis 4B Conditional Use Permit
5. Discussion/Action – 1100 West Main Street Conditional Use Permit
6. Recommendation – CSM 311&315 W North Drive
7. Recommendation – Site Plan Skit Steer
8. Discussion – Section 8 Update
9. Items for Future Agenda
10. 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 November 9, 2023

MINUTES OF THE PLAN COMMISSION MEETING OF OCTOBER 9, 2023

Call to Order

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

Roll Call

PRESENT: President Vanden Berg
Jim Moes
Bill Van Berkel
Larry Van Lankvelt
Todd Verboomen
Kent Taylor
Tom Lonsway

STAFF PRESENT: Dave Kittel, Beau Bernhoft

Public Appearance for Items Not on the Agenda

None

Approval of Minutes from the Plan Commission Meeting of September 11, 2023

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to approve the Plan Commission Meeting Minutes of September 11, 2023.

All Ayes – Motion Carried

Discussion/Action – ATCAM Driveway Width

Director Kittel presented a request for an additional driveway at 1850 E Elm, that is over 35 feet in width and thus needs to come to the plan commission for approval.

Moved by Commissioner Moes, seconded by Commissioner Taylor to approve the driveway width as presented.

All Ayes – Motion Carried

Discussion/Action – ATCAM Site Plan

Director Kittel presented a request for a site plan at the ATCAM property consisting of an addition to the structure. Staff have reviewed and are awaiting comments. Staff does not see any issues or concerns with the site plan.

Moved by Commissioner Moes, seconded by Commissioner Van Lankvelt to recommend approval to the Village Board subject to final review by the Community Development Director Kittel.

All Ayes – Motion Carried

Discussion – Section 8 Updates

Director Kittel provided an update to Section 8. Staff have been working on updates and are awaiting changes from the state but hope to have something to the plan commission by November.

Items for Future Agenda

Adjournment

Moved by Commissioner Van Lankvelt seconded by Commissioner Van Berkel to Adjourn Plan Commission Meeting at 6:13 PM

All Ayes – Motion Carried

VILLAGE OF LITTLE CHUTE

By: _____
Michael Vanden Berg, Village President

Attest: _____
Laurie Decker, Village Clerk

**VILLAGE OF LITTLE CHUTE
PLAN COMMISSION
NOTICE OF PUBLIC HEARING**

CONDITIONAL USE REQUEST

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on November 13, 2023 at 6:00 p.m. by the Plan Commission, for consideration of a conditional use under authority provided in Section 44 Village Code of Ordinance. The applicant requests a conditional use permit for Auto repair and sales. The property is Zoned; CH-Commercial Highway in the Village of Little Chute, Outagamie County, Wisconsin.

Address: 839 MOASIS 4B

Parcel # 260279200

Legal Description: VAN ZEELAND LAND SUBD LOT 1 DR DIST .85AC

Current Owner: ROGER SABEL PROPERTIES LLC

Applicant: ARTEM VYSHNYAKOV

DATE OF HEARING: November 13, 2023

TIME OF HEARING: 6:00 p.m.

PLACE OF HEARING: Village Hall

Board Room

108 West Main Street

Little Chute, WI 54140

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

Publish: November 1, 2023

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.



Item For Consideration

For Plan Commission Review On: 11/13/2023

Prepared On: 10/20/2023

Agenda Item Topic: Conditional Use Request 839 Moasis 4B

Prepared By: Dave Kittel CDD

Report:

A request has been submitted for a conditional use at 839 Moais Dr unit 4B located in the Commercial Highway zoning district. This request is to operate a Automotive Repair and sales business which is a special exception in the Commercial Highway District ([Sec 44-51](#)). The proposed hours are:

Monday: 3pm-5pm

Wednesday: 3pm-5pm

Friday: 3pm-5pm

Saturday: 10am-4pm

Sunday:10am-4pm

This business will have an estimated 3-4 cars on site at a time, no vehicles are to be disassembled outside of the unit and no more than 2 vehicles displayed for sale at a time (this is the number of parking spaces assigned to the unit). The application, Zoning Occupation form, zoning map, aerial map, notice of hearing are all attached to this report. Letters of notice of this public hearing on this item have been mailed to all property owners within 100 feet and noticed in the paper.

Fiscal Impact: None

Recommendation/Board Action: Staff is recommending approval of the Conditional use with the following conditions:

-No vehicles may be disassembled outside of the unit

-No more than two Vehicles can be displayed for sale at any time



Item For Consideration

- No outside storage of any automotive parts, tools or other items such as but not limited to: tires, bumpers, oil cans, batteries, engine hoists, ect....
- If any complaints are received the Community Development director can revoke the conditional use if the concerns are not resolved.
- The unit must meet all applicable commercial building code requirements for this use
- All applicable ordinances must be followed
- The Community Development Director or designee may enter the premises to ensure compliance with these conditions at any time.

Respectfully Submitted,

Dave Kittel, Community Development Director

Outagamie County GIS Map



10/20/2023, 9:12:07 AM

- Tax Parcel Information
- Plat Boundary Lines
- Property Address
- Plat Boundary
- PLSS Sections
- Plat Lot Number
- Lot Dimension

CSM Lot Number

CSM Name

Tax Key

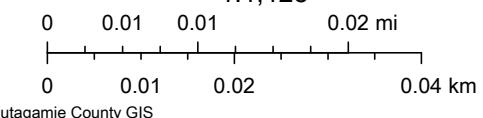
Plat Name

Streets

LOCAL

Highway Labels

1:1,128



Outagamie County GIS

839 Moasis Zoning map



10/20/2023, 9:09:13 AM

Address
Parcels

ID: Industrial District

RM: Residential Multi-Family

Zoning

CH: Commercial Highway District

1:1,200
0 0.01 0.02 0.04 mi
0 0.01 0.03 0.06 km
Robert E. Lee & Associates, Inc., Outagamie County

Village of Little Chute

Robert E. Lee & Associates, Inc., Outagamie County

Village of Little Chute Application for CONDITIONAL USE UNDER CHAPTER 44 ZONING CODE

Application fee \$125.00

Date filed 10/18/2023

The undersigned owner(s) of the property herein described hereby petition for a Conditional Use under the Village of Little Chute Zoning Ordinance Chapter 44, in the Village of Little Chute, Outagamie County, Wisconsin

Property location: 839 Moasis Dr., 4B Little Chute, WI 54140

Legal Description:

Warehouse with separate units.

Current Zoning Classification: Commercial Highway

Petitioner(s) request permission be granted for the following conditional use(s):

Small (1-4 vehicles) car dealership, with service station on site.

Petitioner(s) reason(s) for requesting the above described conditional use are as follows:

I am looking to become an owner and sole operator of a tiny car dealership. My main goal is to obtain a WI dealer license, as I have been an automotive enthusiast for years, and frequently rotate through cars.

This will be my part time "side job" occupation.

At most I expect to have 3-4 cars on site at a time.

No disassembled cars will be outside visible to the public.

The unit is already set up for and has been used by hobbyists for automotive work for years.

If any vehicles will be displayed outside of the unit, there will be a maximum of 2 cars, as this is the number of parking spots included with the lease.

This is not expected to bring any significant traffic to the area or to cause any environmental changes.

Attach Surveys, building plans, drainage plans, site plans, statements of days & hours of operation, estimates of additional traffic generated, statements regarding effect on neighboring properties and any other additional information which may assist in determining that the proposed use is appropriate that such use is not hazardous, harmful, offensive or adverse to the environment or the value of the neighborhood or the community.

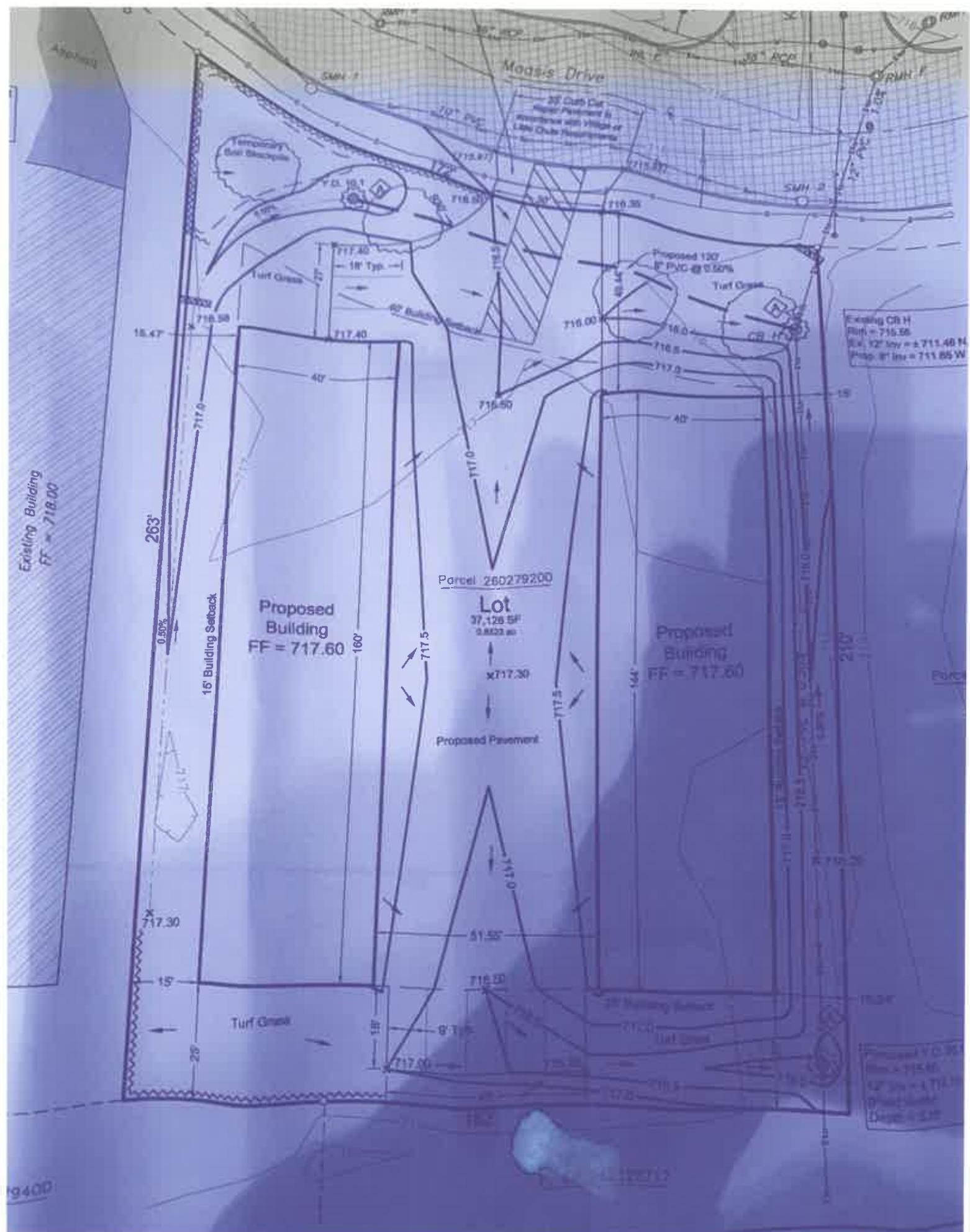
Owner(s) Name(s) Roger Sabel

Owner(s) Address 1724 Franklin St, Little Chute WI 54140

Phone Numbers 920-288-1223 (property owner) 630-888-1757 (tenant and applicant)

APPLICANT(S) Signature(s) Roger Sabel (ARTEM VYSHNYAKOV)

Date Signed 10/18/2023



VILLAGE OF LITTLE CHUTE
APPLICATION FOR ZONING OCCUPATION PERMIT

SITE ADDRESS 939 Moasis DR. 4B LITTLE CHUTE WI 54140

LEGAL DESCRIPTION warehouse building, with separate units

PROPERTY OWNER(S) Roger Sabel

ADDRESS/ZIP 724 Franklin St. TELEPHONE 920-788-1223

CITY/ZIP Little Chute WI 54140 FAX

EMAIL rsabel@ucwirr.com

OCCUPANT/APPLICANT(S) UROS OF A LLC (Artem Vyshnyakov)

BUSINESS/CORPORATION NAME (IF APPLICABLE) UROS OF A, LLC

ADDRESS 839 Moasis PR. 4B TELEPHONE 630-888-1757

CITY/ZIP Little Chute WI 54140 FAX

Site shall be used as a small vehicle dealership.

M, W, R : 1500 - 1700

Sat, Sun : 1000 - 1600

DESCRIBE ALL HOURS OF OPERATION FOR EXISTING AND PROPOSED COMMERCIAL OR NON-RESIDENTIAL USES

DESCRIBE IN DETAIL ALL EXISTING USES AND OF ADDITIONAL USES BEING PROPOSED FOR THIS LOCATION
APPLICANT MAY INCLUDE ANY ATTACHMENTS SUCH AS MAPS, DRAWINGS, PLANS, LEASE DOCUMENTS, ETC.
-COMPLETE DETAILS OF ALL USES MUST BE INCLUDED, OMISSIONS SHALL BE CAUSE FOR DENIAL OR REVOCATION.

ZONING DISTRICT Commercial Highway LOT SIZE 2 acres

OF STORIES 1 BASEMENT YES NO BUILDING HEIGHT 25' FLOOR AREA 1500 sq. ft

TOTAL # OF EMPLOYEES PROPOSED (IF APPLICABLE) N/A NUMBER OF ON SITE PARKING STALLS 2

IMPERVIOUS SURFACE COVERAGE SQ. FT. (TOTAL OF PAVING,BUILDINGS,GRAVEL,ETC.) 2000

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

APPLICANT SIGNATURE Roger V.

DATE 10/15/23

OWNER SIGNATURE R. Sabel

DATE 10/15/2023

OCCUPANCY APPROVED BY

DATE 1/1/

**VILLAGE OF LITTLE CHUTE
PLAN COMMISSION
NOTICE OF PUBLIC HEARING**

CONDITIONAL USE REQUEST

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on November 13, 2023 at 6:00 p.m. by the Plan Commission, for consideration of a conditional use under authority provided in Section 44 Village Code of Ordinance. The applicant requests a conditional use permit for Auto repair and sales. The applicant would also include motorsports, construction equipment and farm implement sales, service, and repair on site. The property is Zoned; CH-Commercial Highway in the Village of Little Chute, Outagamie County, Wisconsin.

Address: 1100 W MAIN ST

Parcel # 260406403

Legal Description: LOT 2 CSM 7619

Current Owner: GARY KONETZKE

Applicant: HAKAN BABA LLC

DATE OF HEARING: November 13, 2023

TIME OF HEARING: 6:00 p.m.

PLACE OF HEARING: Village Hall

Board Room

108 West Main Street

Little Chute, WI 54140

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

Publish: November 8, 2023

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.



Item For Consideration

For Plan Commission Review On: 11/13/2023

Prepared On: 10/31/2023

Agenda Item Topic: Conditional Use Request 1100W Main Prepared By: Dave Kittel CDD

Report:

A request has been submitted for a conditional use at 1100 W Main located in the Commercial Highway zoning district. This request is to operate an Automotive Repair and sales business which is a special exception in the Commercial Highway District ([Sec 44-51](#)). A previous Conditional use was approved by the Plan Commission in August of this year but, the applicant has decided to focus efforts elsewhere and a new applicant is wanting to pursue a similar use on the property. The proposed hours are currently by appointment with moving toward a standard 9am to 5pm hours in the future.

The application, Zoning Occupation form, zoning map, aerial map, notice of hearing are all attached to this report. Letters of notice of this public hearing on this item have been mailed to all property owners within 100 feet and noticed in the paper.

Fiscal Impact: None

Recommendation/Plan Commission Action: Staff is recommending approval of the Conditional use with the following conditions:

- No vehicles may be disassembled outside of the building
- No Vehicles can be displayed for sale at any time in the right of way area in front of the building
- No outside storage of any automotive parts, tools or other items such as but not limited to: tires, bumpers, oil cans, batteries, engine hoists, ect.... unless in an appropriate storage container and meets outdoor storage requirements per ordinance.
- The Building must meet all applicable commercial building code requirements for this use
- All applicable ordinances must be followed



Item For Consideration

- The applicant/property owner must have the property cleared of existing junked vehicles within 90 days of approval of this conditional use.
- An opaque fence (90% or above) shall be constructed in the rear of the property for outdoor storage within 7 months of approval.
- If any complaints are received the Community Development director may revoke the conditional use if the concerns are not resolved.
- The Community Development Director or designee may enter the premises to ensure compliance with these conditions at any time.

Respectfully Submitted,

Dave Kittel, Community Development Director

1100 W Main map



7/19/2023, 9:37:14 AM

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.08 km

Tax Parcel Information Parcel Lines

PLSS Sections Parcel Lines

Display Parcel Lines Plat Boundary Lines

Meander Line Plat Boundary

Village of Little Chute Application for CONDITIONAL USE UNDER CHAPTER 44 ZONING CODE

Application fee \$125.00

Date filed 10/30/2023

The undersigned owner(s) of the property herein described hereby petition for a Conditional Use under the Village of Little Chute Zoning Ordinance Chapter 44, in the Village of Little Chute, Outagamie County, Wisconsin

Property location: 1100 W. Main street 54911 Little Chute WI.

Legal Description: Automotive Repair and Sales

Current Zoning Classification: CH Commercial Highway District

Petitioner(s) request permission be granted for the following conditional use(s): Automobile

boat, construction equipment and farm implement
sales, service and repair and automobile filling
station

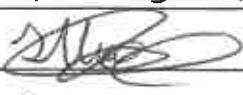
Petitioner(s) reason(s) for requesting the above described conditional use are as follows: We want to
start a business and renovate the building to the city
standards. We are buying the property, and want this
places have all the required licenses for a car dealership.

Attach Surveys, building plans, drainage plans, site plans, statements of days & hours of operation, estimates of additional traffic generated, statements regarding effect on neighboring properties and any other additional information which may assist in determining that the proposed use is appropriate that such use is not hazardous, harmful, offensive or adverse to the environment or the value of the neighborhood or the community.

Owner(s) Name(s) Gary Karetzke

Owner(s) Address 1025 W Main st #19 Appleton WI 54911

Phone Numbers 920 714 1483 hakan.caorusogluu@gmail.com

APPLICANT(S) Signature(s) 

Date Signed 10/30/2023

VILLAGE OF LITTLE CHUTE
APPLICATION FOR ZONING OCCUPANCY PERMIT

SITE ADDRESS 1100 W. Main street Little Chute

LEGAL DESCRIPTION Lot 2 CSM 7619

PROPERTY OWNER(S) Gary Konetzke

ADDRESS/ZIP 1025 W Main St #19

TELEPHONE (920) 707-3379

CITY/ZIP Appleton WI 54911

FAX

OCCUPANT/APPLICANT(S)

BUSINESS/CORPORATION NAME (IF APPLICABLE) Hakan Baba LLC - Savage Motorsports

ADDRESS 1100 W. Main street Little Chute

TELEPHONE 920 714 1483

CITY/ZIP 54911

FAX

DESCRIBE IN **DETAIL** ALL EXISTING USES AND OF ADDITIONAL USES BEING PROPOSED FOR THIS LOCATION
APPLICANT MAY INCLUDE ANY ATTACHMENTS SUCH AS MAPS, DRAWINGS, PLANS, LEASE DOCUMENTS, ETC.
COMPLETE DETAILS OF ALL USES MUST BE INCLUDED, OMISSIONS SHALL BE CAUSE FOR DENIAL OR REVOCATION.

Auto sales and Repairs

DESCRIBE ALL HOURS OF OPERATION FOR EXISTING AND PROPOSED COMMERCIAL NON-RESIDENTIAL USES

by appointment

ZONING DISTRICT C H

-LOT SIZE

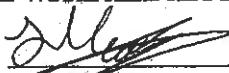
OF STORIES 1 BASEMENT YES NO BUILDING HEIGHT 10 FLOOR AREA

TOTAL # OF EMPLOYEES PROPOSED (IF APPLICABLE) _____ NUMBER OF ON-SITE PARKING STALLS _____

IMPERVIOUS SURFACE COVERAGE SQ. FT. (TOTAL OF PAVING, BUILDINGS, GRAVEL, ETC.) _____

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

APPLICANT SIGNATURE



DATE 10/30/2023

OWNER SIGNATURE



DATE / /

OCCUPANCY APPROVED BY



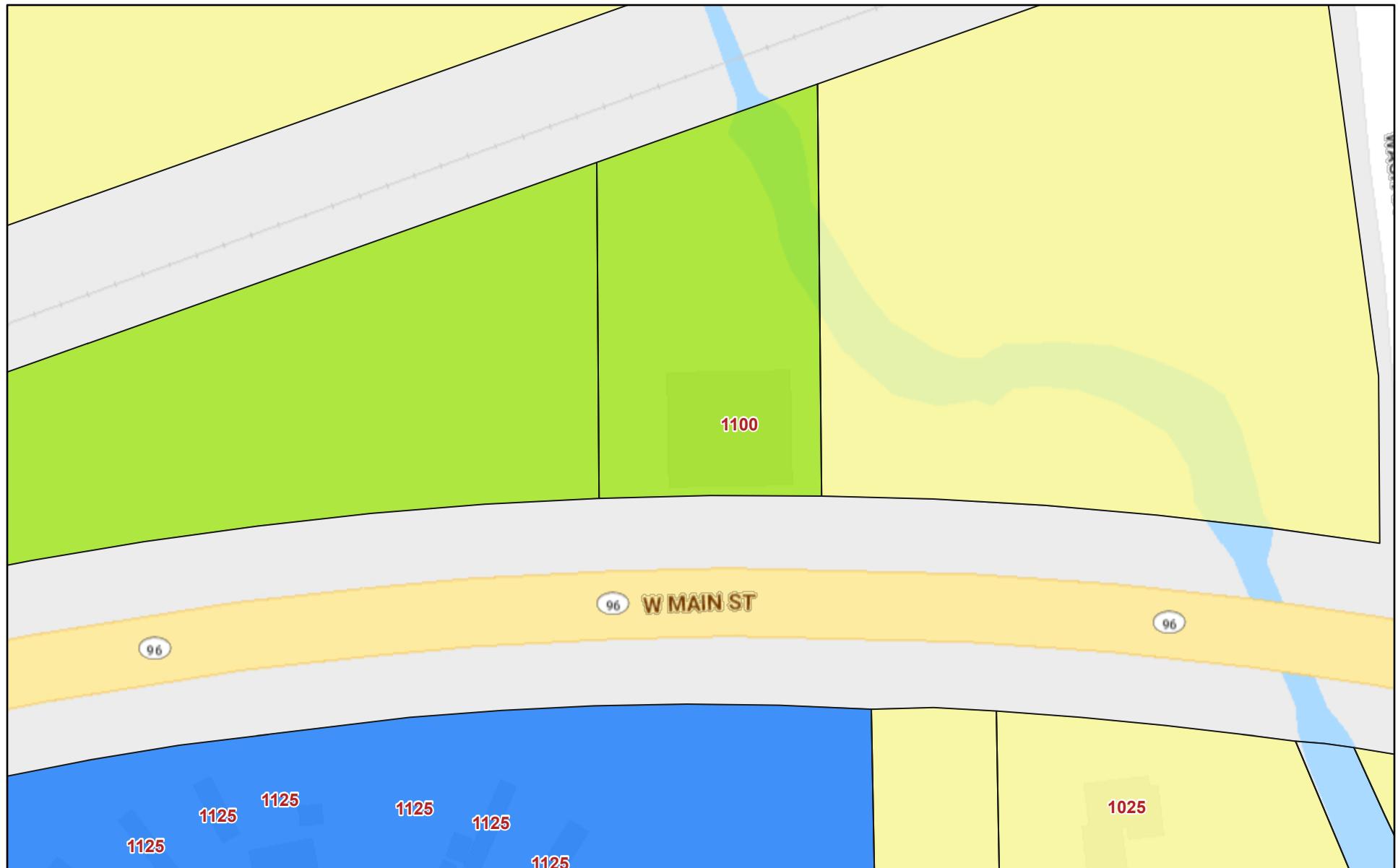
DATE / /

OCCUPANCY DENIED BY



DATE / /

1100 W Main Zoning



7/19/2023, 9:34:15 AM

Address Zoning

Parcels

CH: Commercial Highway District

RC: Residential Single-Family

No Zoning Designation

MH: Mobile Home District

1:1,200
0 0.01 0.02 0.04 mi
0 0.01 0.03 0.06 km

Robert E. Lee & Associates, Inc., Outagamie County

Village of Little Chute

Robert E. Lee & Associates, Inc., Outagamie County



Item For Consideration

For Plan Commission Review On: 11/13/2023
Agenda Item Topic: CSM 311&315 W North Ave

Prepared On: 10/19/2023
Prepared By: Dave Kittel CDD

Report: A CSM to combine 311 and 315 W North was submitted to the Village in 2019. The CSM was approved by the Village Board in September of 2019, but the CSM was not recorded. The CSM is needed for clarity on a few items and was part of the development of the commercial building built on site in 2020. For the CSM to be recorded it would need to be reapproved as per Sec. 42-64:

Recordation. The subdivider shall record the map with the county register of deeds within 30 days of its approval by the village board and any other approving agencies. Failure to do so shall necessitate a new review and reapproval of the map by the village board.

