

It is expected that a Quorum of the Joint Review Board, Board of Public Works, Park Board, Administration Committee, and/or Common Council may attend this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA
PLAN COMMISSION
Council Chambers
140 Main Street, Menasha**

**November 8, 2016
3:30 PM**

AGENDA

3:30 PM–Informal Public Hearing Regarding the Proposed Rezoning of 217 Washington Street–Parcel # 3-00529-00

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
 - 1. [Minutes of the October 18, 2016 Plan Commission Meeting](#)
- D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA
Five (5) minute time limit for each person
- E. DISCUSSION
 - 1. [Grade Requests, Setting Grades, Verifying Grades](#)
 - 2. [Code Sections for Revision Priorities](#)
- F. ACTION ITEMS
 - 1. [Rezoning – 217 Washington Street – Parcel # 3-00529-00](#)
 - 2. [Moving Permit – Lot 8 Deerfield Court](#)
- G. ADJOURNMENT

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
October 18, 2016
DRAFT MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:31 PM by Mayor Merkes.

3:30 PM – Public Hearing on the Proposed Project Plan Amendment to Tax Increment District #5

Mayor Merkes opened the public hearing at 3:31 PM. No one spoke. Mayor Merkes closed the hearing at 3:31 PM.

3:30 PM – Public Hearing on the Proposed Project Plan Amendment to Tax Increment District #10

Mayor Merkes opened the public hearing at 3:31 PM. No one spoke. Mayor Merkes closed the hearing at 3:31 PM.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Ald. Benner (3:36PM) and Commissioners Schmidt, DeCoster and Cruickshank.

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Sturm.

OTHERS PRESENT: CDD Buck, AP Englebert, ASD Steeno, Don Whitehouse (St. Patrick's Congregation), Kristen Bergstrom (St. Patrick's Congregation), and Garritt Bader (R. Lewis & R. Lewis, LLC).

C. MINUTES TO APPROVE

1. **Minutes of the October 4, 2016 Plan Commission Meeting**

Motion by Comm. Schmidt, seconded by Comm. Cruickshank, to approve the October 4, 2016 Plan Commission meeting minutes. The motion carried.

D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA

1. No one spoke.

E. CORRESPONDENCE

1. None.

F. DISCUSSION

1. **Grade Requests, Setting Grades, Verifying Grades**

No discussion took place.

G. ACTION ITEMS

1. **St. Patrick's Congregation Lighting Plan**

CDD Buck introduced the lighting plan for St. Patrick's Congregation. The plan was held over from the previous Plan Commission meeting. Staff explained that the lighting plan as presented meets city standards.

Motion by Comm. Cruickshank, seconded by Comm. DeCoster, to approve the lighting plan for St. Patrick's Congregation. The motion carried.

2. **Certified Survey Map – 1414 and 1434 Appleton Road and Vicinity**

AP Englebert described the proposed Certified Survey Map (CSM) relating to properties in the 1400 block of Appleton Road. The proposed CSM seeks to consolidate three commercial lots into one in order to make the land present more amenable for development. The northern

property is still under annexation procedures with the City of Menasha. Staff relayed that the proposed CSM will not create any setback or zoning non-conformities.

Motion by Comm. Schmidt, seconded by Comm. Cruickshank, to recommend approval of the Certified Survey Map – 1414 and 1434 Appleton Road and Vicinity, with the finding that the side setbacks and dimensions on the proposed lot meet city standards for the C-1 General Commercial District and the Certified Survey Map will not create any zoning non-conformities. The motion carried.

3. **Plan Commission Resolution 1-2016 Recommending Approval of the Project Plan Amendment #5 for Tax Incremental District #5**

CDD Buck introduced the proposed project plan amendment for TID #5. The amendment seeks to share increment from TID #5 with TID #3 in the form of a one-time payment in the anticipated amount of \$732,500. TID #3 is scheduled to close by the end of 2016 without recouping its project costs. TID #5 has a higher than expected increment resulting from its creation. AP Englebert further provided a brief history of TID #3 and TID #5. Ald. Benner spoke in favor of the resolution.

Motion by Ald. Benner, seconded by Comm. Schmidt, to approve Resolution 1-2016 Recommending Approval of the Project Plan Amendment #5 for Tax Incremental District #5. The motion carried.

4. **Plan Commission Resolution 2-2016 Recommending Approval of the Project Plan Amendment #1 for Tax Incremental District #10**

CDD Buck presented the proposed project plan amendment for TID#10. The amendment seeks to add language to the TID #10 project plan that will allow for excess increment, if available, to be allocated the City of Menasha Housing Rehabilitation Fund. CDD Buck commented on the re-organization of the Community Development Department and the process of hiring a new Building Inspector. It is expected that the new Building Inspector/Housing Specialist will be very involved with developing and administering the Housing Rehabilitation Fund.

Ald. Benner inquired about the the status of key contributing properties in TID #10, the theater building and Third Street Market. Staff explained that Third Street Market is fully operational while the theater building is still seeking a tenant. Each property is making a positive contribution to TID #10.

Motion by Ald. Benner, seconded by Comm. DeCoster, to approve Resolution 2-2016 Recommending Approval of the Project Plan Amendment #1 for Tax Incremental District #10. The motion carried.

H. ADJOURNMENT

Motion by Ald. Benner, seconded by Comm. Cruickshank, to adjourn at 3:55 PM. The motion carried.

Minutes respectfully submitted by AP Englebert.



October 13, 2016

Memorandum

To: Plan Commission

From: Tim J. Montour – Engineering Supervisor *lym*

RE: Grade Requests, Setting Grades, Verifying Grades

The Department of Public Works – Engineering Division is responsible for setting grades for new home construction, new detached garage construction, driveway grades at the right of way and finished lawn grades at the property corners and grade breaks along the property line. At the completion of the respective project that required the grade to be set, we ask the contractor to call our office to verify that the grade we set has been followed. When we verify that the grade has been followed, we notify the contractor that the Grade Compliance has been met. This Grade Compliance Verification is part of the file for that particular property.

Please contact our office with any questions related to the setting of grades within the City.



City of Menasha Grade Request

(920) 967-3610

STIPULATIONS

- * Contractor shall have property irons located/exposed prior to grade being set.
- * Grades and driveway permits shall be requested at least three working days in advance of need
- * An Excavation Permit shall be obtained if work is performed within the street right of way
- * Grades are set to conform to established street grades. Work done that does not conform to these grades shall be corrected by the owner
- * House Grades shall be within +/- 4", Detached Garage within +/- 2"
- * Rough grading for lot shall be 0" to - 3" of final finished grade at the property lines and drainageways
- * Finished lawn grade shall be +/- 1.25" of final finished grade at the property lines and drainageways
- * There will be a \$25.00 charge for re-staking
- * Contractor shall call City for Grade compliance verification or required inspection

Contractor Has Read Stipulations _____
 Call In - Has Been Read Stipulations _____

Date of Request: _____
 Site Address: _____
 Subdiv. & Lot No.: _____
 Property Owner: _____
 Address: _____

 Contractor: _____
 Address: _____

 Contact Person: _____
 Phone No.: _____ Cell No.: _____
 Email Address: _____
 Requested By: _____

Grade Requested	Pass	Fail
<input type="checkbox"/> House Grade Grade compliance verification	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Detached Garage Grade Grade compliance verification	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Landscape Grade Rough grade compliance	<input type="checkbox"/>	<input type="checkbox"/>
Finished grade compliance	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Driveway Grade & Permit Grade compliance verification	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Sidewalk Section (6" conc.) Pre-pour Inspection	<input type="checkbox"/>	<input type="checkbox"/>
Final Inspection	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Temporary Apron (2" asph./3" conc.) <input type="checkbox"/> Permanent Apron (3" asph./6" conc.) Pre-pour/pave Inspection	<input type="checkbox"/>	<input type="checkbox"/>
Final Inspection	<input type="checkbox"/>	<input type="checkbox"/>

Driveway Permit No.: _____ -See Page 2
 Excavation Permit No.: _____

COMMENTS: _____

BENCHMARK: _____

Staked By: _____ Date: _____
 <000.00> Proposed Finished Elevation
 (000.00) Grade Stake Elevation

City Compliance Verified By: _____ Date: _____ Faxed By: _____ Mailed By: _____ Emailed By: _____



MEMORANDUM

Date: November 3, 2016
To: Plan Commission
From: David Buck, CDD and Kevin Englebert, AP
RE: Zoning Code Text Revisions

At the October 4th Plan Commission meeting, commissioners and staff discussed the need to examine and potentially change certain aspects of the City of Menasha Zoning Code. Staff was instructed to examine the Zoning Code and bring recommendations to the Plan Commission relating to the importance of changing sections of the code. After conducting a review, staff has prioritized the following sections of the code for improvement based on the following reasons:

1. **Special Use Permits and Process** – In the current City of Menasha Zoning Code, Special Uses and the process used to obtain a Special Use Permit are co-mingled with processes relating to site non-conformities, site plans, off-street parking, and the sign code among others. This causes great confusion and muddles the process for obtaining a Special Use Permit for those that apply for one.
2. **Non-Conforming Code** – As with Special Uses, the non-conforming section in the City of Menasha Zoning Code is confusing to interpret. In addition, recent changes at the state level prohibit municipalities from limiting remodeling projects on non-conforming structures based on cost of repairs. The City of Menasha Non-Conforming Code needs to be rewritten to accommodate the new change and become more efficient to administer.
3. **Sign Code** – Recent case law at the national Supreme Court level has affected the constitutionality of many municipal sign codes across the country. In *Reed vs. The Town of Gilbert, Arizona* the Supreme Court struck down a sign ordinance in 2014 that treated directional, political, and real estate signs differently. The reasoning is that by regulating signs based on their message, the municipality was regulating signs based on content. Municipalities must adopt new sign codes to regulate signs based on characteristics such as size, location, and materials and not based on what type of message they relay. As such, the City of Menasha Sign Code needs to be rewritten to accommodate those changes.
4. **Off-Street Parking** – The section of the code regulating off-street parking needs examination especially when it comes to resurfacing/reconstruction of existing parking areas. Many property owners are choosing to patch their parking lots

instead of resurfacing their lots due to perceived or real obstacles in bringing their lots up to code. Additionally, the number of required spaces per use needs to be looked at to see if the standards are current and the range of uses covers the variety of uses present in Menasha.

5. **Commercial/Industrial Lighting Code** – Our commercial and industrial lighting code does not meet industry standards. Often times staff needs to work through two or three iterations of a lighting plan to obtain compliance. Lighting contractors and property owners have difficulty in achieving our coverage standards (both minimum and maximum foot-candles) for parking lots. Often times Color Rendition Indices are not available on standard lighting cut-sheets making it difficult to verify light color standards.
6. **Temporary Uses** – The current process for receiving a Temporary Use Permit is to get a recommendation from Plan Commission and a decision from the Zoning Board of Appeals. There are no standards or regulations set forth in our code making the decision-making process for Temporary Use Permits arbitrary at best.
7. **Architectural Design Standards** – The City of Menasha requires 75% brick or natural stone facades for new construction in commercial and multi-family residential districts which create issues for some developments. In addition, no architectural design requirements exist for permitted uses in the R-1, R-1A, and R-2 districts. For existing buildings, additions or expansions are required to use brick or natural stone with little exception.

Staff recognizes that this may not be a comprehensive list of all sections in the Zoning Code that need attention. We feel that this list represents the most pressing concerns from a code administration standpoint but note that this list is not listed in any specific order of importance.



Memorandum

To: Plan Commission
From: Kevin Englebert, Associate Planner
Date: November 2, 2016
RE: **Rezoning – 217 Washington Street (#3-00529-00)**

The City of Menasha has been petitioned by NSG, LCC to rezone the property at 217 Washington Street from I-2 General Industrial District to C-1 General Commercial District. The intention of the applicant is to open a Glass Nickel Pizza restaurant at this location.

The State of Wisconsin requires municipalities to make decisions regarding land use classifications that “further or do not contradict” the municipality’s comprehensive plan. The City of Menasha Comprehensive Plan classifies this property as *Mixed-Use Commercial Core*. In this case, rezoning the property from the I-2 District to the C-1 District would allow for commercial uses that fit the intended future land use classification within the comprehensive plan. The proposed rezoning will not create lot non-conformity in regard to lot size or dimensions.

Staff will be contacting the property owners of three properties adjacent to 217 Washington Street (see attached map) to introduce the topic of changing their zoning designation to the C-1 Commercial District. The intention is to form a larger commercial area that is in conformance with the comprehensive plan so as to minimize future land-use conflicts associated with industrial and commercial zoning mix.

Staff recommends approval of the rezoning of 217 Washington Street based on the interpretation that the intended rezoning will further the goals and objectives set forth in the City of Menasha Comprehensive Plan.