Also, this falls under state statutes requirements for recording and after approval would need to be recorded within 12 months (SS 236.34(2))

This CSM is being resubmitted and a recommendation from the Plan Commission is needed to then go to the Village Board for final action.

Fiscal Impact: None

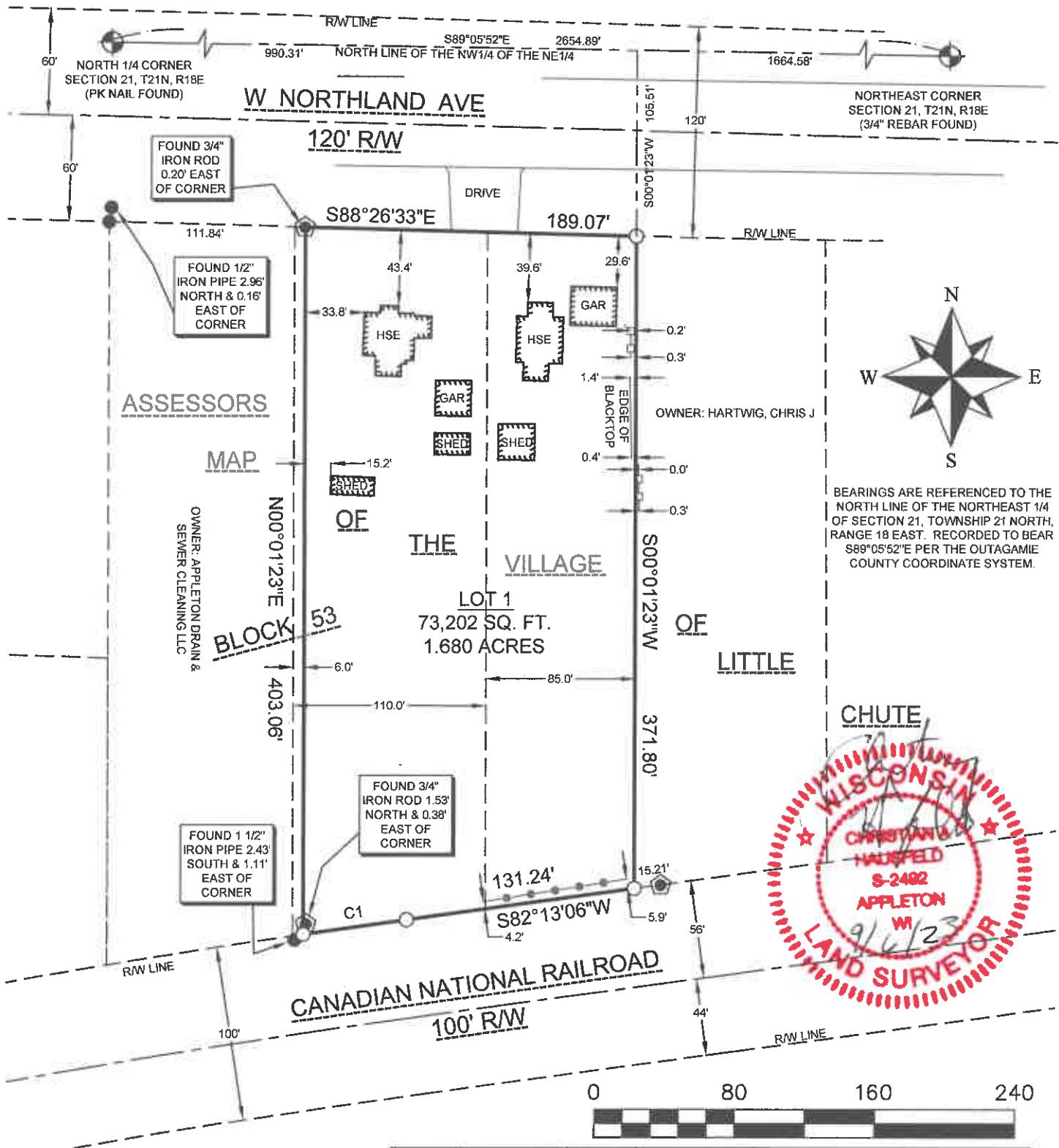
Recommendation/Board Action: To Discuss CSM and make a recommendation to the Village Board

Respectfully Submitted,

Dave Kittel, Community Development Director

CERTIFIED SURVEY MAP NO.

THE EAST EIGHTY-FIVE (85) FEET OF THE WEST NINE HUNDRED NINETY-ONE AND FIVE TENTHS (991.5) OF BLOCK FIFTY-THREE (53), AND THE EAST 110 FEET LESS AND EXCEPTING THE WEST 6 FEET THEREOF OF THE WEST 906.5 FEET OF BLOCK FIFTY-THREE (53), ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN, LESS AND EXEPTING THAT PART CONVEYED AND/OR USED FOR HIGHWAY PURPOSES. IN PART OF THE NW 1/4 OF THE NE 1/4 SECTION 21, TOWNSHIP 21 NORTH, RANGE 18 EAST.



LEGEND

- 3/4" X 18" IRON ROD SET, WEIGHING NOT LESS THAN 1.5 LBS. PER LINEAL FT.
 - 1" IRON PIPE FOUND
 - ◎ 3/4" IRON ROD FOUND
 - ◆ SECTION CORNER
 - WOOD BOARD FENCE
 - CHAIN LINK FENCE
 - () PREVIOUSLY RECORDED DIMENSION



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	59.56'	5983.22'	0°17'07"	S81°55'59" W	59.56'

PRECISION LAND SURVEYING, LLC
1024 W. TAYLOR ST. APPLETON, WI 54914

(920) 205-4895		
DRAWN BY CAH	DATE 8/7/2019	SURVEY FOR MIKE HACKBARTH N1499 FOREST GLEN DRIVE GREENVILLE, WI 54942
APPROVED CAH	DATE 8/7/2019	
SCALE 1" = 80'	SHEET 1 OF 3	PROJECT NO. 9175

CERTIFIED SURVEY MAP NO.

THE EAST EIGHTY-FIVE (85) FEET OF THE WEST NINE HUNDRED NINETY-ONE AND FIVE TENTHS (991.5) OF BLOCK FIFTY-THREE (53), AND THE EAST 110 FEET LESS AND EXCEPTING THE WEST 6 FEET THEREOF OF THE WEST 906.5 FEET OF BLOCK FIFTY-THREE (53), ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN, LESS AND EXEPTING THAT PART CONVEYED AND/OR USED FOR HIGHWAY PURPOSES. IN PART OF THE NW/14 OF THE NE 1/4 SECTION 21, TOWNSHIP 21 NORTH, RANGE 18 EAST.

SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN
SS)
OUTAGAMIE COUNTY)

I, CHRISTIAN A. HAUSFELD, PROFESIONAL WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, COMBINED AND MAPPED THE EAST EIGHTY-FIVE (85) FEET OF THE WEST NINE HUNDRED NINETY-ONE AND FIVE TENTHS (991.5) OF BLOCK FIFTY-THREE (53), AND THE EAST 110 FEET LESS AND EXCEPTING THE WEST 6 FEET THEREOF OF THE WEST 906.5 FEET OF BLOCK FIFTY-THREE (53), ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN, LESS AND EXEPTING THAT PART CONVEYED AND/OR USED FOR HIGHWAY PURPOSES. IN PART OF THE NW/14 OF THE NE 1/4 SECTION 21, TOWNSHIP 21 NORTH, RANGE 18 EAST. FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 21; THENCE SOUTH 89°05'52" EAST, 990.31 FEET ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE SOUTH 00°01'23" WEST, 105.51 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF W NORTHLAND AVE AND BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°01'23" WEST, 371.80 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CANADIAN NATIONAL RAILROAD; THENCE SOUTH 82°13'06" WEST, 131.24 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTHWESTERLY, 272.49 FEET ALONG A CURVE TO THE LEFT, WHOSE CHORD BEARS SOUTH 81°55'59" WEST, 59.56 FEET AND WHOSE RADIUS IS 5983.22 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 00°01'23" EAST, 403.06 FEET TO A POINT ON THE SOUTH RIGHT-OF-LINE OF SAID SOUTH LINE OF SAID W NORTHLAND AVE; THENCE SOUTH 88°26'33" EAST, 189.07 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. CONTAINING 1.680 ACRES, (73,202 SQ. FT.) OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF MIKE HACKBARTH, N1499 FOREST GLEN DR, GREENVILLE, WI 54942.

THAT SUCH IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF LAND SURVEYED. THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE LAND SUBDIVISION ORDINANCE OF THE VILLAGE OF LITTLE CHUTE AND SURVEYING AND MAPPING THE SAME.

DATED THIS 6th DAY OF September, 2023


WISCONSIN REGISTERED LAND SURVEYOR PLS-2492
CHRISTIAN A. HAUSFELD



VILLAGE OF LITTLE CHUTE BOARD APPROVAL:

THIS CERTIFIED SURVEY MAP HAS BEEN REVIEWED AND ACCEPTED BY THE VILLAGE OF LITTLE CHUTE BOARD.

VILLAGE PRESIDENT

DATED

VILLAGE CLERK

DATED

VILLAGE OF LITTLE CHUTE TREASURER CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP.

VILLAGE OF LITTLE CHUTE TREASURER

DATED

OUTAGAMIE COUNTY TREASURER:

I CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON THE PROPERTY INCLUDED WITH THE CERTIFIED SURVEY MAP.

COUNTY TREASURER

DATED

TAX PARCEL INFORMATION:

THIS CERTIFIED SURVEY MAP IS LOCATED IN TAX PARCEL NO. 260090600 & 260090700
DOCUMENT NO. 2160880
OWNER OF RECORD: BUSTERS BUDDIES LLC

CERTIFIED SURVEY MAP NO. _____

THE EAST EIGHTY-FIVE (85) FEET OF THE WEST NINE HUNDRED NINETY-ONE AND FIVE TENTHS (991.5) OF BLOCK FIFTY-THREE (53), AND THE EAST 110 FEET LESS AND EXCEPTING THE WEST 6 FEET THEREOF OF THE WEST 906.5 FEET OF BLOCK FIFTY-THREE (53), ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN, LESS AND EXEPTING THAT PART CONVEYED AND/OR USED FOR HIGHWAY PURPOSES. IN PART OF THE NW 1/4 OF THE NE 1/4 SECTION 21, TOWNSHIP 21 NORTH, RANGE 18 EAST.

OWNER'S CERTIFICATE:

AS OWNER'S I (WE) HEREBY CERTIFY THAT WE CAUSED THE LAND ON THE CERTIFIED SURVEY MAP TO BE SURVEYED COMBINED AND MAPPED AS REPRESENTED ON THIS MAP.

IN THE PRESENCE:

MIKE HACKBARTH

DATED

STATE OF WISCONSIN)
SS)
OUTAGAMIE COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2023 THE ABOVE NAMED, MIKE HACKBARTH, OWNER KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE FOREGOING FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC _____ WISCONSIN





Item For Consideration

For Plan Commission Review On: 11/13/2023
Agenda Item Topic: Skid Steer Site Plan

Prepared On: 11/8/2023
Prepared By: Dave Kittel CDD

Report:

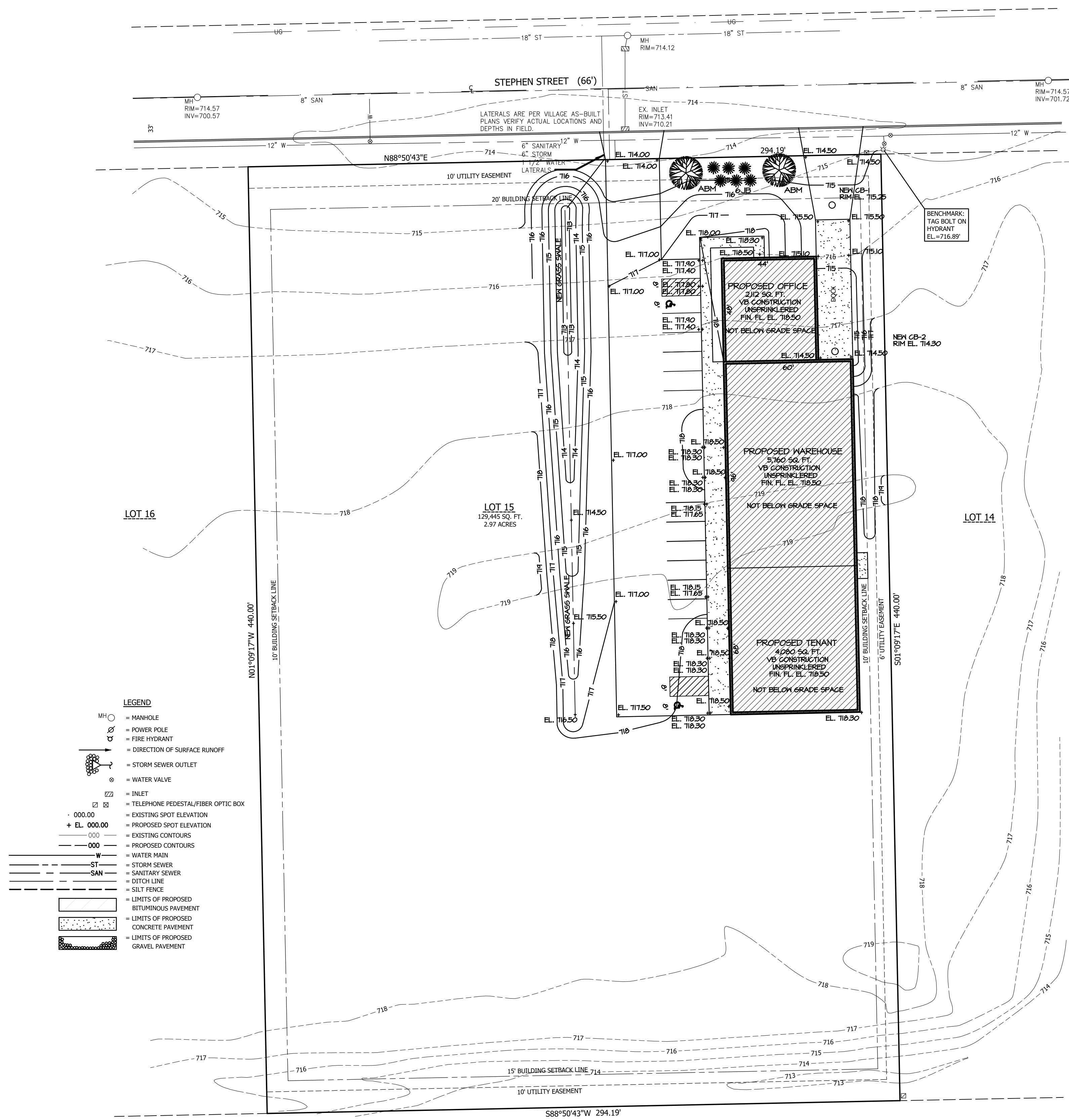
Skid Steer is finalizing plans for a new building located at 1603 Stephen St. The building is about 11,952 square feet and allows for growth of the business as well as tenant space. Attached to this report is a copy of the Site Plan for the new Skid Steer building. Due to the Covenants in the Industrial Park and as part of the sale of this lot the site plan is to be approved by the Village Board.. Staff have reviewed the plans and sent comments that have been or are being resolved and the updated plans are being reviewed to ensure nothing was missed.

Fiscal Impact: None

Recommendation/Plan Commission Action: To Recommend Approval the Site plan for the Skid Steer building located at 1603 Stephen St with the Condition that any remaining staff comments are answered, all village ordinances are to be followed and all applicable permits are applied for and reviews from applicable jurisdictions are complete.

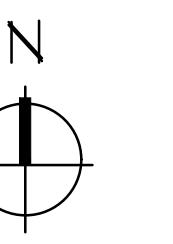
Respectfully Submitted,

Dave Kittel, Community Development Director



LANDSCAPE PLAN

SCALE: 1" = 30'

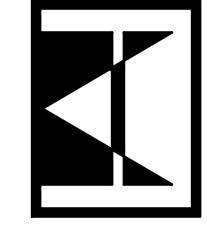


LANDSCAPE TREE/ SHRUB SCHEDULE						
SYM.	COMMON NAME	LATIN NAME	QTY.	COND.	SIZE	REMARKS
 ABM	AUTUMN BLAZE MAPLE	ACER RUBRUM	2	B&B	2 1/2"	ALL PLANT MATERIAL SHALL CONFORM TO "AMERICAN STANDARDS FOR NURSERY STOCK"
 JB	JAPANESE BARBERRY	BERBERIS THUNBERGII "CRIMSON PYGMY"	6	2 GAL	2'-3'	

LANDSCAPE REQUIREMENTS: INDUSTRIAL DISTRICT
MINIMUM ONE SHADE TREE AND THREE SHRUBS PER 40 LINEAR FEET OF FRONTAGE EXCLUDING DRIVEWAY OPENINGS.
USE 80 FEET OF FRONTAGE AT DEVELOPMENT
LANDSCAPE NEEDED: 2 SHADE TREES AND 6 SHRUBS

HARRIS
& ASSOCIATES, INC.
CONSULTING ENGINEERS
AND LAND SURVEYORS

2718 NORTH MEADE ST.
APPLETON, WI 54911
TEL: (920) 733-8377
FAX: (920) 733-4731



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PROJECT:	FOX STRUCTURES, INC. SKIDSTEERS	DATE	BY
LOCATION:	1603 STEPHEN STREET LITTLE CHUTE, WISCONSIN	DATE	BY
DESCRIPTION:	LANDSCAPE PLAN		
DRAWN BY: CLT		REV. NO.:	
CHECKED BY:		REV. NO.:	
11-0-23		DESCRIPTION	
SHEET		DATE	
C4.0		BY	
PROJECT NUMBER		REV. NO.:	
1872		DESCRIPTION	

PROPOSED FOR:

STEPHEN ST
LITTLE CHUTE, WISCONSIN 54140

ABBREVIATIONS

A.F.F.	ABOVE FINISHED FLOOR
BD.	BOARD
BLDG.	BUILDING
BETWN.	BETWEEN
C.B.	CATCH BASIN
C.J.	CONTROL JOINT
C.L.	CENTERLINE
CLG.	CEILING
COL.	COLUMN
CONC.	CONCRETE
DET.	DETAIL
DIA.	DIAMETER
DN.	DOWN
E.W.	EACH WAY
EL/ELEV.	ELEVATION
ELEC.	ELECTRICAL
EQ.	EQUAL
F.D.	FLOOR DRAIN
FIN.	FINISH
FLR.	FLOOR
FND.	FOUNDATION
FTG.	FOOTING
GA.	GAUGE
GALV.	GALVANIZED
GYP.	GYPSUM
I.D.	INSIDE DIAMETER
JT.	JOINT
MAX.	MAXIMUM
MECH.	MECHANICAL
MFR.	MANUFACTURER
MIN.	MINIMUM
N.T.S.	NOT TO SCALE
NO.	NUMBER
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
OPG.	OPENING
U.N.O.	UNLESS NOTED OTHERWISE
R.	RISER
R.O.	ROUGH OPENING
REF.	REFERENCE
RM.	ROOM
S/STL.	STAINLESS STEEL
SHTG.	SHEATHING
SPEC.	SPECIFICATIONS
SQ.	SQUARE
STRUCT.	STRUCTURAL
T.	TREAD
T.O.	TOP OF (...)
T.O.CONC.	TOP OF CONCRETE
T.O.F.	TOP OF FRAMING
T.O.STL.	TOP OF STEEL
T.O.W.	TOP OF WALL
TYP.	TYPICAL
V.I.F.	VERIFY IN FIELD
W.W.F.	WELDED WIRE FABRIC
&	AND
@	AT
Ø	DIAMETER
±	PLUS OR MINUS

SYMBOL LEGEN

SYMBOL LEGEND

KEYNOTE DESIGNATION	
DOOR DESIGNATION	
WINDOW DESIGNATION	
WALL DESIGNATION	
ROOM DESIGNATION	 ROOM NAME → ROOM NAME 101 → ROOM NUMBER
ELEVATION HEIGHT	 Name → REFERENCE POINT Elevation → HEIGHT
GRID LINE	 GRID NUMBER / LETTER
EXTERIOR ELEVATION DESIGNATION	 1 → DIRECTION OF VIEW A1.1 → ELEVATION NUMBER A1.1 → SHEET NUMBER
INTERIOR ELEVATION DESIGNATION	 1 → DIRECTION OF VIEW A1.1 → ELEVATION NUMBER A1.1 → SHEET NUMBER
BUILDING / WALL SECTION DESIGNATION	 1 → DIRECTION OF VIEW A1.1 → SECTION NUMBER A1.1 → SHEET NUMBER
ENLARGED PLAN DETAIL DESIGNATION	 1 → AREA ENLARGED A1.1 → DETAIL NUMBER A1.1 → SHEET NUMBER
REVISION DESIGNATION	 1 → REVISION NUMBER Cloud shape → AREA REVISED

CONTACT INFO

CONTACT INFO		
<u>OWNER INFORMATION</u>	<u>GENERAL CONTRACTOR</u>	<u>SUPERVISING PROFESSIONAL</u>
JOY JANSSEN PO BOX 224 LITTLE CHUTE, WI 54140 PHONE: (920) 284-0421 EMAIL: joy@skidsteers.com	FOX STRUCTURES, INC. 2201 EASTLINE ROAD KAUKAUNA, WI 54130 PHONE: (800) 236-1369 www.foxstructures.com	EUGENE J. THIEDE, PE N5847 MT. PLEASANT ROAD COLUMBUS, WI 53925 PHONE: (608) 535-0063 EMAIL: ejthiede@yahoo.com

PROJECT INFORMATION

<u>APPLICABLE BUILDING CODE</u>	
2015 INTERNATIONAL BUILDING CODE	
 <u>BUILDING CONTENT</u>	
NUMBER OF STORIES:	ONE (1) STORY
GROSS BUILDING AREA:	11,952 S.F.
BUILDING HEIGHT:	27'-3 3/16" @ PEA
 <u>OCCUPANCY CLASSIFICATION</u>	
B & S-1	
UNSEPARATED USES	
OCC. LOAD: 36	
 <u>CONSTRUCTION CLASSIFICATION</u>	
TYPE VB CONSTRUCTION	
RISK CATEGORY: II	
SPRINKLED: NO	
FIREWALL: NO	
 <u>ALLOWABLE AREA</u>	
TABULAR FLOOR AREA: 9,000 S.F.	
- (TABLE 506.2)	
FRONTAGE INCREASE: 3,243 S.F.	
<u>SPRINKLER INCREASE:</u> 0 S.F.	
TOTAL ALLOWABLE AREA: 12,243 S.F.	
ALLOWABLE FIRE AREA: 12,000 S.F.	