WASHINGTON ST

217

161

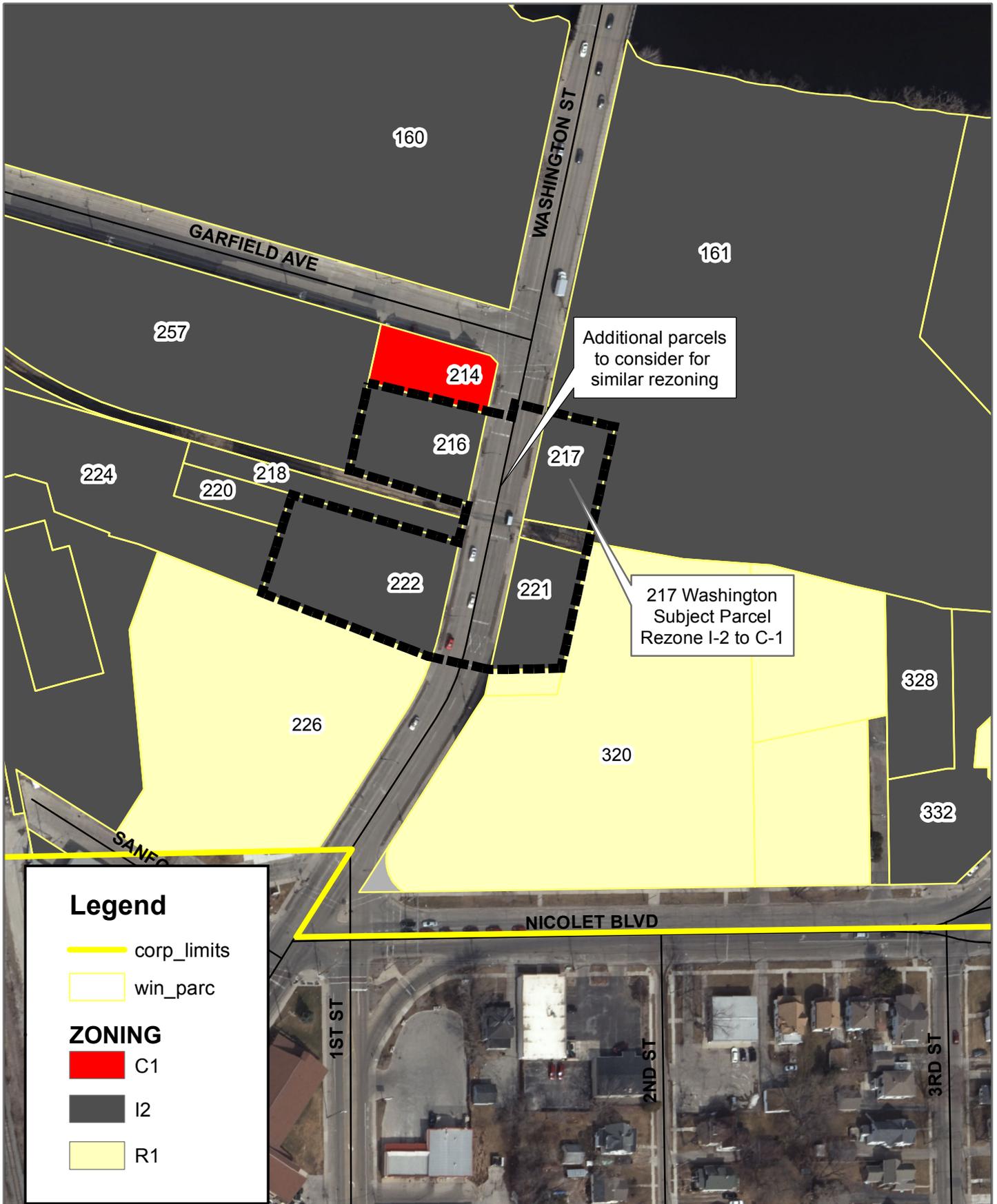
221

320

217 Washington



The City of Menasha creates and provides maps for INFORMATIONAL PURPOSES ONLY. The City makes no claims to accuracy or completeness, provides no warranties of any kind, and assumes no liability for their use.