DESIGN LOADS

DESIGN LOADS

SHEET INDEX

SHEET INDEX	
GENERAL:	G1.0 COVER SHEET
CIVIL:	C1.1 ARCHITECTURAL SITE PLAN
ARCHITECTURAL:	<ul style="list-style-type: none"> A1.1 FLOOR PLAN A2.1 ELEVATIONS A3.1 CROSS SECTION @ OFFICE A3.2 CROSS SECTION @ WAREHOUSE A4.1 WALL SECTIONS A6.0 SCHEDULES
STRUCTURAL:	<ul style="list-style-type: none"> S1.1 FOUNDATION PLAN S1.2 LOADING DOCK DETAILS S2.1 ROOF FRAMING PLAN
PROPOSED FOR:	
SKIDSTEERS.COM	
STEPHEN ST	
VILLAGE OF LITTLE CHUTE	
OUTAGAMIE COUNTY	
ISSUE RECORD:	
P1 06-14-23	
IFS 08-16-23	
REV1 09-20-23	
-	
-	
REVISED PLAN 09-20-23	
<ul style="list-style-type: none"> 1. CHANGED CEILING INSULATION TO R-56 2. CHANGE EXTERIOR WALL INSULATION TO R-24 	

PROPOSED FOR:
SKIDSTEERS.COM

STEPHEN ST

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**CONSTRUCTION
DESIGN • WELDING**

2201 Eastline Road
Kaukauna, WI 54130
Phone: (920) 766-9305
Toll Free: (800) 236-1369
foxstructures.com

G1.0

Conditionally
APPROVED

CB-092301526-PRB
New plan
Building
2/21/23

WISCONSIN
EUGENE J.
THIEDE
E-13955
COLUMBUS
WI
PROFESSIONAL ENGINEER

Eugene J. Thiede

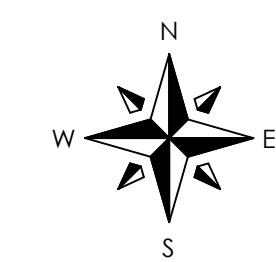
9/20/23



1

ARCHITECTURAL SITE PLAN

1" = 40'-0"



C1.1

SKIDSTEERS.COM

STEPHEN ST

STEPHEN ST

VILLAGE OF LITTLE CHUTE
OUTAGAMIE COUNTY

ISSUE RECORD:

P1 06-14-23
IFS 08-16-23
REV1 09-20-23

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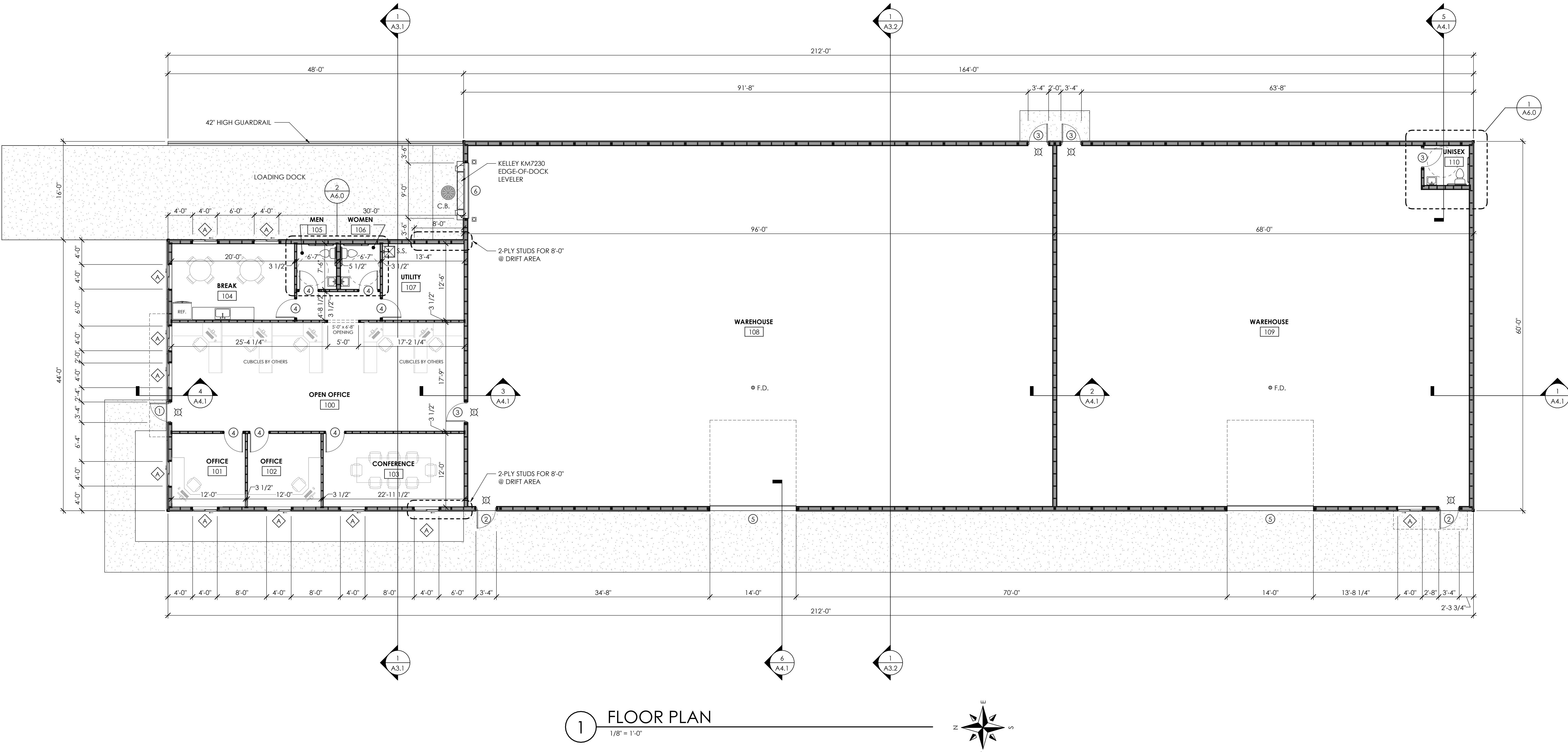
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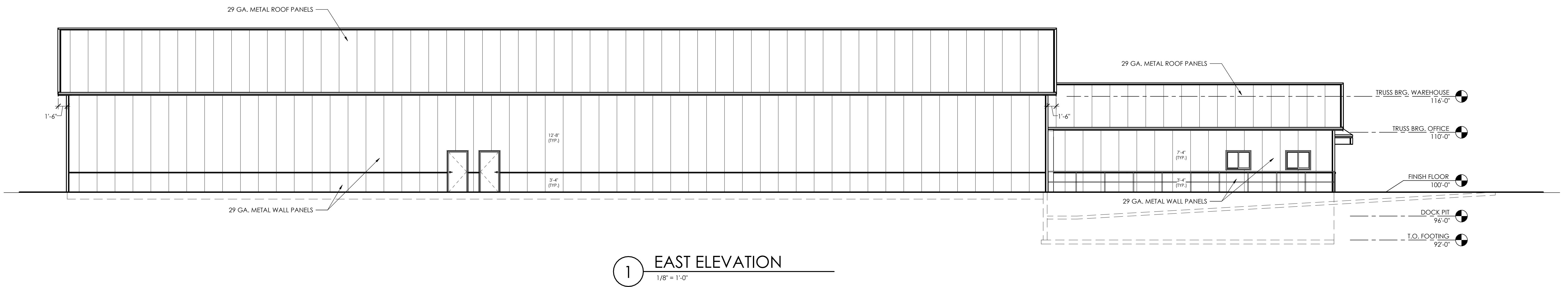
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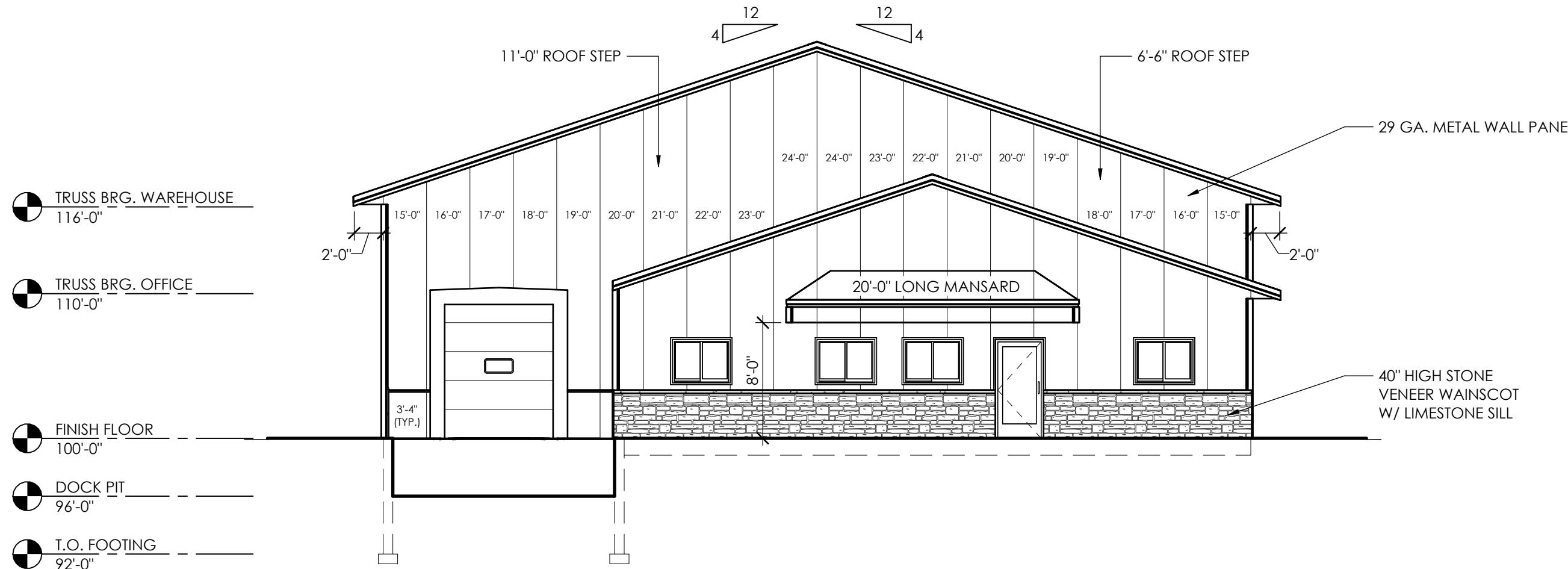
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1 EAST ELEVATION

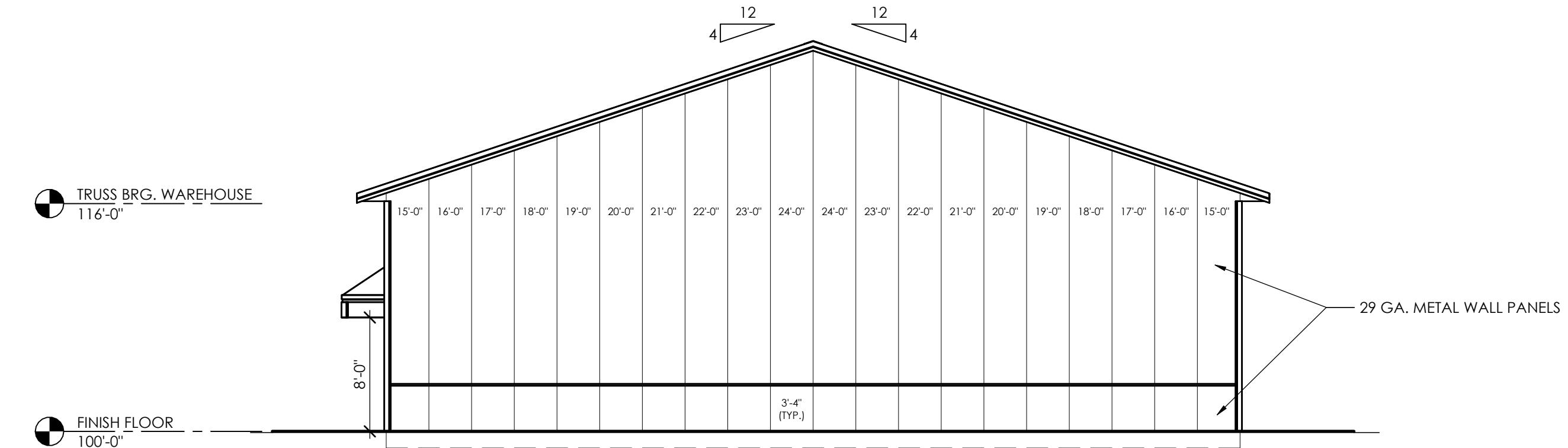
1/8" = 1'-0"