Additional parcels to consider for similar rezoning

217 Washington Subject Parcel Rezone I-2 to C-1

Legend

-  corp_limits
-  win_parc

ZONING

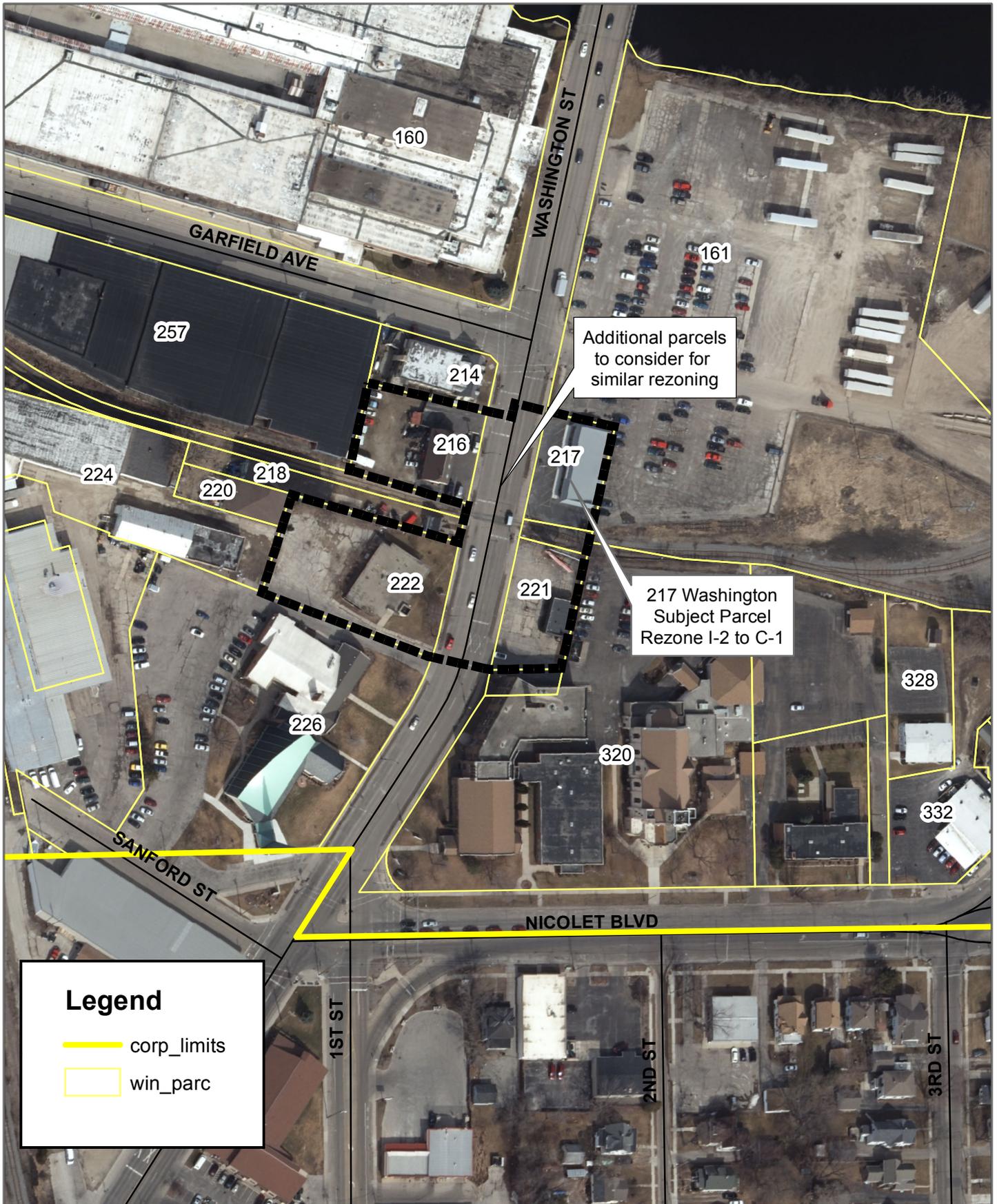
-  C1
-  I2
-  R1

Potential Area for Additional Zone Change


NORTH
 1 in = 150 ft

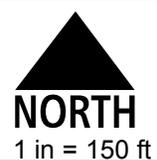


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**Potential Area for
Additional Zone Change**

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City of Menasha Application
Rezoning

SUBMIT TO:
City of Menasha
Dept. of Com. Development
140 Main Street
Menasha, WI 54952-3190
PHONE: (920) 967-3650

APPLICANT INFORMATION

Petitioner: NSG LLC Date: 10/10/16
Petitioner's Address: 2916 1/2 Atwood Ave City: Madison State: WI Zip: 53704
Telephone #: (608) 438 8751 Fax: () Other Contact # or Email: Tim@snp.zca.com
Status of Petitioner (Please Circle) Owner Representative Tenant Prospective Buyer
Petitioner's Signature (required): [Signature] Date: 10/10/16

OWNER INFORMATION

Owner(s): Garhard J Geiger Date: 10/10/16
Owner(s) Address: 7285 ST R 76 City: Neenah State: WI Zip: 54956
Telephone #: (920) 7253267 Fax: () Other Contact # or Email: _____
Ownership Status (Please Circle): Individual Trust Partnership Corporation

Property Owner Consent: (required)

By signature hereon, I/We acknowledge that City officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Planning Services Division for incomplete submissions or other administrative reasons.

Property Owner's Signature: [Signature] Date: 10/10/16

ZONING AND DEVELOPMENT INFORMATION

Address/Location of Rezoning Request: 217 Washington St Menasha
Tax Parcel Number(s): 30052900
Rezoned property from: Industrial to C1
Purpose for Rezoning: To comply with citys zoning laws

Describe existing property development and land use: Lot would remain capped (OUR) and unchanged, interior would be completely gutted

Describe proposed development and/or proposed land use: Pizza restaurant, takeout and delivery

Proposed time schedule for development and/or use of the property: ASAP Funds have been secured, contractor has been hired

Staff kel Date Rec'd 10-13-16



October 26, 2016

Dear Property Owner:

The City of Menasha will be holding public hearings regarding the proposed rezoning of property located at 217 Washington Street (Parcel #3-00529-00). You are being notified of the proposed rezoning in accordance with Section 13-1-142 of the Menasha Code of Ordinances.