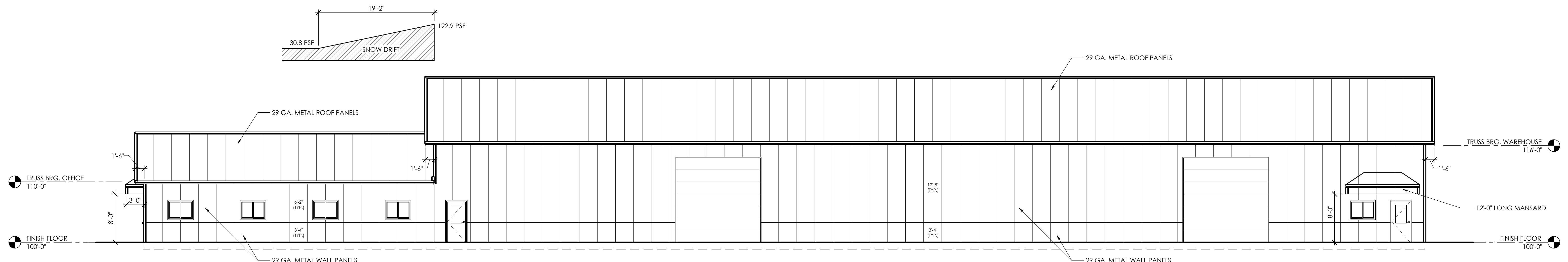
NORTH ELEVATION

3



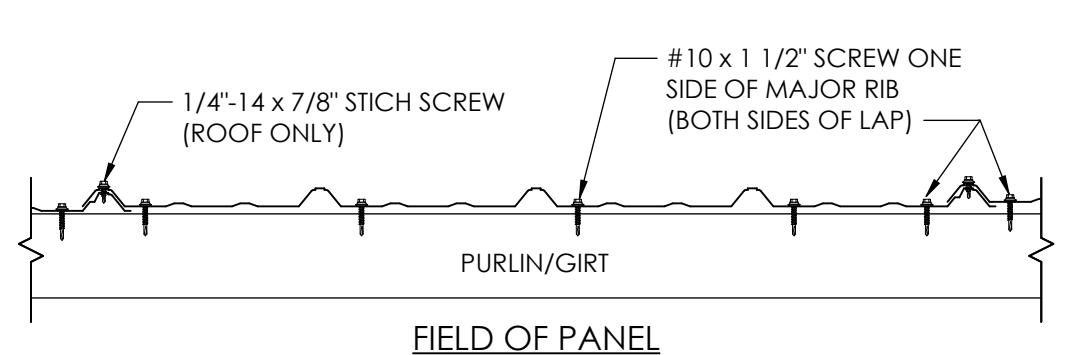
2 SOUTH ELEVATION

2 1/8

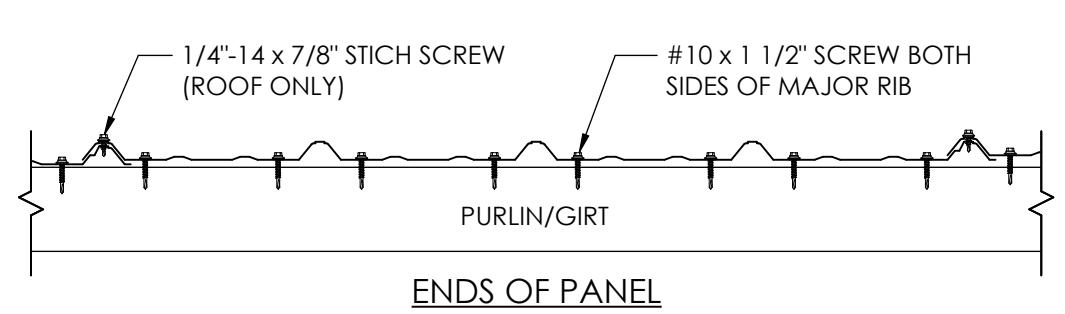


WEST ELEVATION

4)  1/8" =



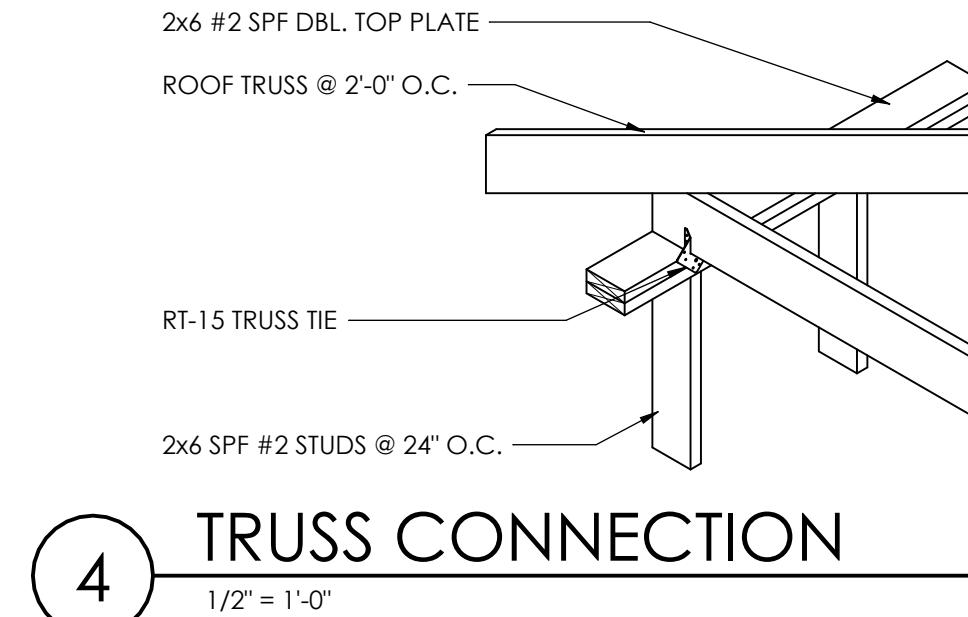
STEEL PANEL CONNECTION



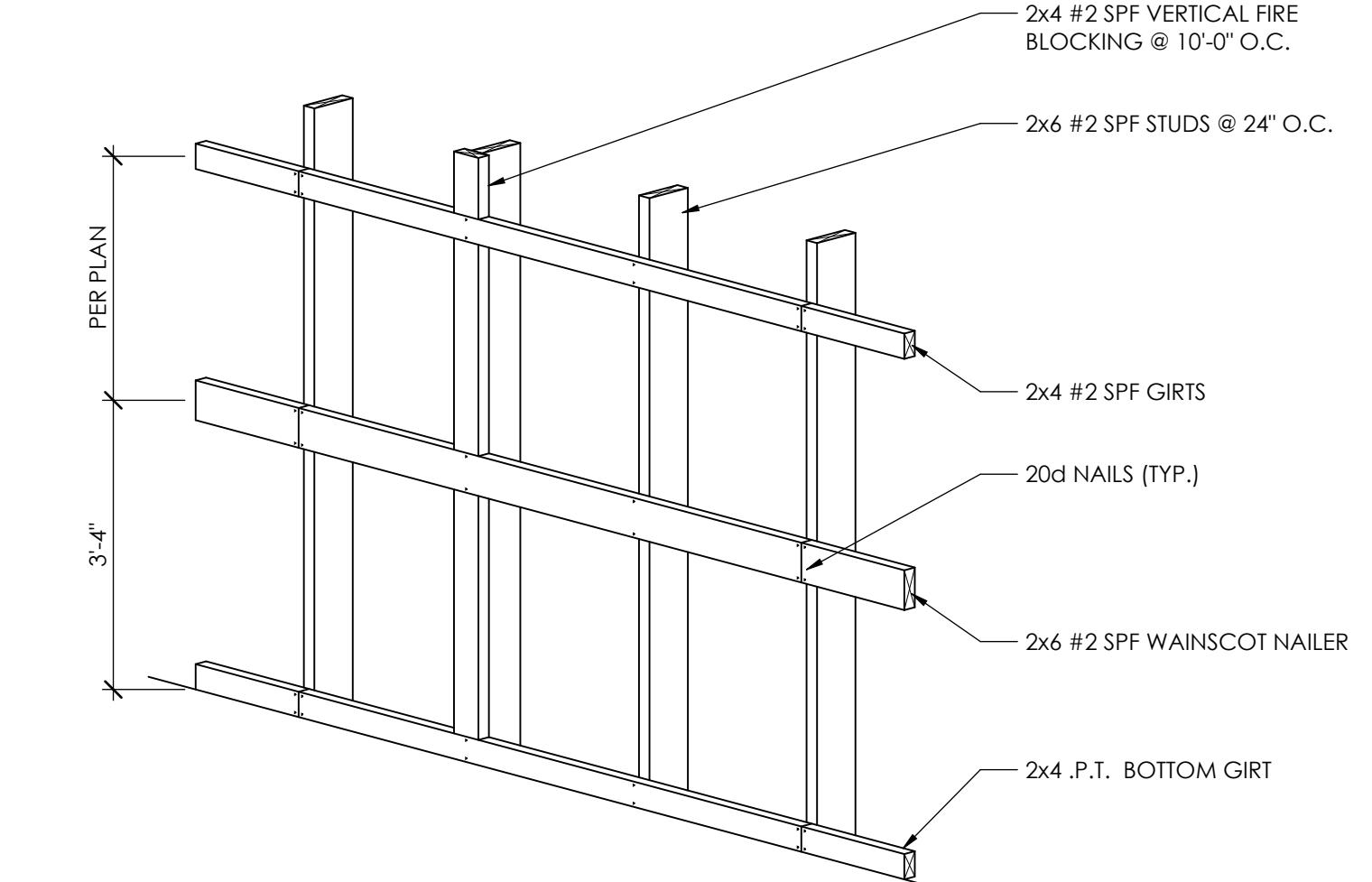
STEEL PANEL CONNECTION



5 PURLIN CONNECTION

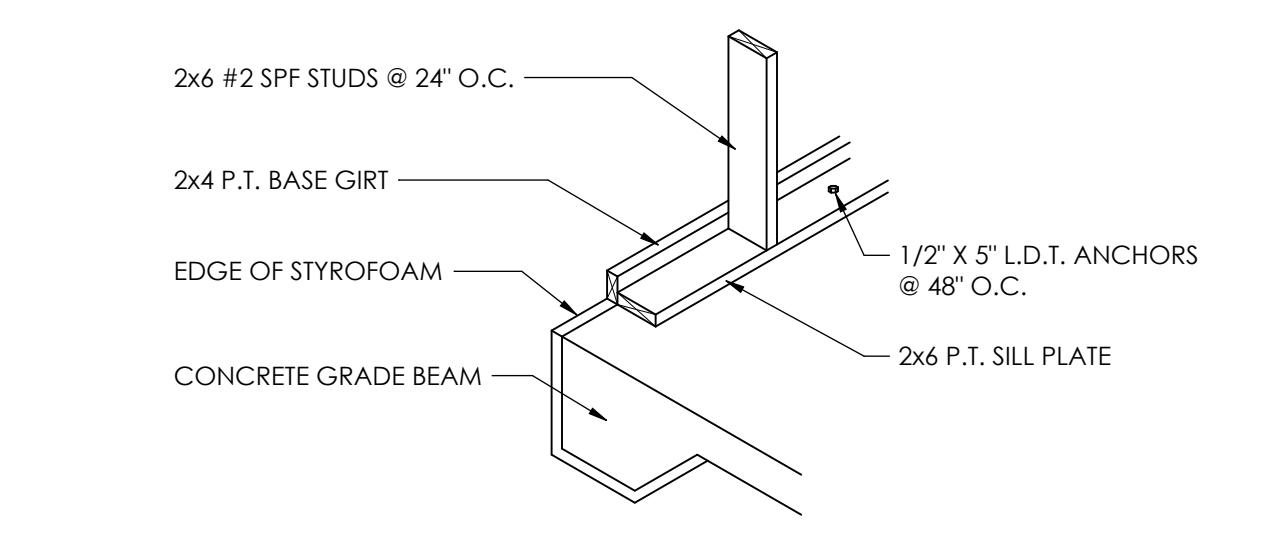


4 TRUSS CONNECTION



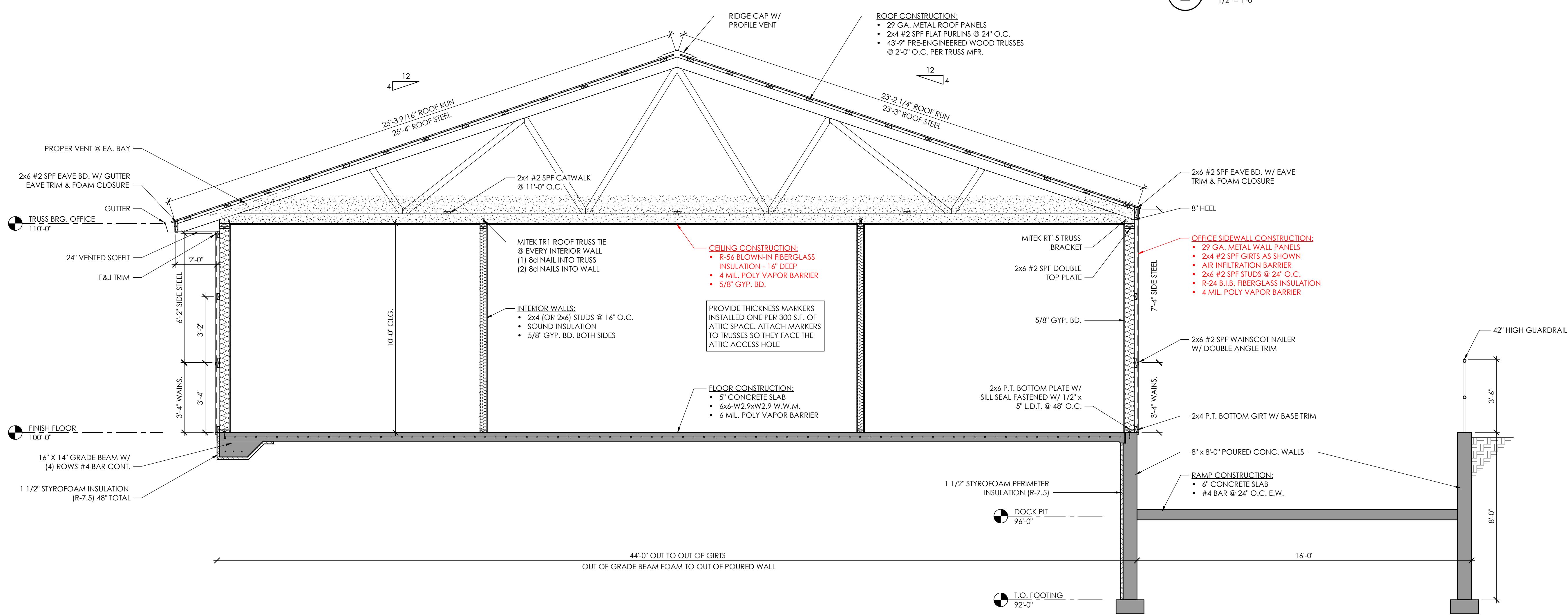
3 GIRT CONNECTION

1/2" = 1'-0"

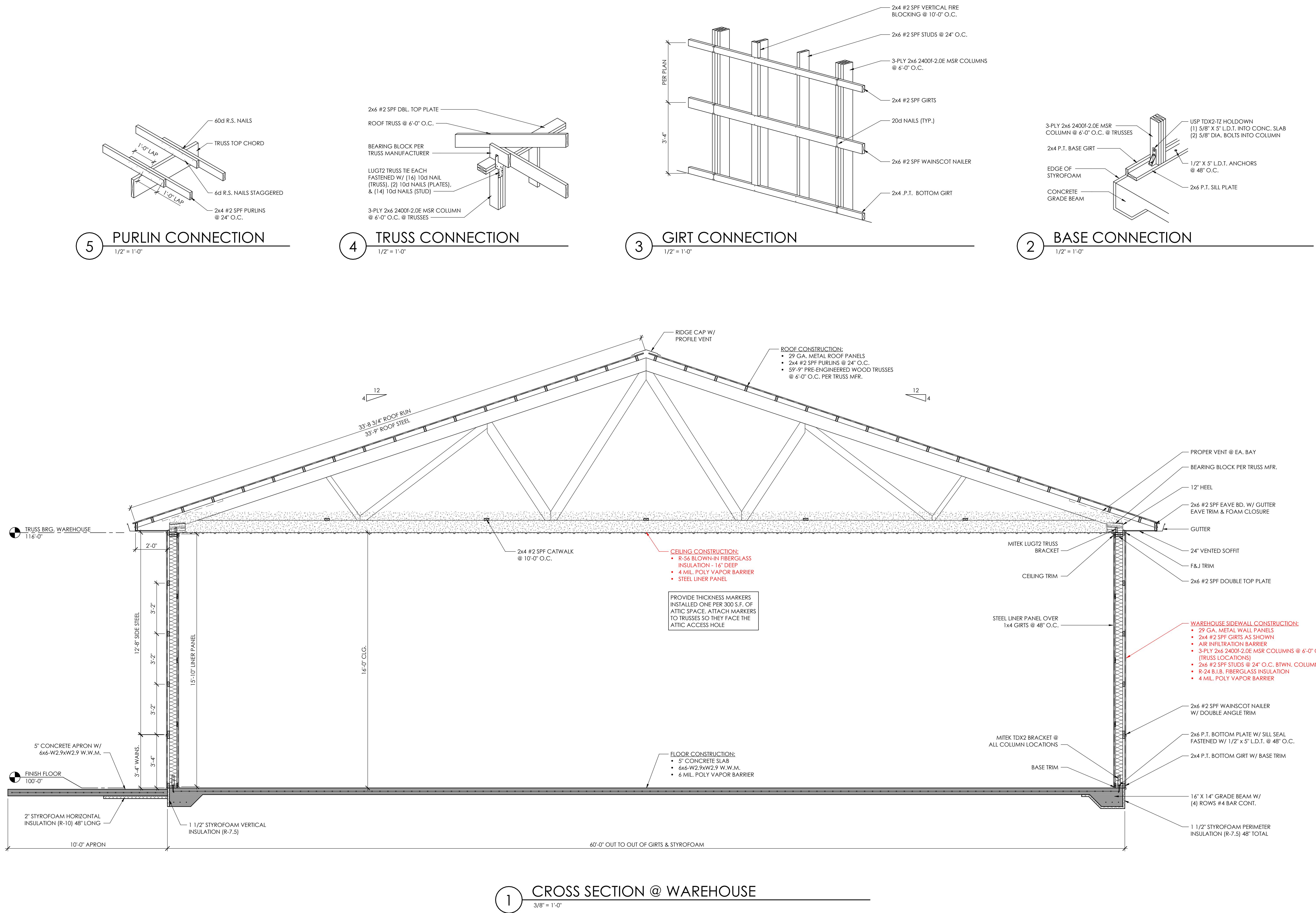


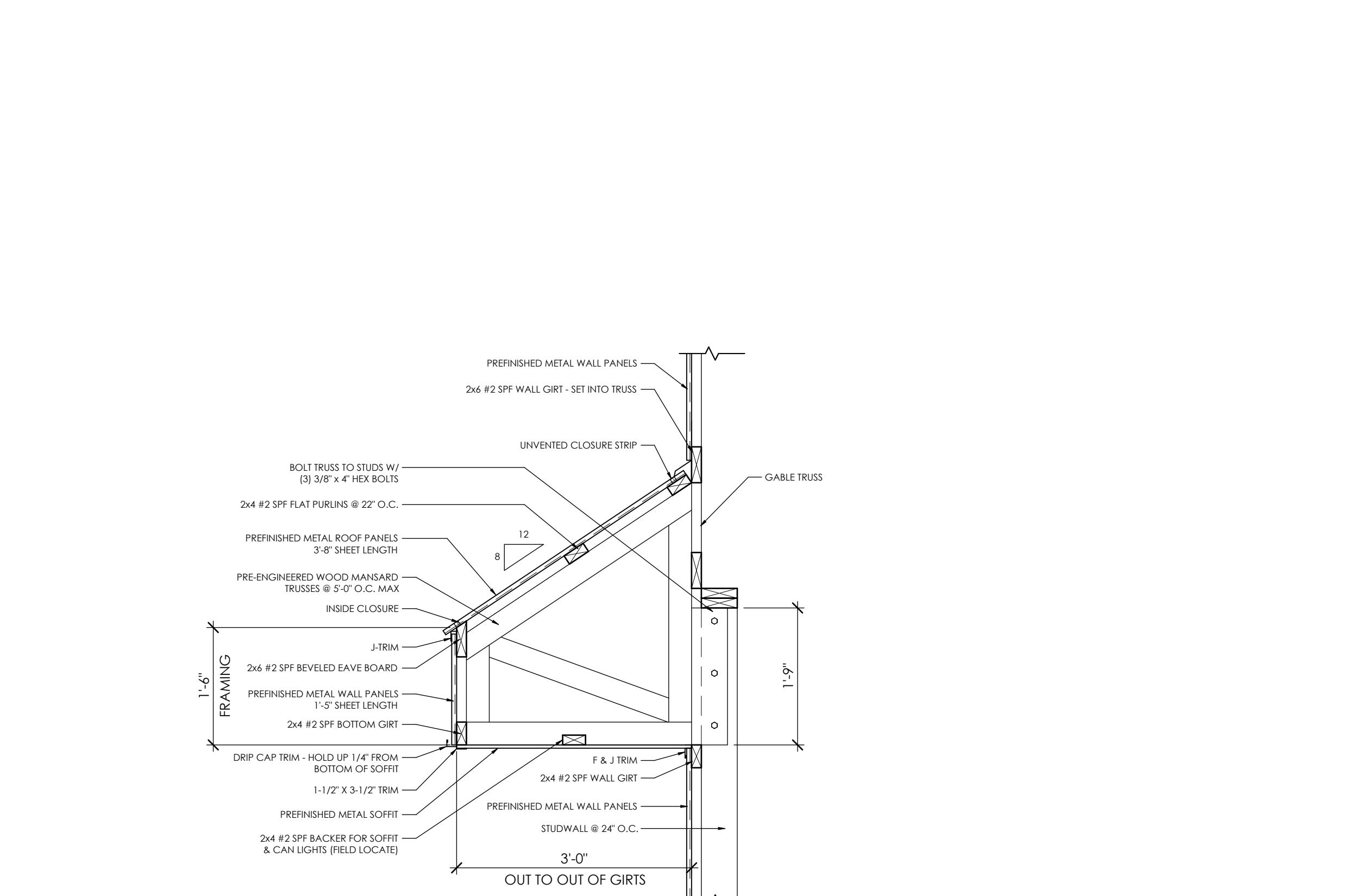
2 BASE CONNECTION

1/2" = 1'-0"