Rezoning of the property from I-2 General Industrial District to C-1 General Commercial District is being requested by NSG, LLC in order to open a restaurant at the location.

Please see the enclosed map and public hearing notice for more information.

The Plan Commission will be considering this rezoning at an informal public hearing on Tuesday, November 8, 2016 at 3:30 p.m. or shortly thereafter in the Third Floor Council Chambers of City Hall, 140 Main Street. A second public hearing before the Common Council will be held Monday, November 21, 2016 at 6:00 p.m. or shortly thereafter in the Council Chambers of City Hall, 140 Main Street. Persons interested in this matter will be given an opportunity to comment and ask questions about the proposed rezoning.

If you have any questions, please contact me at the number listed below.

Sincerely,

Kristi Heim
Community Development Coordinator

Enclosures

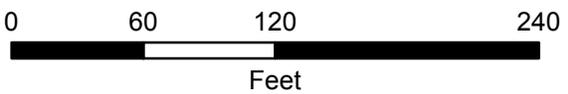
c: City of Menasha Plan Commission ✓
City Clerk Deborah Galeazzi
City of Neenah Clerk Patty Sturn

Proposed Rezoning from 1-2 General Industrial District to C-1 General Commercial District



Legend

 Proposed for Rezoning
Parcel #3-00529-00



CITY OF MENASHA
Public Hearing

NOTICE IS HEREBY GIVEN that the City of Menasha Plan Commission and Common Council will hold public hearings regarding the proposed rezoning of 217 Washington Street (Parcel # 3-00529-00).

NSG, LLC has requested the rezoning from I-2 General Industrial District to C-1 General Commercial District for the purpose of opening a restaurant which is a permitted use in the C-1 district.

The Plan Commission will be considering this rezoning at an informal public hearing on Tuesday, November 8, 2016 at 3:30 p.m. or shortly thereafter in the Third Floor Council Chambers of City Hall, 140 Main Street. A second public hearing before the Common Council will be held Monday, November 21, 2016 at 6:00 p.m. or shortly thereafter in the Council Chambers of City Hall, 140 Main Street. Persons interested in this matter will be given an opportunity to comment and ask questions about the proposed rezoning.

Deborah A. Galeazzi
City Clerk

Publish: October 28 and November 14, 2016



MEMORANDUM

To: Plan Commission

From: David Buck, CDD

Date: November 3, 2016

RE: Relocation of an existing Two-Family Home to the 900 Block of Deerfield Court
(DEERFIELD COURT PLAT LOT 8)

Gerry Thibert requests approval to relocate/move an existing single-story two-family home (approximately 2,400 sq. ft.) to a vacant lot located in the 900 Block of Deerfield Court, Menasha (DEERFIELD COURT PLAT LOT 8).

Pursuant to the City Menasha Building Code Section 15-1-8: Regulations for Moving Buildings, prospective building relocations require the Plan Commission to review applications for moving permits and make finding(s) to the effect that:

1. The exterior architectural appeal and functional plans of a building to be moved will not be at variance with either the exterior architectural appeal and functional plan of buildings already constructed in the immediate neighborhood; and
2. The exterior architectural appeal and functional plans of the building to be moved will not cause a substantial depreciation in the property values of the neighborhood.

The lot to which the home is proposed to be moved as well as the other six lots fronting Deerfield Court are zoned R-4 Multi-Family High Density Residence District. The proposed two-family home is a permitted use within the R-4 District. The anticipated relocated structure is to be located on the lot in such a way to be in compliance with the setbacks regulations of the district.

Of the seven total lots on the cul-de-sac, three are developed two-story, two-family homes (two duplexes and one condominium). They are as follows:

993-995 Deerfield Ct.: Constructed in 1993 with a footprint of 2,270 sq. ft. (second story of 1,342 sq. ft.). The structure includes small front porch, one 1-stall and one 2-stall garage and rear decks.



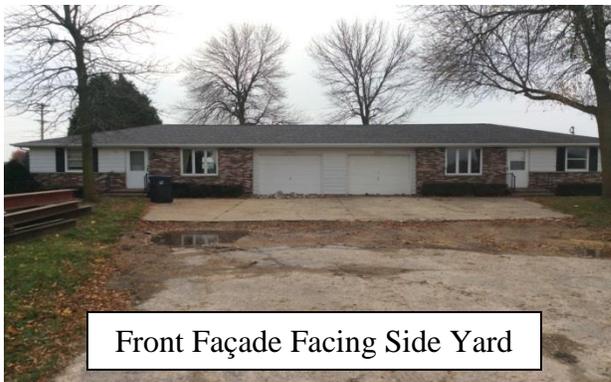
994-996 Deerfield Ct.: Constructed in 2003 with a footprint of 2,504 sq. ft. (second story of 1,088 sq. ft.). The structure includes a front porch, two 2-stall garages and rear patios.