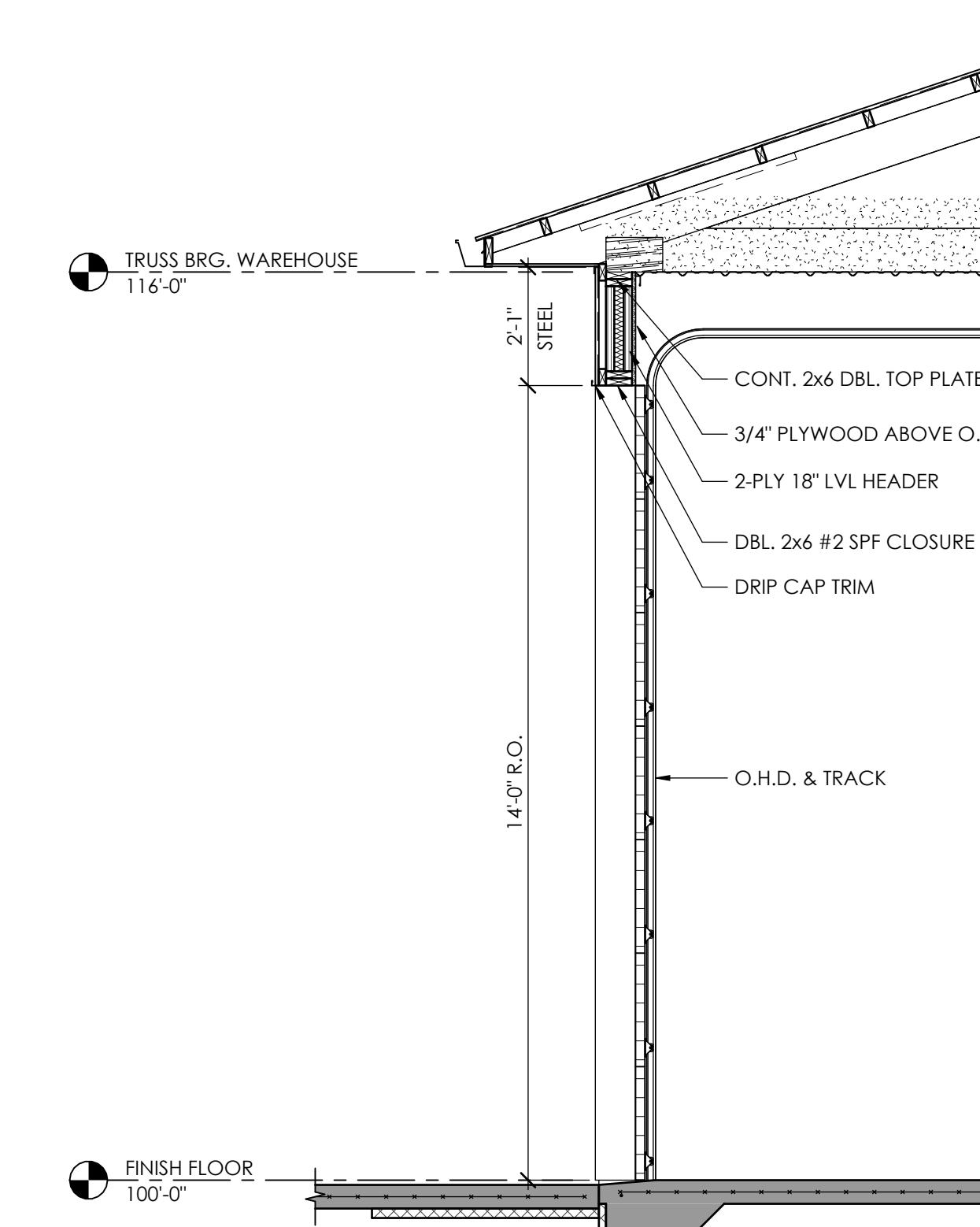
CROSS SECTION @ OFFICE





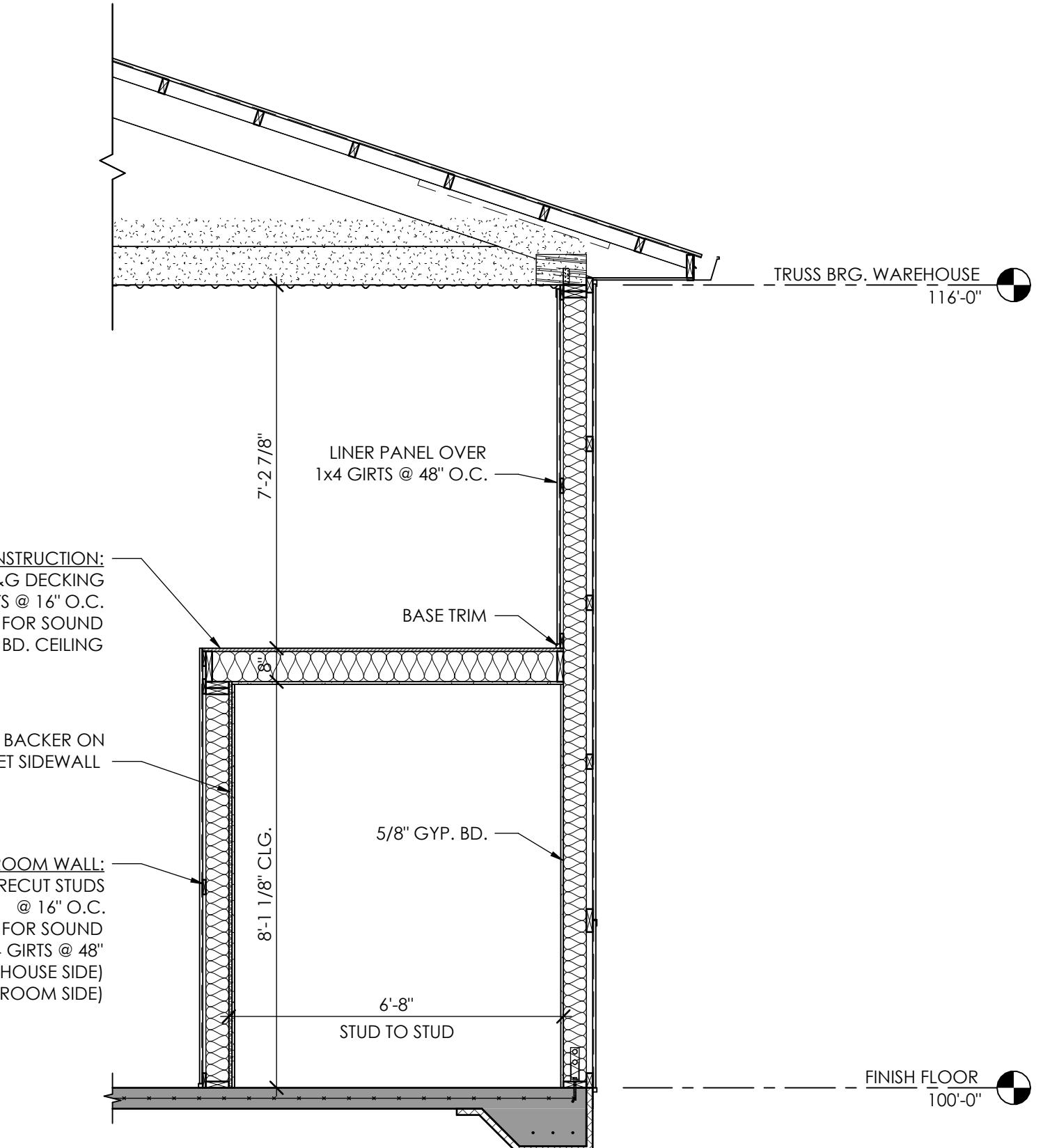
7 MANSARD DETAIL

3/



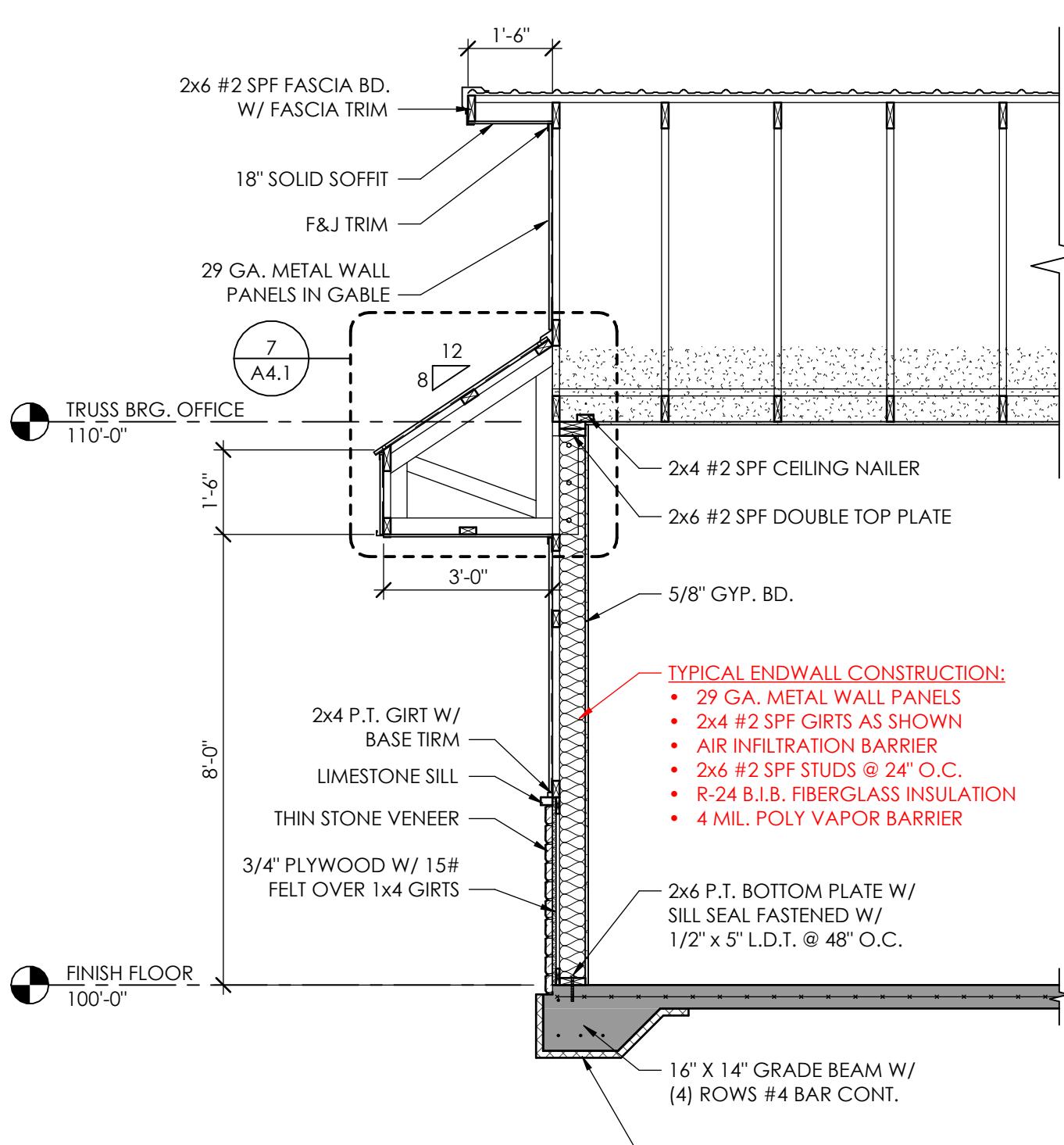
O.H.D. SECTION

6



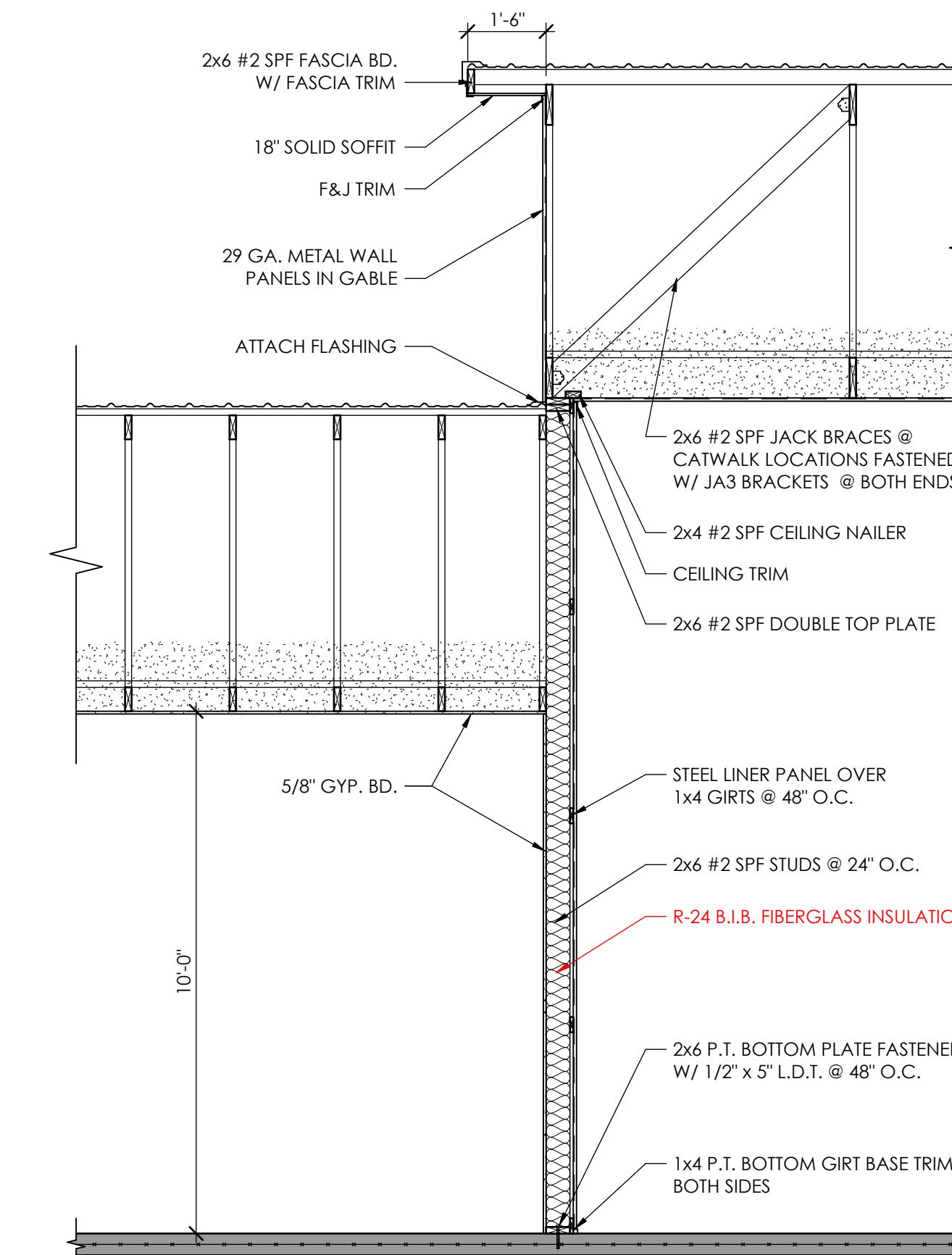
RESTROOM SECTION

5



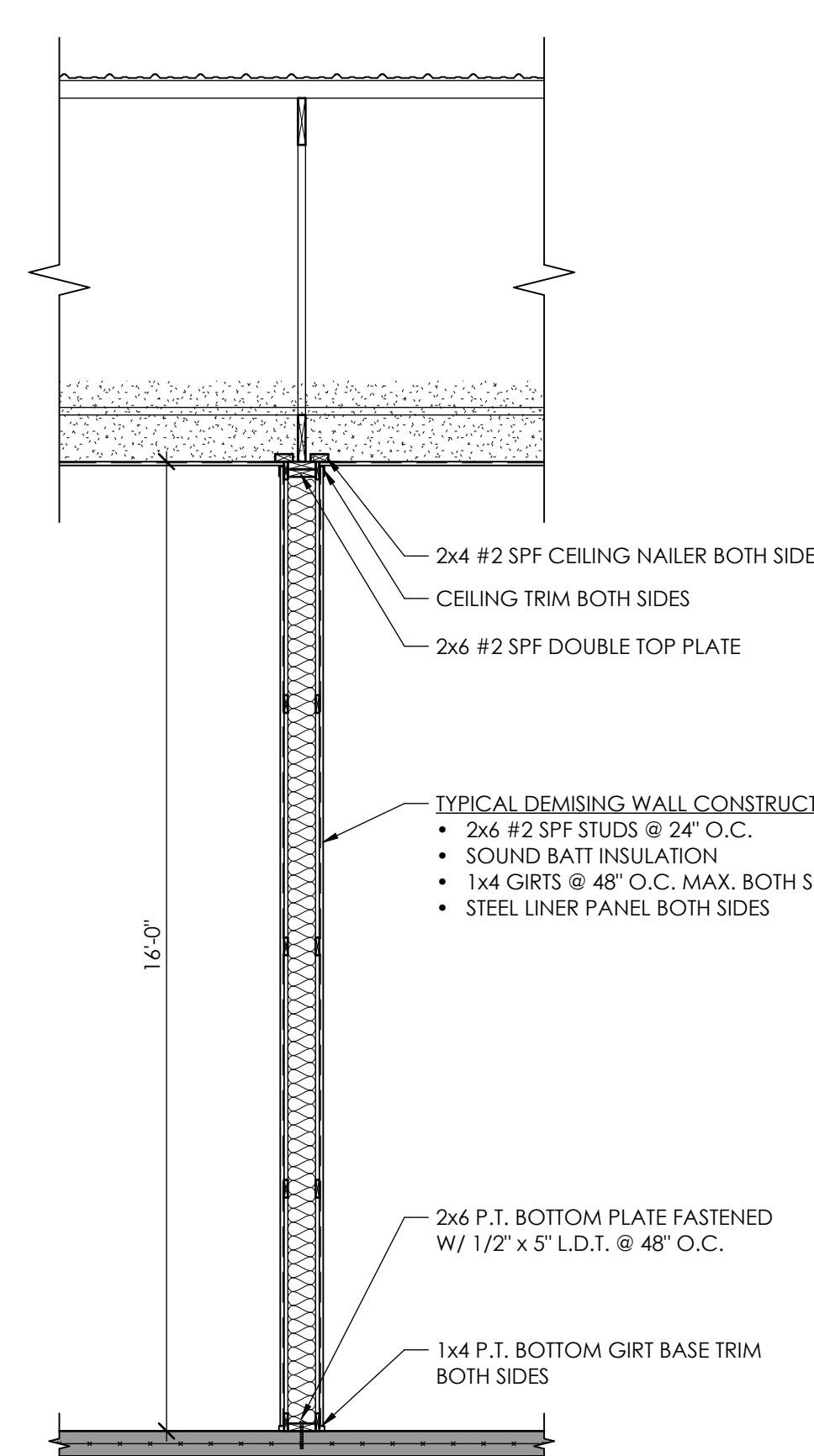
NORTH ENDWALL SECTION

$$3/8" = 1'-0"$$



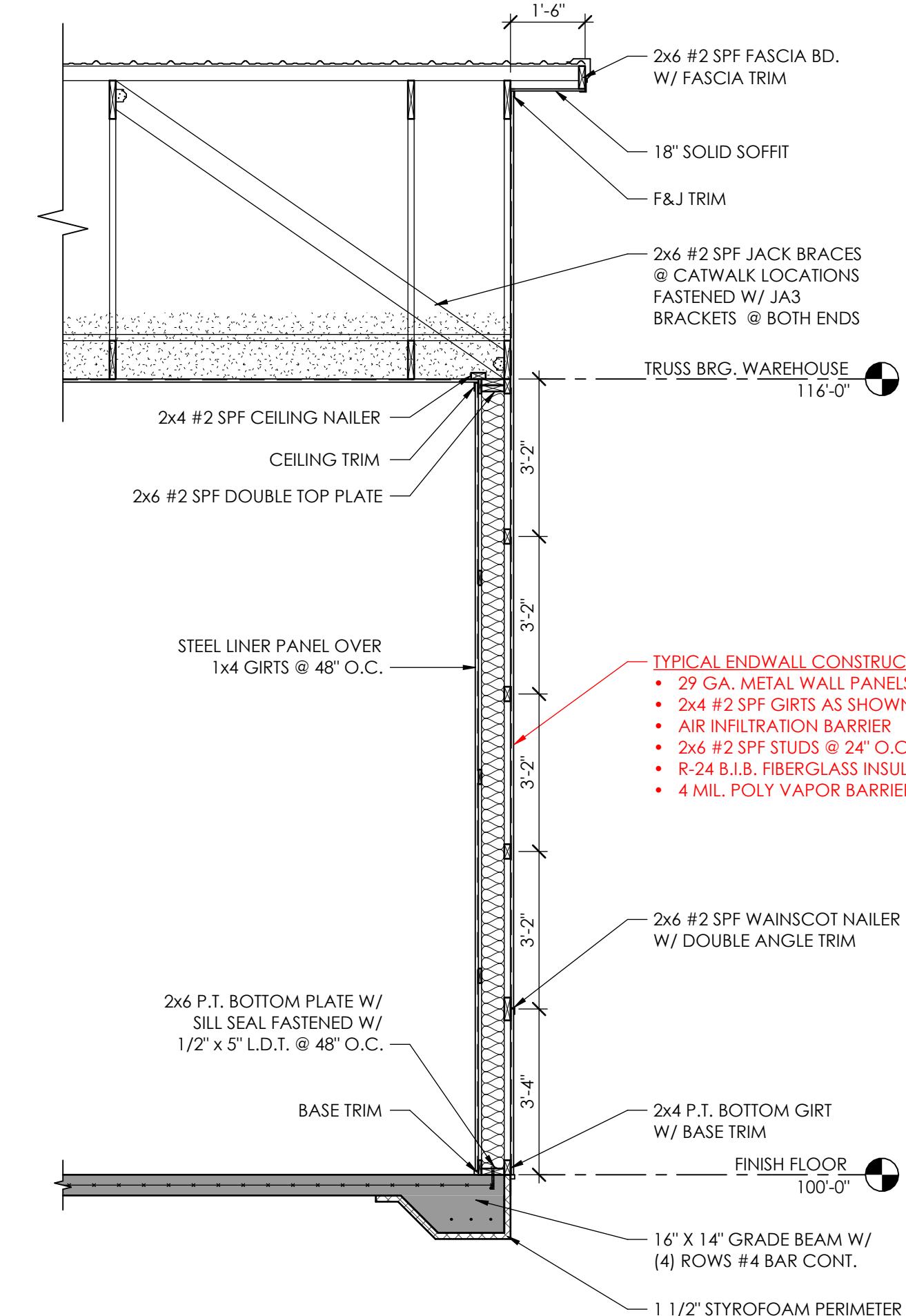
3 ROOF STEP SECTION

3



2 DEMISING WALL SECTION

2



1 SOUTH ENDWALL SECTION

1

ROOM FINISH SCHEDULE					
NO.	NAME	FLOOR	BASE	WALL	CEILING
100	OPEN OFFICE	CPT	VB	GWB	GWB
101	OFFICE	CPT	VB	GWB	GWB
102	OFFICE	CPT	VB	GWB	GWB
103	CONFERENCE	CPT	VB	GWB	GWB
104	BREAK	LVP	VB	GWB	GWB
105	MEN	LVP	VB	GWB	GWB
106	WOMEN	LVP	VB	GWB	GWB
107	UTILITY	LVP	VB	GWB	GWB
108	WAREHOUSE	SC	-	SLP	SLP
109	WAREHOUSE	SC	-	SLP	SLP
110	UNISEX	SC	VB	GWB	GWB

ROOM FINISH KEY

WALL FINISHES	GWB GYPSUM WALL BOARD - 5/8"
	OSB OSB SHEATHING
	PLY PLYWOOD SHEATHING
	SLP STEEL LINER PANEL
CEILING FINISHES	ACT ACOUSTICAL CEILING TILES - 24" x 24"
	GWP GYPSUM WALL BOARD - 5/8"
	OSB OSB SHEATHING
	PLY PLYWOOD SHEATHING
	PVC PVC LINER PANEL
	SLP STEEL LINER PANEL

DOOR SCHEDULE							
NO.	MODEL	QTY.	DOOR SIZE	ROUGH OPENING	MATERIAL		REMARKS
					DOOR	FRAME	
1	ALUMINUM FULL GLASS	1	3'-0" x 6'-8"	40" x 82"	ALUMINUM	ALUMINUM	PUSH/PULL HARDWARE & CLOSURE
2	PLYCO 20 SERIES W/ LITE	2	3'-0" x 6'-8"	40 3/8" x 81 3/4"	STEEL	STEEL	
3	PLYCO 20 SERIES	4	3'-0" x 6'-8"	40 3/8" x 81 3/4"	STEEL	STEEL	
4	WOOD SOLID CORE	7	3'-0" x 6'-8"	38" x 81"	WOOD	WOOD	
5	INSULATED OVERHEAD DOOR	2	14'-0" x 14'-0"	168" x 168"	STEEL	N/A	
6	INSULATED OVERHEAD DOOR	1	9'-0" x 10'-0"	108" x 120"	STEEL	N/A	

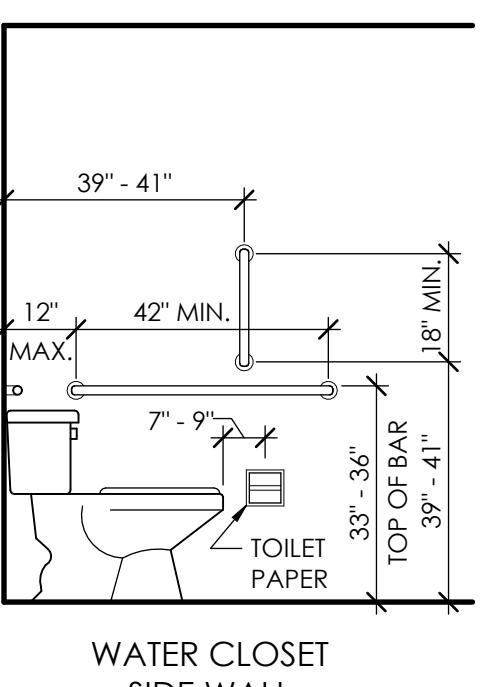
NOTE:
1. ALL WALK DOORS TO HAVE LEVER/LEVER LOCKS.
2. ALL RESTROOM DOORS TO BE EQUIPPED W/ PRIVACY LEVER/LEVER LOCKS.

WINDOW SCHEDULE						
NO.	MODEL	QTY.	WINDOW SIZE	ROUGH OPENING	HEAD HEIGHT	REMARKS
A	VINYL SLIDING	11	4'-0" x 3'-0"	48 1/2" x 36 1/2"	6'-10"	

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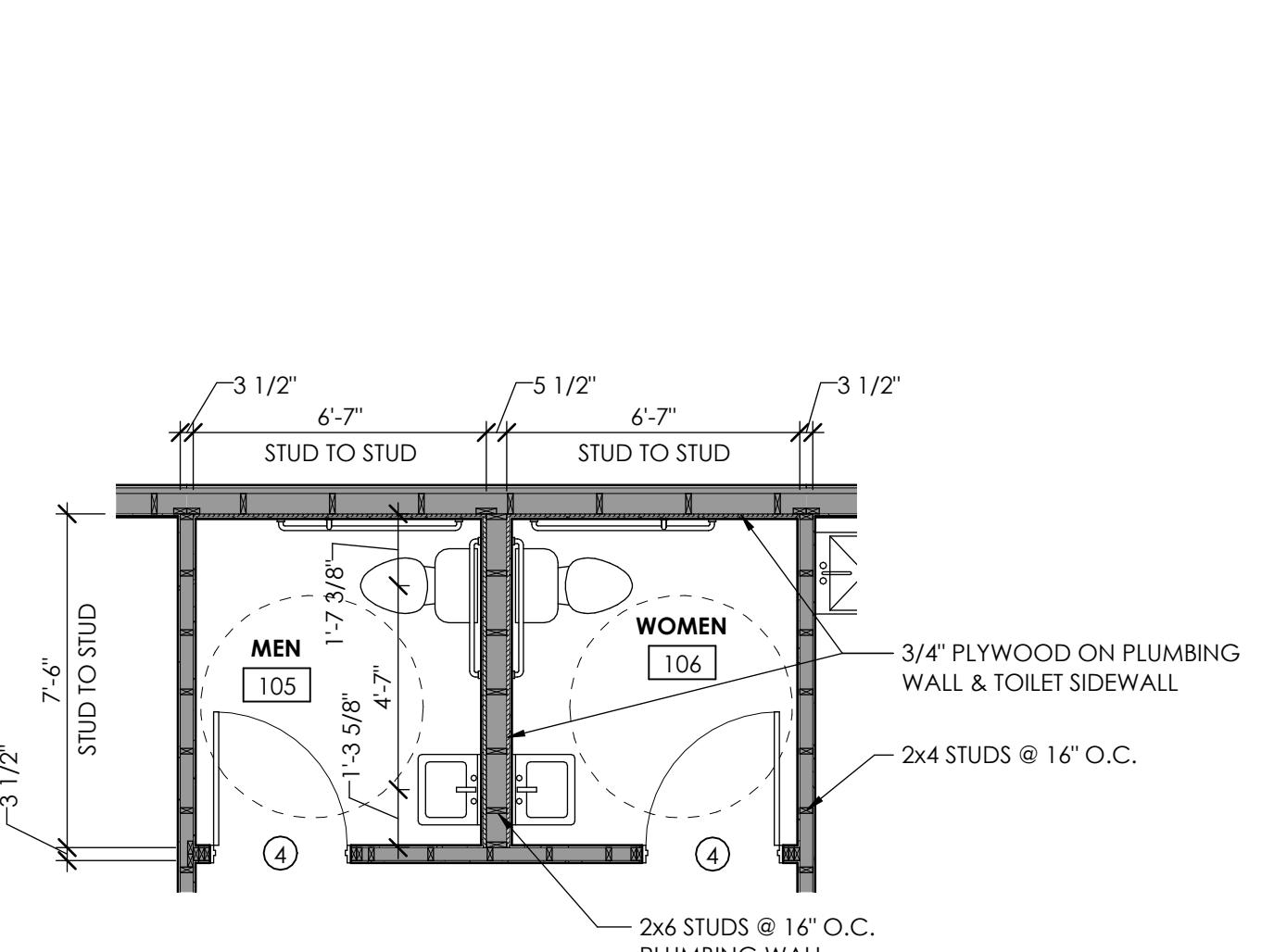
LITTLE CHUTE, WISCONSIN 54140

OCCUPANT LOAD SCHEDULE						
NO.	NAME	AREA	FUNCTION OF SPACE	OCC. CLASS	OCC. FACTOR	OCC. LOAD
100	OPEN OFFICE	837.07 SF	BUSINESS	B	100 SF	8.37
101	OFFICE	141.51 SF	BUSINESS	B	100 SF	1.42
102	OFFICE	141.51 SF	BUSINESS	B	100 SF	1.42
103	CONFERENCE	271.87 SF	BUSINESS	B	100 SF	2.72
104	BREAK	246.63 SF	BUSINESS	B	100 SF	2.47
105	MEN	47.06 SF	RESTROOM	B	0 SF	
106	WOMEN	47.06 SF	RESTROOM	B	0 SF	
107	UTILITY	163.99 SF	ACCESSORY STORAGE/MECHANICAL	B	300 SF	0.55
108	WAREHOUSE	5561.76 SF	WAREHOUSE	S-1	500 SF	11.12
109	WAREHOUSE	3865.91 SF	WAREHOUSE	S-1	500 SF	7.73
110	UNISEX	47.06 SF	RESTROOM	S-1	0 SF	



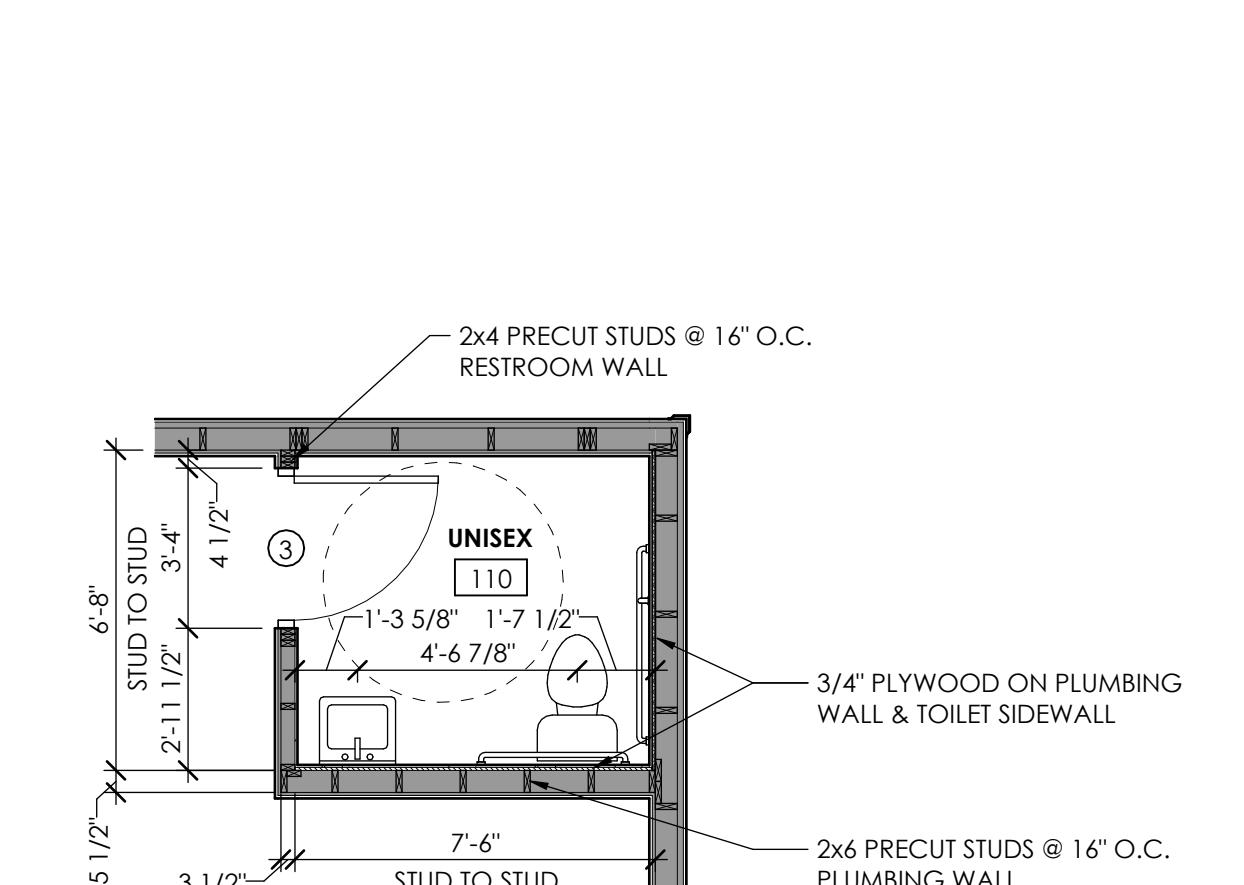
TYPICAL PLUMBING FIXTURES MOUNTING HEIGHTS

NOTE:
1. RESTROOM FLOORS TO HAVE A SMOOTH, HARD, NON-ABSORBANT SURFACE EXTENDING AT LEAST 4" UPWARD ONTO WALLS PER IBC 1210.2.
2. RESTROOM WALLS TO HAVE A SMOOTH, HARD, NON-ABSORBANT SURFACE PER IBC 1210.2.2.
3. PROVIDE ADEQUATE BLOCKING FOR TOILET ACCESSORIES
4. PROVIDE PIPE PROTECTION FOR SUPPLY & DRAIN PIPES



ENLARGED RESTROOM PLAN OFFICE

3 PLUMBING STANDARDS
3/8" = 1'-0"



1 ENLARGED RESTROOM PLAN WAREHOUSE
1/4" = 1'-0"

PROPOSED FOR:

SKIDSTEERS.COM

STEPHEN ST

VILLAGE OF LITTLE CHUTE

OUTAGAMIE COUNTY

ISSUE RECORD:

P1 08-14-23
IFS 08-16-23
REV1 09-20-23

P# = PRELIMINARY PLAN

IFS = ISSUED FOR STATE REVIEW

IFC = ISSUED FOR CONSTRUCTION

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PROJECT #: 230156

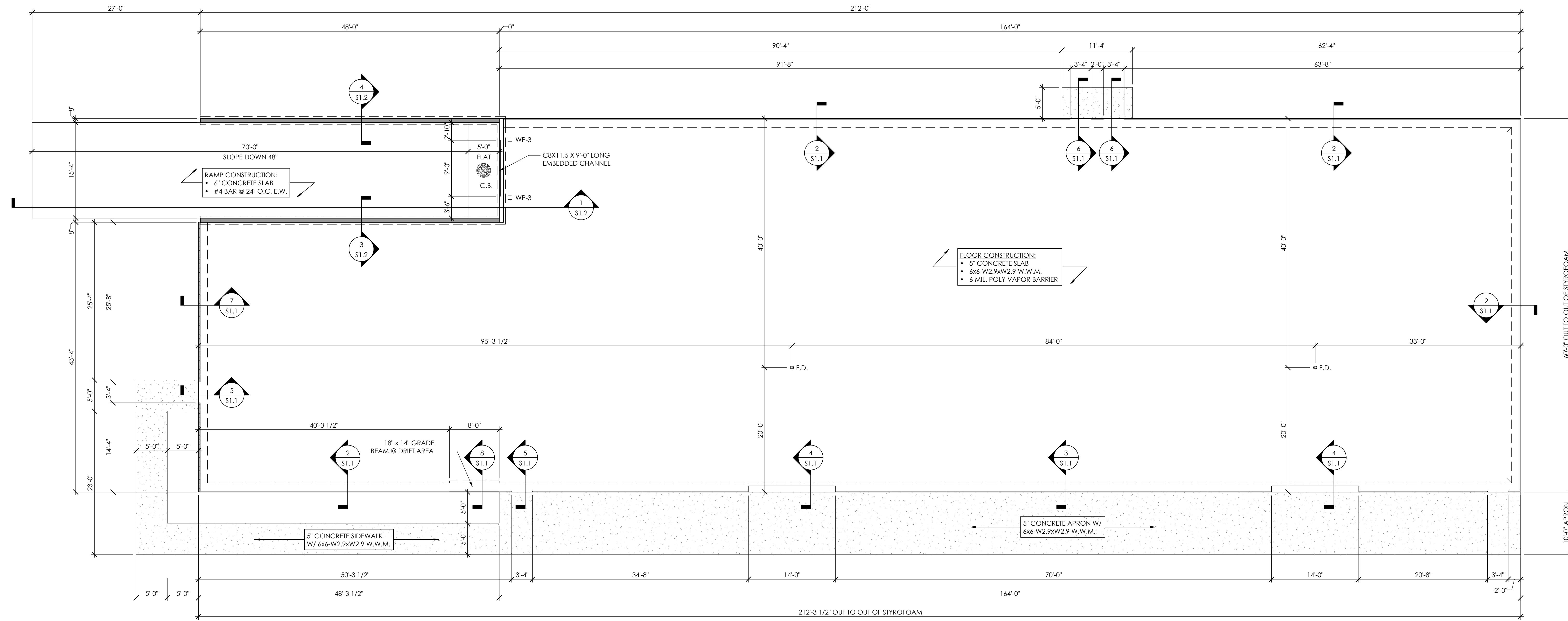
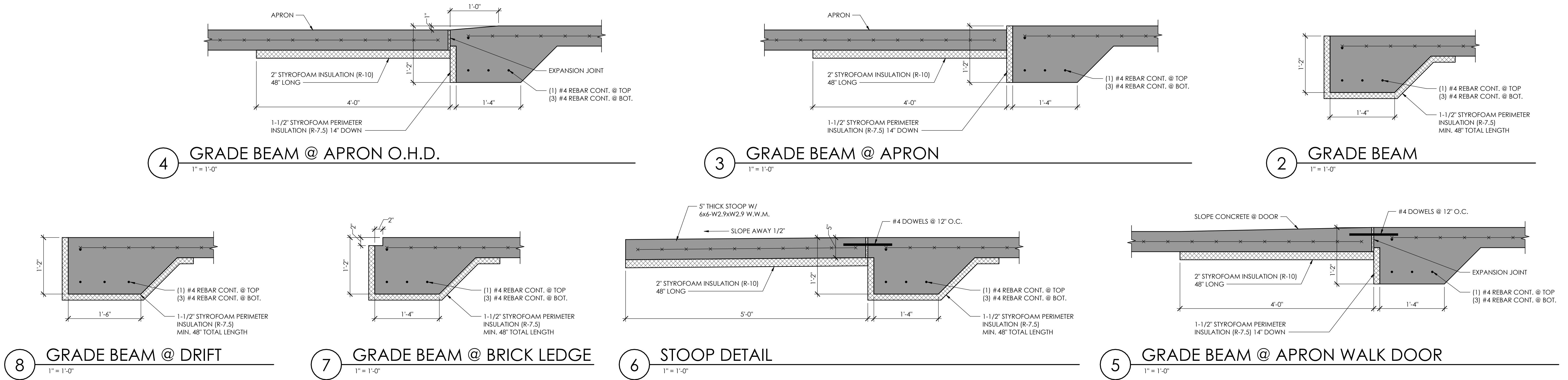
SALESMAN: M. KLARNER

DRAWN BY: AWS

SHEET CONTENTS:

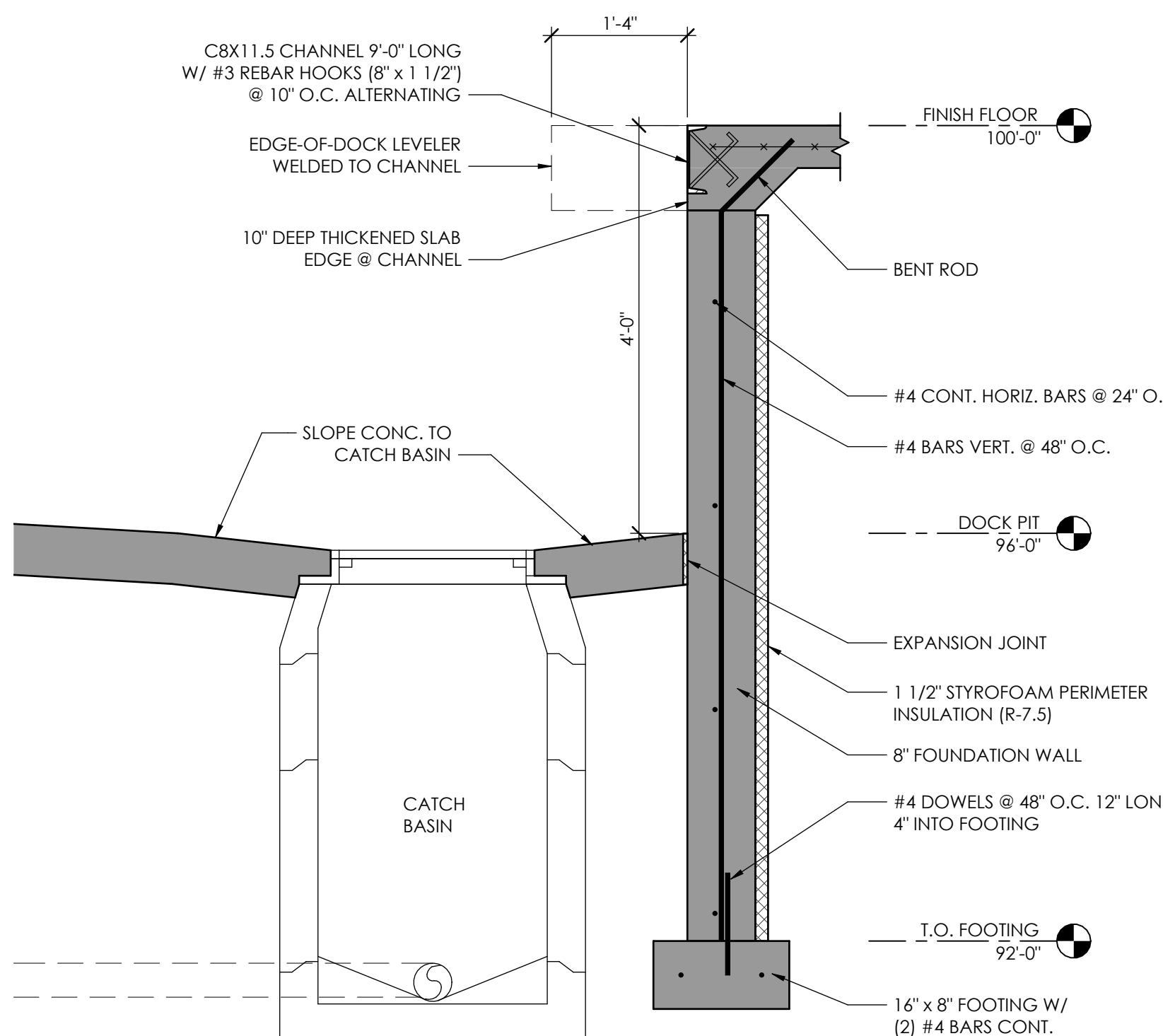
SCHEDULES

A6.0



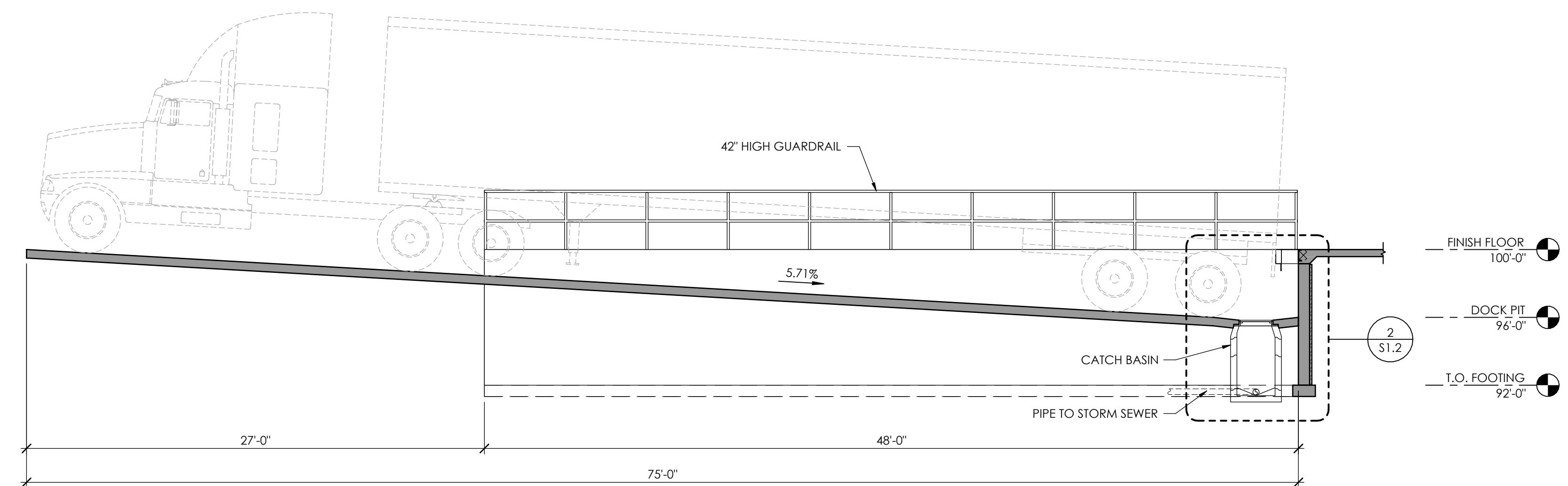
1 FOUNDATION PLAN

1/8" = 1'-0"



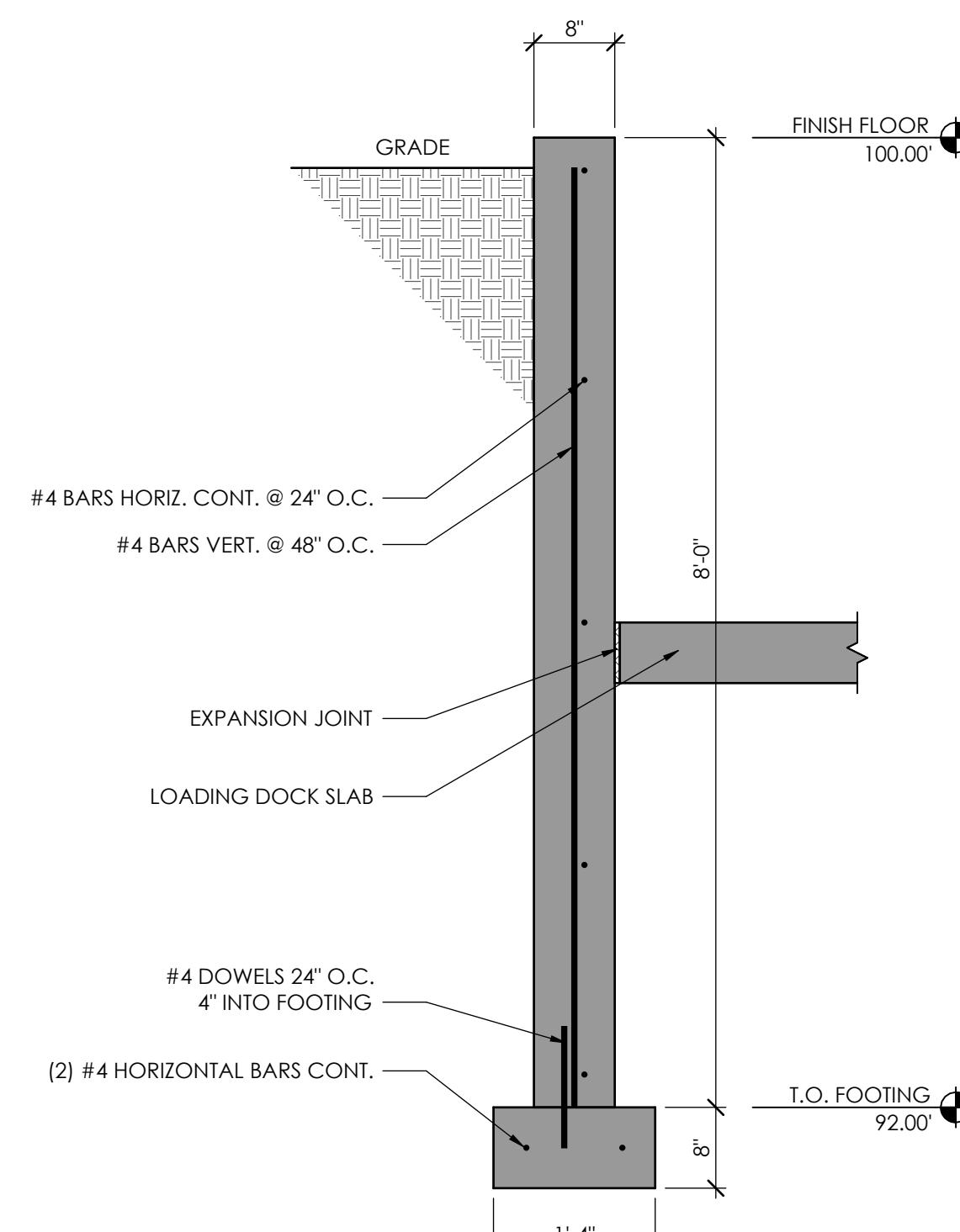
② ENLARGED DOCK DETAIL

3/4" = 1'-0"



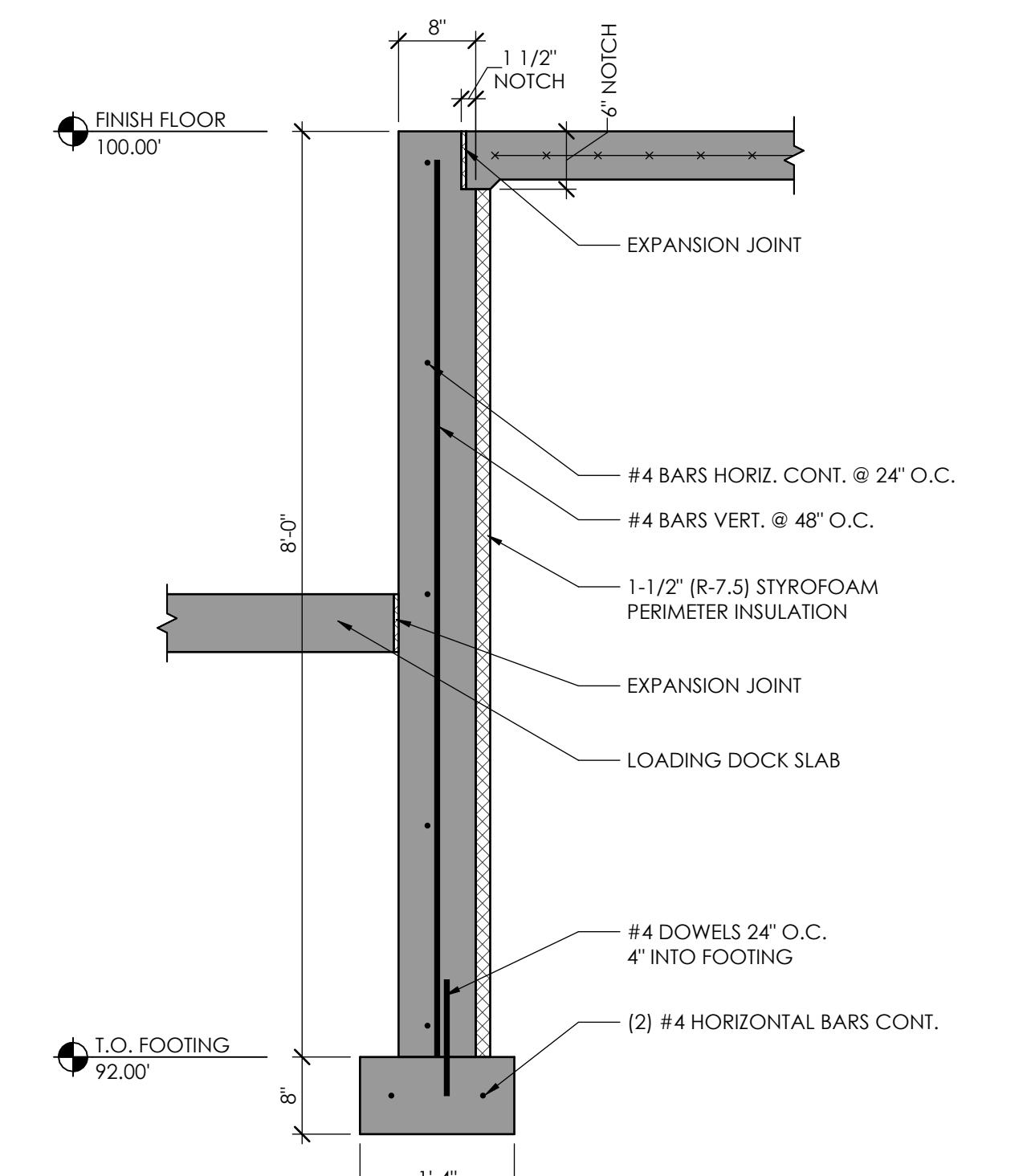
1. LOADING DOCK SECTION

3/16" = 1'-0"



4 8" x 8'-0" DOCK WALL
3/4" = 1'-0"