983-985 Deerfield Ct.: Constructed in 2002 with a footprint of 3,000 sq. ft. (second story of 1,732 sq. ft.). The structure includes porches, one 1-stall and one 2-stall garage.



The inclusion of an additional two-family dwelling is consistent with the uses located within the cul-de-sac. However, the design is not similar to the other homes present with the primary difference that the home to be moved is a single-story/ranch duplex rather than a two-story structure. The proposed home is 1970s style as opposed to the more modern designs presently located on the block and the building placement is proposed to be oriented to the “side” with the structures front elevation facing the north side yard and the structures side elevation fronting the public right-of-way, which is inconsistent with the other homes located in the neighborhood.



Staff therefore recommends denial of the request to relocate the two-family home, as requested, with a finding that the exterior architectural appeal will be at variance with the architectural appeal and functional plan of buildings already constructed in the immediate neighborhood.

- (d) **HARDSHIP.** The Building Inspector shall have the authority and power to permit the occupancy of any building or structure in the municipality, prior to issuance of any occupancy certificate, in all such cases of hardship as, in his judgment and discretion, warrant occupancy before final stage of completion as set forth in this Chapter. Before granting such permission, the Building Inspector shall first examine the premises and determine if it is safe and sanitary. The Building Inspector shall determine the time within which such building or structure can be completed; such time should not exceed one hundred twenty (120) days.

SEC. 15-1-8 REGULATIONS FOR MOVING BUILDINGS.

- (a) **GENERAL.** No person shall move any building or structure upon any of the public rights-of-way of the municipality without first obtaining a permit therefor from the Building Inspector and upon the payment of the required fee. Every such permit issued by the Building Inspector for the moving of a building shall designate the route to be taken, the conditions to be complied with and shall limit the time during which said moving operations shall be continued.
- (b) **MOVING DAMAGED BUILDINGS.** No building shall be repaired, altered or moved within or into the municipality that has deteriorated or has been damaged by any cause (including such moving and separation from its foundation and service connections in case of moved buildings) fifty percent (50%) or more of its equalized value, and no permit shall be granted to repair, alter or move such building within or into the municipality.
- (c) **CONTINUOUS MOVEMENT.** The movement of buildings shall be a continuous operation during all the hours of the day, and day by day and at night, until such movement is fully completed. All of such operations shall be performed with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection or so near thereto as to prevent easy access to any fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.
- (d) **STREET REPAIR.** Every person receiving a permit to move a building shall, within one (1) day after said building reaches its destination, report that fact to the Building Inspector who shall thereupon, in the company of the Director of Public Works, inspect the streets and highways over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in good repair as they were before the permit was granted. On the failure of the said permittee to do so within ten (10) days thereafter to the satisfaction of the governing body, said body shall repair the damage done to such streets and hold the person obtaining such permit and the sureties on his bond responsible for the payment of same.
- (e) **CONFORMANCE WITH CODE.** No permit shall be issued to move a building within or into the municipality and to establish it upon a location within the said municipality until the Building Inspector has made an investigation of such building at the location from which it is to be moved and is satisfied from such investigation

that said building is in a sound and stable condition and of such construction that it will meet the requirements of this Building Code in all respects. A complete plan of all further repairs, improvements and remodeling with reference to such building shall be submitted to the Building Inspector, 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 Building Code and that, when the same are completed, the building as such will be moved from the municipality 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.

(f) **BOND.**

- (1) Before a permit is issued to move any building over any public way in this municipality, the party applying therefor shall give a bond to the municipality in a sum to be fixed by the Building Inspector and which shall not be less than Ten Thousand Dollars (\$10,000.00), nor more than Twenty-five Thousand Dollars (\$25,000.00), said bond to be executed by a corporate surety or two (2) personal sureties to be approved by the governing body or designated agent conditioned upon, among other things, the indemnification to the municipality for any costs or expenses incurred by it in connection with any claims for damages to any persons or property, and the payment of any judgment, together with the costs and expenses incurred by the municipality in connection therewith, arising out of the removal of the building for which the permit is issued.
- (2) The bond required by Subsection (f)(1) shall be further conditioned upon the permittee erecting adequate barriers and, within forty-eight (48) hours, filling in any related excavations or adopting and employing such other means, devices or methods approved by the Building Inspector.