3/4" = 1



3 8" x 8'-0" BUILDING WALL

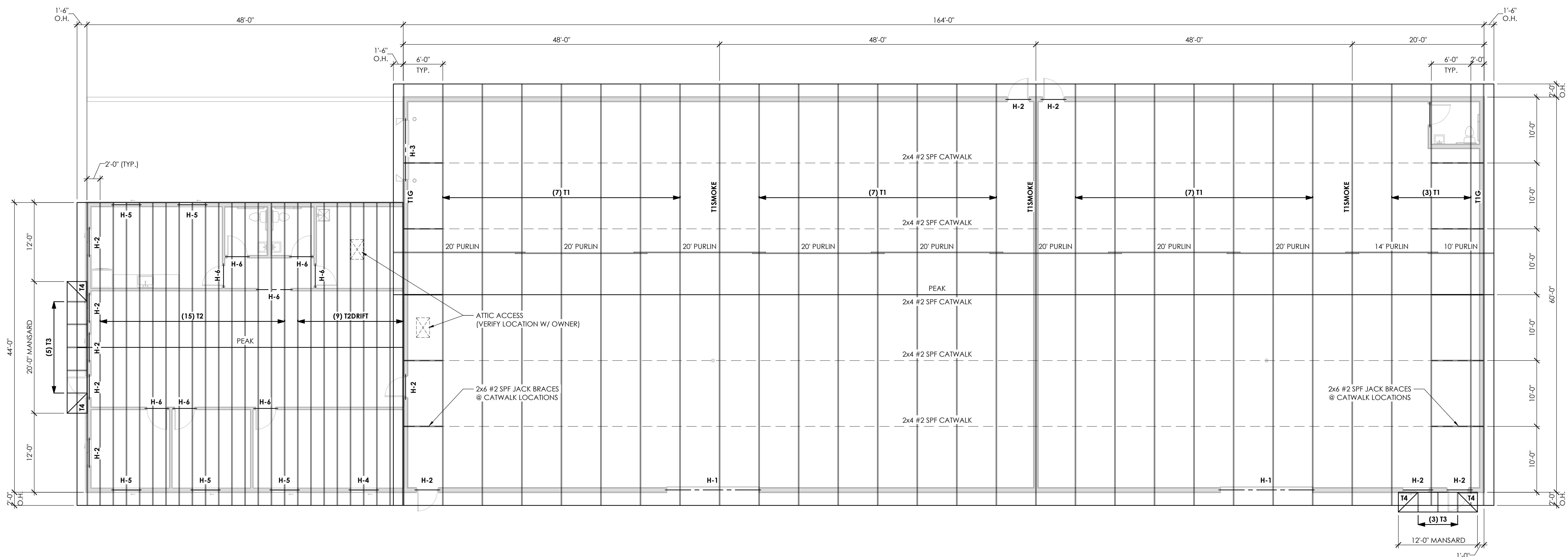
3/4" =

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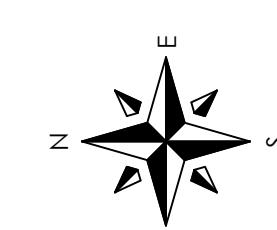
STEPHEN ST

LITTLE CHUTE, WISCONSIN 54140



1 ROOF FRAMING PLAN

1/8" = 1'-0"



ATTIC DRAFTSTOPPING:
1. 3,000 S.F. MAXIMUM AREA BETWEEN DRAFTSTOPS PER IBC 718.4.3
2. TRUSS TO BE COVERED W/ DRAFTSTOPPING MATERIALS IN ACCORDANCE W/ IBC 718.2.1
3. PROVIDE A X 30° MINIMUM SELF-CLOSING DOOR W/ AUTOMATIC LATCHES PER IBC 718.4.1.1 & IBC 1209.2

S2.1

PROPOSED FOR:

VILLAGE OF LITTLE CHUTE
OUTAGAMIE COUNTY

ISSUE RECORD:
P1 06-14-23
IFS 08-16-23
REV1 09-20-23

P1 = PRELIMINARY PLAN
IFS = ISSUED FOR STATE REVIEW
IFC = ISSUED FOR CONSTRUCTION
PROJECT #: 230156
SALESMAN: M. KLARNER
DRAWN BY: AWS
SHEET CONTENTS:

ROOF FRAMING PLAN



Item For Consideration

For Plan Commission Review On: 11/9/2023
Agenda Item Topic: Updates to Sec 8-1 to 8-33

Prepared On: 11/9/2023
Prepared By: Dave Kittel CDD

Report:

Section 8 of the Village of Little Chute code of Ordinances covers Buildings and Building Regulations. Over the years there have been some minor updates but, upon recent review there are some needed updates. Due to the size of the Ordinance Staff is breaking up the revisions into smaller segments to present for review. Attached is the first round of updates for Article I and Article II of Section 8, the text **highlighted and strike through** are deletions **Red and Underline** are additions to the ordinance. The main changes to this portion of Section 8 are:

- Removing language referring to the Department of Commerce and replacing with the Department of Safety and Professional Services
- Updating code reference to the new updated building Code
- Requiring digital plans be submitted (sec 8-20 f)
- Sec 8-21- simplifying language and removing unnecessary items, the definitions previously provided are part of the referenced building code.
- Sec 8-22 and 8-23 are deleted as no longer needed. These areas are delineated in the state code
- Sec 8-29 language added about disconnecting water and sewer

Other minor updates include updating items to current code, updated language on enforcement.

Fiscal Impact: None

Recommendation/Board Action: Discussion on updates to Sec 8

Respectfully Submitted,

Dave Kittel, Community Development Director

Chapter 8 BUILDINGS AND BUILDING REGULATIONS¹

ARTICLE I. IN GENERAL

Secs. 8-1—8-18. Reserved.

ARTICLE II. BUILDING CODE

Sec. 8-19. Established.

- (a) *Title.* This article shall be known as the "Building Code of the Village of Little Chute" and will be referred to as the building code or this article.
- (b) *Purpose.* This article provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and regulates the equipment, maintenance, use and occupancy of all such buildings and/or structures. Its purpose is to protect and foster the health, safety and well-being of persons occupying or using such building and the general public.
- (c) *Scope.* New buildings hereafter erected in, or any building hereafter moved within the village, shall conform to all the requirements of this article except as they are herein specifically exempted from part or all of its provisions. Any alteration, enlargement or demolition of an existing building and any installation therein of electrical, gas, heating, plumbing or ventilating equipment which affects the health or safety of the users thereof or any other persons is a new building to the extent of such change. Any existing building shall be considered a "new building" to the extent of such change. Any existing building shall be considered a new building for the purposes of this article whenever it is used for dwelling, commercial or industrial purposes, unless it was being used for such purpose at the time this article was enacted. The provisions of this article supplement the laws of the state pertaining to construction and use and chapter 44, pertaining to the zoning of the village and amendments thereto to the date the ordinance from which this article is derived was adopted and in no way supersede or nullify such laws and the said chapter 44.
- (d) *Exclusions.* This article does not pertain to all construction relating to agricultural outbuildings such as, but not limited to, barns, sheds and corn cribs, with the exception that outdoor privies are governed by this article.

(Code 2006, § 15-1-1)

¹State law reference(s)—One- and two-family dwelling code, Wis. Stats. § 101.60 et seq.; multifamily dwelling code, Wis. Stats. § 101.971 et seq.; electrical regulations, Wis. Stats. § 101.80 et seq.; municipal authority relative to electricity, Wis. Stats. § 101.86; plumbing generally, Wis. Stats. § 145.01 et seq.; unfit and dilapidated buildings may be declared nuisances and proceeded against by municipality, Wis. Stats. §§ 60.413, 823.21.

Sec. 8-20. Building permits and inspection.

- (a) *Permit required.*
- (1) *General permit requirement.* No building of any kind shall be moved, erected, or ground broken or structure, or any part thereof, shall hereafter be erected, or ground broken for the same, or enlarged, altered, moved, demolished, razed or used within the village, except as herein provided, until a permit therefore shall first have been obtained by the owner, or his authorized agent, from the community development director.
- (2) *Alterations and repairs.* The following provisions shall apply to buildings altered or repaired:
- a. *Alterations.* When not in conflict with any regulations, alterations to any existing building or structure accommodating a legal occupancy and use but of substandard type of construction, which involves either beams, girders, columns, bearing or other walls, room, heating and air conditioning systems, arrangement, light and ventilation, changes in location of exit stairways or exits, or any or all of the alterations stated in this subsection, then such existing construction shall be made to conform to the minimum requirements of this article applicable to such occupancy and use and given type of construction.
 - b. *Repairs.* Repairs for purposes of maintenance, or replacements in any existing building or structure which do not involve the structural portions of the building or structure, (which include but are not limited to, roofing, siding, windows or doors if and when altered in size or location, plumbing systems, electrical systems, HVAC systems) or which do not affect room arrangement, light and ventilation, access to or efficiency of the existing stairways, or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy or use, shall be deemed minor repairs.
 - c. *Alterations when not permitted.* When any existing building or structure, which, for any reason whatsoever, does not conform to the regulations of this article, has deteriorated from any cause whatsoever to an extent greater than 50 percent of the equalized value of the building or structure, no alterations or moving of such building or structure shall be permitted. Any such building or structure shall be considered a menace to public safety and welfare and the process for abatement of a public nuisance, as set out in section 28-55, shall be followed to remove the same.
 - d. *Alterations and repairs required.* When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength. If the owner shall fail to complete such restoration, then the building or structure shall be considered a menace to public safety and shall be vacated according to the abatement of public nuisances procedure set out in section 28-55. No further occupancy or use of the building or structure shall be permitted until the regulations of this article are complied with.
 - e. *Materials and methods.* All construction including maintenance, replacements, additions, alterations and repairs shall use materials and methods approved by the State Department of **Commerce Safety and Professional Services** for the such approved use.
 - f. *Temporary roofing materials.* For all roofs over all structures, temporary roofing materials including but not limited to paper, plastic, vinyl, cloth, polyethylene, nylon, HDPE fabric, canvas, house wrap, roofing underlayment, saturated or unsaturated roofing felt, or any other material not designed to be a final exposed roof covering material while and when used to protect structures while under repair or construction shall not be allowed to be left in place for more

than 28 days in any year without final installation of proper and approved roof covering materials as regulated under Wis. Admin. Code ch. COMM 21.28 SPS 321.28.

(b) *Application.*

- (1) Application for a building permit shall be made in writing upon a form furnished by the community development director or his designee and shall state the name and address of the owner of the land and also the owner of the building if different, the legal description of the land upon which the building is to be located, the name and address of the contractor, the use to which said building is to be put and such other information as the community development director may require.
- (2) A plat of survey, in duplicate, drawn to scale showing the lot, existing structures, the proposed location and elevation of any structures on the lot, accurate dimensions of building and lot, the location of the centerline or lines of adjoining street, the existing lines of adjoining street, the existing and intended use of each structure or part of a structure, the number of families the building is intended to accommodate, and such other information as may be necessary to provide for the enforcement of this article. The survey plat shall also show the existing property corner and structure corner elevations, plus all elevations of buildings on the lot or adjoining lots and all elevations to be based on village datum. Except when accompanying an application for interior remodeling, an accessory structure, siding, roofing, windows, doorways, decks, patios, or porches, the plat of survey shall be certified by a registered surveyor or registered civil engineer. The lot corners and proposed structure corners shall be staked on the ground before construction is begun. Like information shall be presented on said drawing showing the location and use of structures, if on any adjoining lots, within 40 feet of adjoining lot line.

(c) *Design review and site plan approval.* All applications for building permits for any construction, reconstruction, expansion or conversion, except for one- and two-family residences in residentially zoned districts, shall require design review and approval in accordance with the requirements of chapter 44. The applicant shall submit a site plan and sufficient plans and specifications of proposed buildings, machinery and operations to enable the village officials or expert consultants to determine whether the proposed application meets all the requirements applicable thereto in this article.

(d) *Dedicated street and approved subdivision required.* No building permit shall be issued unless the property on which the building is proposed to be built abuts an existing street.

(e) *Utilities required.*

- (1) *Residential buildings.* No building permit shall be issued for the construction of any residential building until public sewer and water are installed in the streets necessary to service the property for which the permit is required.
- (2) *Nonresidential building.* No building permit shall be issued for the construction of any building other than residential until contracts have been let for the installation of sewer, water, grading and graveling in the streets necessary to service the property for which the permit is requested.
- (3) *Occupancy.* No person shall occupy any building until sewer, water, grading and graveling are installed in the streets necessary to service the property and a certificate of occupancy shall not be issued until such utilities are available to service the property.

(f) *Plans.* With such application, there shall be submitted a three complete sets of digital plans and specifications, including a plot plan showing the location and dimensions of all buildings and improvements on the lot, both existing and proposed, dimensions of the lot, dimensions showing all setbacks of all buildings on the lot, proposed grade of proposed structure (to village datum), grade of lot and of the street abutting lot, grade and setback of adjacent buildings (if adjacent lot is vacant, submit elevation of nearest buildings on same side of street), type of monuments at each corner of lot, watercourses or existing drainage ditches, easements or other restrictions affecting such property, seal and signature of surveyor or information and

procedures needed for control of soil erosion, surface water runoff and sediment disposition at the building site. Plans and specifications shall be drawn to a minimum scale of one-quarter-inch to one foot. One set of plans shall be returned after approval as provided in this article. The second set shall be filed in the offices of the community development director. Plans for buildings involving the state building code shall bear the stamp of approval of the state department of **safety and professional services commerce**. One plan shall be submitted which shall remain on file in the office of the community development director. **All plans and specifications shall be signed by the designer. Plans for all new one- and two-family dwellings shall comply with the provisions of Wis. Admin. Code § COMM 20.09(4).**

(g) *Approval of plans.*

- (1) If the community development director determines that the building will comply in every respect with all ordinances and orders of the village and all applicable laws and orders of the state, he shall issue a building permit which shall state the use to which said building is to be put, which shall be kept and displayed at the site of the proposed building. After being approved, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned ordinances, laws or orders, or which involves the safety of the building or the occupants, except with the written consent of the community development director.
- (2) In case adequate plans are presented for part of the building only, the community development director, at his discretion, may issue a permit for that part of the building before receiving the plans and specifications for the entire building. No work is to be started unless a proper grade has been established by the village engineer, this would include sidewalks, curb and gutter, driveways and general construction.

(h) *Inspection of work.*

- (1) The owner or his agent shall have all lot corners and bends visibly staked prior to requesting the initial footings inspection.
- (2) The builder shall notify the community development director, and he or his designee shall inspect all buildings upon the completion of the foundation forms or before the foundation is laid and before backfilling. The builder shall notify the community development director and he or his designee shall inspect again when the structure is ready for insulating and again after insulating and draft stopping has been completed.
- (3) After completion, the community development director or his designee shall make a final inspection of all new buildings; alterations and existing buildings put to new uses. If he finds that the work conforms to the provisions of this article, he shall issue a certificate of compliance which shall contain the date and outline of the result of such inspection and a statement of the use contemplated, a duplicate of which shall be filed by location in the offices of the community development director. The issuance of a certificate of compliance shall not authorize a use of the building different from that stated therein unless the building is adaptable to such use under the provisions of the article.

(i) *Permit lapses.* A building permit shall lapse and be void unless building operations are commenced within six months or if construction has not been completed within 24 months from the date of issuance thereof.

(j) *Issuance of occupancy permit.*

- (1) No structure (except signs exempt from the provisions of this article) and no building shall be erected, constructed, reconstructed, altered, moved or enlarged until a building permit has been obtained from the community development director. No vacant land shall be occupied or used, and no building hereafter erected or altered shall be occupied or used, and no change in use may be permitted, until an occupancy permit shall have been issued by the zoning administrator.

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- (2) Under such rules and regulations as may be established by the village board, the zoning administrator may issue a temporary occupancy permit for part of a building.
 - (k) *Revocation of permits.*
 - (1) The community development director or his designee may revoke any building, plumbing, HVAC or electrical permit, certificate of occupancy, or approval issued under the regulations of this article and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:
 - a. Whenever the director or his designee shall find at any time that applicable ordinances, laws, order, plans and specifications are not being complied with and that the holder of the permit refused to conform after written warning or instruction has been issued to him.
 - b. Whenever the continuance of any construction becomes dangerous to life or property.
 - c. Whenever there is any violation of any condition or provisions of the application for permit or of the permit.
 - d. Whenever, in the opinion of the director or his designee, there is inadequate supervision provided on the job site.
 - e. Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, date specifications or certified lot or plot plan on which the issuance of the permit or approval was based.
 - f. Whenever there is a violation of any of the conditions of an approval or occupancy given by the director or his designee for the use of all new materials, equipment, methods or construction devices or appliances.
 - (2) The notice revoking a building, plumbing, HVAC or electrical permit shall be in writing and may be served upon the applicant of the permit, owner of the premises or his agent, if any, or on the person having charge of construction.
 - (3) A revocation placard shall also be posted upon the building, structure, equipment or premises in question by the director or his designee.
 - (4) After the notice is served upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void, and before any construction or operation is again resumed, a new permit, as required by this article, shall be procured and fees paid therefor, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this article. However, such work as the director or his designee may order as a condition precedent to the reissuance of the building permit may be performed, or such work as he may require for the preservation of life and safety.
 - (l) *Report of violations.* Village officers shall report at once to the community development director any building which is being carried on without a permit as required by this article.
 - (m) *Display of permit.* Building permits shall be displayed in a conspicuous place on the premises where the authorized building or work is in progress at all times during construction or work thereon.
 - (n) *Payment of claims and taxes.* The village shall not issue or renew any building permit:
 - (1) For any purposes for which taxes, assessments or other claims of the village are delinquent and unpaid.
 - (2) For any person who is delinquent in payment:
 - a. Of any taxes, assessment or other claims owed the village; or

- b. Of any forfeiture resulting from a violation of any village ordinance.
- (3) This denial may be appealed to the board of appeals.

(Code 2006, § 15-1-2; Ord. No. 6(Ser. of 2009), § 1, 5-6-2009)

Sec. 8-21. State uniform dwelling code adopted.

- (a) The Wisconsin State Building Codes, Wisconsin Administrative Code Chapters SPS 301 to 399, are adopted by reference as a part of this chapter and shall be referred to in this chapter as "Building Code." Any future amendments, revisions or modifications of these codes are intended to be made part of this chapter. A violation of any provision thereof shall be a violation of this chapter. This shall apply to all new and existing buildings and structures. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning. The definitions set forth in Wis. Admin. Code § COMM 20.07 ("Administration and Enforcement, Definitions") shall be effective as definitions of the words, terms and phrases used in this article. All words, terms and phrases used herein, other than those specifically defined elsewhere in this article, shall have the respective meanings ascribed to them in Wis. Admin. Code § COMM 20.07, and shall have the same scope and effect that the same words, terms and phrases have where used in Wis. Admin. Code § COMM 20.07.

Minor repair means repair performed for maintenance or replacement purposes on any existing one- or two-family dwelling or replacements in any existing building or structure which do not involve the structural portions of the building or structure, (which include but are not limited to, roofing, siding, windows or doors if and when altered in size or location, plumbing systems, electrical systems, HVAC systems) which does not affect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire protection or exterior aesthetic appearance and which does not increase a given occupancy and use. No building permit is required for work to be performed which is deemed minor repair.

One- or two-family dwelling means a building structure which contains one or separate households intended to be used as a home, residence or sleeping place by an individual or by two or more individuals maintaining a common household to the exclusion of all others.

- (b) State code adopted. The administrative code provisions describing and defining regulations with respect to one- and two-family dwellings in Wis. Admin. Code chs. COMM 20—25 are hereby adopted by reference, incorporated and made a part of this article as if fully set forth herein. Any act required to be performed or prohibited by an administrative code provision incorporated herein by reference is required or prohibited by this article. Any future amendments, revisions or modifications of the administrative code provisions incorporated herein are intended to be made part of this article to secure uniform statewide regulation of one- and two-family dwellings in this village. A copy of these administrative code provisions and any future amendments shall be kept on file in the community development director's office.

- (b) Existing buildings. The state uniform dwelling code shall also apply to buildings and conditions where:
- (1) An existing building to be occupied as a one- or two-family dwelling, which building was not previously so occupied.
 - (2) An existing structure that is altered or repaired, when the cost of such alteration or repair during the life of the structure exceeds 50 percent of the equalized value of the structure, said value to be determined by the village assessor.
 - (3) Additions and alterations, regardless of cost, made to an existing building when deemed necessary in the opinion of the community development director or his designee shall comply with the requirements of this article for new buildings. The provisions of section 8-20 shall also apply.

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- (4) *Roof coverings.* Whenever more than 25 percent of the roof covering of a building is replaced in any 12-month period, all roof covering shall be in conformity with applicable sections of this article.
 - (5) *Additions and alterations.* Any addition or alteration, regardless of cost, made to a building shall be made in conformity with applicable sections of this article.

(c) *Method of enforcement.*

- (1) Certified community development director or designee to enforce. The community development director and his delegated representatives are hereby authorized and directed to administer and enforce all of the provisions of the uniform dwelling code. The community development director or designee shall be certified under Wis. Admin. Code ch. COMM-5 SPS 305.
- (2) *Subordinates.* The community development director may appoint, as necessary, subordinates as authorized by the village board.
- (3) *Duties.* The community development director shall administer and enforce all provisions of this article and the uniform dwelling code.
- (4) *Inspection powers.* The community development director or an authorized certified agent may at all reasonable hours enter upon any public or private premises for inspection purposes and may require the production of the permit for any building, plumbing, electrical or heating work. No person shall interfere with or refuse to permit access to any such premises to the community development director or his agent while in performance of his duties.
- (5) *Records.* The community development director or his designee shall perform all administrative tasks required by the department under the uniform dwelling code. In addition, the community development director or his designee shall keep a record of all applications for building permits in a book for such purpose and shall regularly number each permit in the order of its issue. Also, a record showing the number, description and size of all buildings erected indicating the kind of materials used and the cost of each building and aggregate cost of all one- and two-family dwellings shall be kept.

(Code 2006, § 15-1-3; Ord. No. 6(Ser. of 2009), § 1, 5-6-2009)

Sec. 8-22. Construction standards; codes adopted.

- (a) *Portions of state building code adopted.* Wis. Admin. Code chs. COMM-60—65 (Wisconsin Commercial Building Code) are hereby adopted and made a part of this article with respect to those classes of buildings to which this building code specifically applies. Any future amendments, revisions and modifications of said chapters incorporated herein are intended to be made a part of this Code. A copy of said chapters and amendments thereto shall be kept on file in the office of the community development director.
- (b) *Terms.* The building terms used in this article shall have the meaning given them in the state building code.
- (c) *Dwellings.* The term "dwelling" includes every building occupied exclusively as a residence by not more than two families.
- (d) *Workmanship.* Workmanship in the fabrication, preparation and installation of materials shall conform to generally accepted good practice.
- (e) *Conflicts.* If, in the opinion of the community development director and the village board, the provisions of the state building code adopted by subsection (a) of this section shall conflict with the provisions of the Federal Housing Administration standards in their application to any proposed building or structure, the community development director and/or the village shall apply the most stringent provisions in determining whether or not the proposed building meets the requirements of this section.

(Code 2006, § 15-1-4)

Sec. 8-23. New methods and materials.

- (a) All materials, methods of construction and devices designed for use in buildings or structures covered by this section and not specifically mentioned in or permitted by this section shall not be so used until approved in writing by the state department of commerce for use in buildings or structures covered by the state building code.
- (b) Such materials, methods of construction and devices, when approved, must be installed or used in strict compliance with the manufacturer's specifications and any rules or conditions of use established by the state department of commerce. The data, test and other evidence necessary to prove the merits of such material, method of construction or device shall be determined by the state department of commerce.

(Code 2006, § 15-15)

Sec. 8-24. Minimum standards for sanitation and heating, ventilating and electrical service.

- (a) *Toilet rooms and washing facilities.*
- (1) In every single-family or two-family dwelling, each dwelling unit shall be provided with a separate kitchen sink. A complete bath with lavatory, water closet and tub or shower shall be provided for each dwelling unit. All sinks, lavatories, washtubs, bathtubs and showers shall be provided with hot water from a heater capable of supplying adequate hot water.
 - (2) Rooms with private water closets shall not be considered in counting either the number of rooms or the number of fixtures.
 - (3) All concealed water pipes, storage or flushing tanks and all exposed pipes or tanks subject to freezing temperatures shall be satisfactorily protected against freezing. All piping and appliances shall be so installed as to drain by gravity or by approved bleeds.
- (b) *Repairs.* Every building shall be kept in good repair, and the roof shall be maintained to prevent leakage. All rainwater shall be so drained and conveyed therefrom as to prevent dampness in the walls and ceilings. All exterior wood surfaces shall be reasonably protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Plumbing equipment shall be maintained so as to be impervious to water and heating equipment, and incinerators shall be maintained in good order and repair.
- (c) *Cleanliness.* Every residential building shall be kept clean and shall also be kept free from vermin and any accumulation of dirt, filth, rubbish, garbage or other objectionable matter in or on the same or in the yards, courts, passages, areas or alleys connected with or belonging to the same. Interior surfaces shall be as tight as is reasonably practical. Floors of toilet and bathrooms shall be impervious surfaces and made of nonabsorbent material.
- (d) *Windows.*
- (1) The outside windows in every sleeping or living room shall have a total sash area of at least ~~ten-eight~~ percent of the floor area of the room but not less than 12 square feet. The top of at least one such window shall be not less than 6½ feet above the floor, and at least 50 percent of the required window area must open. The outside windows in all basement areas shall have a total sash area of at least one percent of the floor area. All attics shall have windows or louvers with a sash area of one percent of the floor area for ventilation purposes. Windows in each habitable room, bathroom windows and all door openings to the exterior of the dwelling shall be provided with screen of no less than No. 16 wire mesh which will effectively prevent the entrance of flies and mosquitoes. Every dwelling or resident building

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- shall have screens of not less than No. 16 wire mesh on all doors and windows, when open. All windows shall be so constructed and maintained to eliminate excessive draft and infiltration.
- (2) The provisions of the requirement for basement windows may be waived for single-family dwellings if provisions are made for artificial lighting and if adequate ventilation is provided. A 16-inch by 16-inch opening must be provided for fire equipment access if artificial ventilation is provided.
- (e) *Heating.*
- (1) Any dwelling or building designed or intended to be used for dwelling purposes shall be equipped, maintained and operated with a heating system maintaining a minimum temperature of 70 degrees Fahrenheit with an outside temperature of minus 20 degrees Fahrenheit maintain an indoor temperature as delineated in SPS 322.40.
- (2) Direct-fired space heaters may be used only in single-family dwellings if a positive supply of combustion air is maintained.
- (f) *Electrical.* Electricity shall be provided in every dwelling unit and all wiring and receptacles shall meet the minimum standards of the Wis. Admin. Code ch. COMM 16, Electrical SPS 316.
- (g) *Responsibility of owner for maintenance or sanitary housing.* The owner of any residence or dwelling occupied as a place of human habitation shall be responsible for maintenance of sanitary and healthful housing as required by this section. The owner of any multiple dwelling shall furnish containers having sufficient capacity to store a normal one-week accumulation or collection of garbage and refuse of all units. The owner shall be responsible for removal of infestations when they occur in more than one dwelling in a building or when rats or mice infest any building occupied by more than one family, or when the community development director determines that the investigation is due to lack of proper vermin proofing of the building. Whenever a dwelling is vacated, it shall be the duty of the owner to determine that such dwelling is in a clean, sanitary, habitable condition and free from infestations before renting such dwelling to another occupant.
- (h) *Responsibility of occupant for maintenance of sanitary housing.* The occupant of any dwelling or building used as a place of human habitation shall not permit rooms to be tenanted which do not meet light, air or space requirements prescribed in this section nor permit occupancy of rooms in excess of those standards. It shall be the duty of the occupant to keep his dwelling and the portion of the building or premises over which he has control in a reasonably clean and sanitary condition, including plumbing fixtures, and he shall not knowingly, willfully or maliciously deposit material in any fixture which, through repeated carelessness would result in stoppage or damage to the fixture. The occupant shall eliminate infestations, except when it is the responsibility of the owner to do as hereinbefore provided. In all buildings, open basement windows and doors on ground floors or in basements shall be provided with screens and screen doors, and they shall be in place at all times when such doors and windows are open for exclusion of rats, mice and vermin. It shall be the duty of the occupant to maintain the use of screens and doors provided for this purpose.
- (i) *Exhaust ducts.* All bathrooms, lavatory and powder rooms without windows shall be provided with exhaust ducts.
- (j) *Size of dwellings.* Every dwelling shall have at least 700 square feet of habitable living area. The total floor area of all habitable rooms in a dwelling must be such as to provide at least 150 square feet of floor area for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area. Every room occupied for sleeping purposes by one or more occupant shall contain at least 70 square feet of floor space, or 50 square feet of floor space for each occupant if more than one. No greater number of occupants than the number thus established shall be permitted in any such room. Access to all sleeping rooms shall be from common hallways and not through other sleeping rooms or through bathrooms.

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- (k) *Ceiling heights.* In all dwellings or dwelling units, the average ceiling height shall be seven feet six inches for the entire first floor area with a minimum ceiling height of seven feet zero inches. The minimum ceiling height shall be seven feet six inches for all floor areas above the first floor, except under sloping roofs where the floor area, and where that portion of the floor area under the sloping roof has a ceiling height of less than five feet shall not be considered as part of the floor area in computing the maximum permissible occupancy thereof.
 - (l) *Basement living.* No residential living or sleeping room area shall have its floor level below the adjoining yard, court, alley or street grade unless:
 - (1) The exterior walls shall be properly damp-proofed and insulated.
 - (2) The ground floor is properly damp-proofed and insulated.
 - (3) Such basements shall be provided with at least two exits which comply in all respects with the provisions of ~~Wis. Admin. Code § COMM-20-25~~ ~~SPS 320-325~~.
 - (4) The sash area of all windows in the habitable rooms shall be at least eight percent of the floor area of the room; at least 50 percent of the required windows shall open.
 - (5) The average ceiling height shall be seven feet six inches with a minimum ceiling height of seven feet zero inches.
 - (6) Proper drainage away from the exterior walls of the structure shall be provided.
 - (7) Windows which are installed for exit purposes shall comply in all respects with the provisions of ~~Wis. Admin. Code § COMM-20-25~~ ~~SPS 320-325~~.

- (m) *Exits.* Each multifamily residential apartment building shall have two exits from each apartment. One exit shall lead directly to the outside of the building, and the other exit may lead through a public passageway.

(Code 2006, § 15-1-6; Ord. No. 20(Ser. of 1994), 12-21-1994; Ord. No. 8(Ser. of 2009), § 1, 6-17-2009)

Sec. 8-25. Unsafe buildings.

- (a) Whenever the community development director or his designee or the village board finds any building or part thereof within the village to be, in their judgment, so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human occupancy or use and so that it would be unreasonable to repair the same, they shall order the owner to raze and remove such building or part thereof or, if it can be made safe by repairs, to repair and make safe and sanitary, or to raze and remove at the owner's option. Such order and proceedings shall be provided in Wis. Stats. § 66.0413.
- (b) Where the public safety requires immediate action, the community development director or his designee shall enter upon the premises with such assistance as may be necessary and cause the building or structure to be made safe or to be removed, and the expenses of such work may be recovered by the village in an action against the owner or tenant.

(Code 2006, § 15-1-7)

Sec. 8-26. Disclaimer on inspections.

The purpose of the inspections under this article is to improve the quality of housing in the village. The inspections and the reports and findings issued after the inspections are not intended as, nor are they to be construed as, a guarantee. In order to so advise owners and other interested persons, the following disclaimer shall be applicable to inspection reports:

"These findings of inspection contained herein are intended to report conditions of noncompliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed structural and nonstructural elements of the building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied."

(Code 2006, § 15-1-8)

Sec. 8-27. Private garages.

- (a) *Classification.* The following are classifications for private garages:
- (1) An attached private garage is a private garage attached directly to the principal building, or attached by means of an enclosed or open breezeway, porch, terrace, or vestibule, or private garage so constructed as to form an integral part of the principal building.
 - (2) A detached private garage is a private garage entirely separated from the principal building.
 - (3) Definition of "fire protected" shall mean as follows:
 - a. Four-inch brick or stone.
 - b. Metal lath or perforated lath and three-quarter-inch plaster for one vertical side or the under side of the ceiling.
 - c. Five-eighths-inch fire-rated sheetrock for one vertical side or the under side of the ceiling.
- (b) *Footings and foundations.* Footings and foundations shall be provided for all garages as follows:
- (1) Detached garages of 400 square feet or less may be erected on a free floating concrete slab not less than four inches in thickness.
 - (2) Detached garages greater in area than 400 square feet shall be provided with a grade beam foundation. Such foundation grade beams shall extend a minimum of eight inches below the garage slab and the adjoining grade and shall be of a minimum width of eight inches. This grade beam shall contain a minimum of two number four reinforcement rods to be located in bottom one third of the grade beam.
 - (3) All attached garages shall be provided with foundation walls of concrete or masonry extending not less than four feet below the adjoining grade, including door openings.
- (c) *Floor surface.* The floor in all private garages shall be of approved noncombustible material. No openings or pits in the floor shall be permitted, except for drainage. Floor drains shall be of an approved type with sediment basket and shall be connected to the building sanitary sewer.
- (d) *Construction.* Private garages shall be constructed as follows:
- (1) Load-bearing foundation walls, masonry walls and partitions shall be constructed as regulated herein, except as stated above.
 - (2) Detached private garages of wood frame construction shall be constructed as regulated in this article, with the following exceptions:
 - a. Studs may have a maximum spacing of 24 inches on centers. Doubling of studs shall not be required at jambs of openings less than 40 inches.
 - b. Where rigid sheathing is not used diagonal bracing shall be provided. This bracing may be either an inleted minimum one by four or an approved preformed metal brace.

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- c. Corner posts may consist of two two-inch by four-inch studs.
 - d. Top plates may be single; provided the rafters are placed over the studs and plates are lapped to provide ties.
 - e. Horizontal bracing and collar beams may be two-by-fours with a maximum spacing of six foot on centers.
 - f. All framing walls shall be securely anchored to the foundation by one-half-inch by six-inch bolts placed four feet on center.
 - g. All roof systems shall be designated to support 30 pounds per square foot snow load and a ten pound per square foot dead load.
- (e) *Attached private garages.* Private garages may be attached to or made a part of residence buildings when in compliance with the following regulations:
- (1) Attached private garages shall be of the same type of construction as that of the principal building as established by the state uniform dwelling code.
 - (2) The wall in common with a principal building and attached private garage shall be of fire-protected construction. This construction shall extend from the floor of the garage to the bottom of the rafters and ridge of the roof or to the bottom of a fire-protected ceiling.
 - (3) Where a private garage is part of a building having habitable rooms over such garage, there shall be provided a horizontal and vertical separation between the two occupancies of fire-protected construction and insulation having a minimum thermal performance of R-8 for walls and R-11 for floors.
 - (4) An attached private garage may have a door connecting directly to the principal building, provided that the floor of such garage is pitched 1½ inches below the floor of the principal building and a 1¼-inch solid core door is used.
 - (5) Boilers, furnaces or other flame-burning equipment used in connection with the principal building shall not be installed in private garages. There shall be no openings from a private garage which shall lead directly to a boiler or furnace room.

(Code 2006, § 15-1-9)

Sec. 8-28. Awnings over streets or sidewalks.

- (a) No person shall erect, repair or maintain any awning over any sidewalk or street within the village contrary to any of the provisions of this section.
- (b) No person shall erect or repair any awning over a sidewalk or street without first obtaining from the community development director a permit therefor, provided, however, that where the repair relates to canvas covering no permit shall be required if less than 25 percent of the roof area of the awning is replaced.
- (c) Any awning hereafter erected over any sidewalk or street within the village shall be constructed of adjustable iron frame, firmly secured in place, and covered with canvas or other suitable material, and the frame shall be at least 7½ feet in height above the highest point of the walk; and the lowest point of flap or fringe of such awning shall at no point be less than 6½ feet above the sidewalk immediately beneath it.
- (d) Wood or metal awnings when installed must be so placed that no accumulation of snow, ice or any other loose material can fall upon public property or would hamper the fire department in the erecting of ladders.

(Code 2006, § 15-1-10)

Sec. 8-29. Regulation and permit for razing buildings.

- (a) No building within the village shall be razed without a permit from the community development director or his designee. A snow fence or other approved barricade shall be provided as soon as any portion of the building is removed and shall remain during razing operations. After all razing operations have been completed, the foundation shall be filled at least one foot above the adjacent grade, the property raked clean, and all debris hauled away. Razing permits shall lapse and be void unless the work authorized thereby is commenced within six months from the date thereof or completed within 30 days from the date of commencement of said work. Any unfinished portion of work remaining beyond the required 30 days must have special approval from the community development director.
- (b) All debris must be hauled away at the end of each day for the work that was done on that day. No combustible material shall be used for backfill, but shall be hauled away. There shall not be any burning of materials on the site of the razed building. If any razing or removal operation under this section results in, or would likely result in, an excessive amount of dust particles in the air creating a nuisance in the vicinity thereof, the permittee shall take all necessary steps, by use of water spraying or other appropriate means, to eliminate such nuisance. The permittee shall take all necessary steps, prior to the razing of a building, through the employment of a qualified person in the field of pest control or by other appropriate means, to treat the building as to prevent the spread and migration of rodents and insects therefrom during and after the razing operations.
- (c) Water and Sewer must be disconnected at the Main or by an approved alternate method as determined by the Director of Public Works or their assigned designee.

(Code 2006, § 15-1-11)

Sec. 8-30. Abandoned premises and protection of property; fill dirt.

- (a) *Abandoned excavations.* Subflooring shall be constructed over basements within 30 days of the start of basement construction. Any excavation which exists for 30 days or more where construction has not been commenced therein shall be considered abandoned and shall be refilled and leveled to grade by the owner of such lot or parcel of land within ten days after receiving a written notice from the community development director or his designee of such requirement; upon the failure of such owner to comply with such requirement within the stated period, the work may be done by the village or its agent and the expense thereof shall be assessed against such lot or parcel of land as a special tax pursuant to Wis. Stats. § 66.0703 to be collected in the same manner as are other real estate taxes.
- (b) *Vacant buildings.* Whenever any building or structure is vacant and the doors and windows or any part thereof have been removed or opened, leaving the interior of such building or structure exposed to the elements and accessible to trespassers, then such building or structure shall be deemed dangerous, unsafe and a menace to public safety. The community development director or his designee shall give the owner thereof written notice to secure said building or structure and comply with this Code's requirements within 30 days of the date of said notice. Failure to comply with said written notice shall be sufficient grounds for the community development director to condemn and raze said building or structure in accordance with the applicable provisions of Wis. Stats. § 66.0413.
- (c) *Protection of adjoining property.* When the owner of any lot or plot of land, or the village, in making improvements, is about to excavate or cause an excavation to be made, which excavation in any way affects any building or structure on any adjoining lot, a notice shall be given to all owners of adjoining lots at least ten days prior to commencing the excavation in order to give the adjoining owners a reasonable opportunity

to protect their property at their own expense according to law. Such notice shall describe the extent and character of the excavation work about to be done.

(Code 2006, § 15-1-12)

Sec. 8-31. Regulations for moving buildings.

(a) *General requirements.*

- (1) *Permits.* No building or structure shall be moved without first obtaining a permit from the community development director or his designee. The application for a permit shall conform to the regulations of section 8-20(b) and shall show the type of construction of the building or structure, its occupancy and use, its location, and the intended occupancy and use in the new location.
- (2) *Buildings or structures—Which can be moved.* Buildings or structures which can be moved, are subject to village board approval under subsection (b) of this section. A permit may be granted for the moving of any building or structure which is structurally sound and safe from one location to another location on the same premises, or from one premises to another premises; provided such building or structure conforms to this article and other applicable laws and regulations.
- (3) *Same—Which cannot be moved.* No permit shall be granted for the moving of any building or structure, or portion thereof, which has deteriorated or been damaged to an extent greater than 50 percent of the assessed value of the building or structure as determined by the community development director or his designee. Any such structures shall be razed in accordance with section 8-20(a)(2)c.
- (4) *Tree damage report.* A report shall be made by village employees with regard to possible damage to trees. The estimated cost of trimming, removal and replacement of public trees, as determined by the village, shall be paid to the village clerk prior to issuance of the moving permit.
- (5) *Conditions.* Issuance of moving permit shall further be conditioned on approval of the moving route by the chief of police.

(b) *Village board approval.*

- (1) No permit to move a building or structure shall be issued by the community development director until the village board, after due hearing and by a majority vote, has determined that the building or structure may be moved.
 - (2) The community development director shall determine before the hearing whether the building or structure is structurally sound, will be located in compliance with section 8-22 and will be of a type of construction required under this article.
 - (3) The application for a moving permit shall be accompanied with photographs of exteriors of the building or structure, and, if the exterior of the building is to be altered or additions made thereto, plans must be provided.
 - (4) If the village board determines, after viewing the photographs of the building or structure, that the exterior of the proposed building or structure will be in harmony with the neighborhood into which it is relocated, a permit may be issued.
 - (5) Further regulations may be imposed by the village board.
- (c) *Conformance with building code.* No permit shall be issued to move a building within or into the village and to establish it upon a location within the said village until the community development director has made an investigation that said building is in a sound and stable condition and of such construction that it will meet the requirements of this article in all respects. A complete plan of all further repairs, improvements and remodeling with reference to such building shall be submitted to the community development director, and

he shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this article and that, when the same are completed, the building as such will so comply with said building code. In the event a building is to be moved from the village to some point outside the boundaries thereof, the provisions with respect to the furnishing of plans and specifications for proposed alterations to such building may be disregarded.

(d) *Bond.*

- (1) Before a permit to move any building is granted by the community development director, the party applying therefor shall give a bond in the sum of \$10,000.00 with good and sufficient sureties to be approved by the village attorney conditioned, among other things, that said party will save and indemnify judgments, costs and expenses which may, in any way, accrue against the village and will save the village harmless against all liabilities, judgments, costs and expense in consequence of granting of such permit.
- (2) Unless the community development director, upon investigation, shall find it to be a fact that the excavation exposed by the removal of such building from its foundation shall not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the exposed excavation, such as to make intrusion upon the premises and the falling into such excavation of children under 12 years of age unlikely, the bond required by subsection (e)(1) of this section shall be further conditioned upon the permittee erecting adequate barriers and within 48 hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the community development director and reasonably adopted or calculated to prevent the occurrences set forth herein.

(e) *Insurance.* The community development director shall require public liability insurance covering injury to one person in the sum of not less than \$100,000.00 and for one accident in a sum not less than \$200,000.00, together with property damage insurance in a sum not less than \$50,000.00, or such other coverage as deemed necessary.

(Code 2006, § 15-1-13; Ord. No. 10(Ser. of 1994), 6-1-1994)

Sec. 8-32. Fees.

Before issuing a building permit, the owner or his agent shall pay to the community development director a fee. The amount of the fee shall be established by the village board, from time to time, and appears in the fee schedule attached as appendix C to this Code.

(Code 2006, § 15-1-14; Ord. No. 4(Ser. of 1995), 2-1-1995; Ord. No. 3(Ser. of 1999), 2-3-1999; Ord. No. 7(Ser. of 2002), 5-15-2002)

Sec. 8-33. Penalties and enforcement.

- (a) *Penalties.*
- (1) *Scope of penalty provision.* Any building or structure hereafter erected, enlarge, altered or repaired or any use hereafter established in violation of the provisions of articles II through V of this chapter (the village building code, electrical code, plumbing code and heating, ventilating and air conditioning code, all included within the definition of "this chapter" for purposes of this section), shall be deemed an unlawful building, structure or use.
 - (2) *Penalties.* The community development director shall promptly report all such violations to the village board and village attorney who shall bring an action to enjoin the erection, enlargement, alteration, repair or moving of such building or structure or the establishment of such use of buildings in violation of this article or to cause such building, structure or use to be removed and may also be subject to a penalty as provided in general penalty provisions in section 1-12. Any person who fails to obtain a building permit before starting construction shall be charged double the regular rate for this late filing violation. In any such action, the fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the community development director or other village officials constitute a defense. Compliance with the provisions of this article may also be enforced by injunctive order at the suit of the owner of any real estate within the jurisdiction of this article.
- (b) *Enforcement.*
- (1) *Notice to correct.* If an inspection reveals a noncompliance with this article or the uniform dwelling code, the community development director shall notify the applicant or the owner of the violation to be corrected. All cited violations shall be corrected prior to continuing unless an extension of time is granted pursuant to Wis. Admin. Code § COMM 20.10(1)(c) SPS 320.21(3).
 - (2) *Stop work order.* If, after notification, the violation is not corrected, a stop work order may be served on the owner or his representative and a copy thereof shall be posted at the construction site. Such stop work order shall not be removed except by written notice of the community development director after satisfactory evidence has been supplied that the cited violation has been corrected.
 - (3) *Separate violations; other remedies.* Each day each violation continues after the notice shall constitute a separate offense. Nothing in this article shall preclude the village from maintaining any appropriate action to prevent or remove a violation of any provision of this article or the uniform dwelling code.
 - (4) *Double fees.* If any construction or work governed by the provisions of articles II through V of this chapter or the uniform dwelling code is commenced prior to the issuance of a permit, double fees shall be charged.
- (c) *Appeal.* Any person feeling aggrieved by an order or a determination of the community development director may appeal from such order or determination to the board of appeals. Those procedures customarily used to effectuate an appeal to the board of appeals shall apply.
- (d) *Village liability.* Except as may otherwise be provided by the statute or ordinance, no officer, agent or employee of the village charged with the enforcement of this article shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this article. Any suit brought against any officer, agent or employee of the village as a result of any act required or permitted in the discharge of his duties under this article shall be defended by the legal representative of the village until the final determination of the proceedings therein.
- (e) *Payment of claims.* The village shall not issue or renew any building, plumbing, electrical or HVAC permit:

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- (1) For any purposes for which taxes, assessments or other claims of the village are delinquent and unpaid.
 - (2) For any person who is delinquent in payment:
 - a. Of any taxes, assessments or other claims owed the village; or
 - b. Of any forfeiture resulting from a violation of any village ordinance.

(Code 2006, § 15-1-16)