(g) **INSURANCE.** The Building Inspector shall require, in addition to said bond above indicated, public liability insurance covering injury to one (1) person in the sum of not less than One Hundred Thousand Dollars (\$100,000.00) and for one (1) accident in a sum not less than Two Hundred Thousand Dollars (\$200,000.00), together with property damage insurance in a sum not less than Fifty Thousand Dollars (\$50,000.00), or such other coverage as deemed necessary.

(h) **PLAN COMMISSION OR OTHER ASSIGNED BOARD OR COMMISSION.**

- (1) No such permit shall be issued unless it has been found as a fact by the Plan Commission (or other assigned board or commission) of the municipality by at least a majority vote after an examination of the application for the permit which shall include exterior elevations of the building and accurate photographs of all sides and views of the same, and in case it is proposed to alter the exterior of said building, plans and specifications of such proposed alterations and after a view of the building proposed to be moved and of the site at which it is to be located, that the exterior architectural appeal and functional plans of the building to be moved or moved and altered will not be so at variance with either the exterior architectural appeal and functional plan of the buildings already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district established by the zoning ordinances of the municipality or any ordinance

amendatory thereof or supplementary thereto as to cause a substantial depreciation in the property values of said neighborhood within said applicable district. In case the applicant proposed to alter the exterior of said building after moving the same, he shall submit with his application papers, complete plans and specifications for the proposed alterations. Before a permit shall be issued for a building to be moved and altered, the applicant shall give a cash bond to the municipality's Plan Commission which shall not be less than One Thousand Dollars (\$1,000.00) to be executed to the effect that he will, within a time to be set by the Plan Commission, complete the proposed exterior alterations to said building in the manner set forth in his plans and specifications. Said cash bond shall also be used to cover any incurred cost due to damage to any public property. This bond shall be in addition to any other bond or surety which may be required by other applicable ordinances of the municipality. No occupancy permit shall be issued for said building until the exterior alterations proposed to be made have been completed.

- (2) Upon application being made to the Building Inspector, he shall request a meeting of the Plan Commission to consider applications for moving permits which he has found comply in all respects with all other ordinances of the municipality. The Plan Commission may, if it desires, hear the applicant for the moving permit in question and/or the owner of the lot on which it is proposed to locate the building in question, together with any other persons, either residents or property owners, desiring to be heard, giving such notice of hearing as they may deem sufficient. Such hearing may be adjourned for a reasonable length of time; and within forty-eight (48) hours after the close of the hearing, the Plan Commission shall, in writing, make or refuse to make the finding required by Subsection (h) hereof and file it in the office of the Clerk, who shall send a copy of it to the Building Inspector.
- (i) **MOVING BUILDING FROM CITY.** A building being moved through or from within the City to outside the City shall meet all provisions of this Section, except Section (h)(1) relating to Plan Commission approval.
- (j) **MOVING OF SMALL BUILDINGS ON TRUCKS OR TRAILERS.**
 - (1) Small buildings of one (1) story in height and not more than fourteen (14) feet wide, including cornices, may be moved on a truck or trailer equipped with pneumatic tires.
 - (2) All provisions of this Section shall be met except for Section (h)(1) relating to Plan Commission approval and also the bond requirement of Section (f)(1) may be reduced to no less than One Thousand Dollars (\$1,000.00).

SEC. 15-1-9 RAZING OR REPAIR OF BUILDINGS.

- (a) **REMOVAL PROCEDURE.** Whenever the Building Inspector and/or Common Council find any building or part thereof within the City to be, in their judgment, so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or unfit for human occupancy or use and that it would be unreasonable to repair the same, they

City of Menasha SPECIAL ZONING APPROVAL

Owner Gerry Thibert Case or Plan No. _____
 Address 11851 Greenville Dr Fee _____
Greenville WI 54942
 Applicant (if different than Owner) _____
 Address Lot 2 Deerfield Ct
 Zoning R-4 Parcel Number(s) _____

PLEASE INDICATE WHICH REQUEST IS BEING MADE

- Rezoning Special Use Flood Plain Map Amendment
 Appeal or Variance PUD Plan Approval

Description of Request: House move.

Owner/Agent [Signature]
 Signature

(Applicable) Formal Hearing _____
 Formal Hearing _____ Notice Mailed _____
 Notice Mailed _____ Notice Mailed _____
 Action Taken: _____ 20__

APPROVED DENIED

Conditions (if any): _____

Kristi Heim

From: Building Inspector
Sent: Friday, October 28, 2016 12:26 PM
To: Kristi Heim
Subject: Moving Duplex

Greetings,

An investigation of the Duplex located at N9493 and N9491 County Road N in Darboy was done on 10/28/2016. It appears to be in sound and stable condition. From what is visible, it meets the code requirements that were in effect at the time that it was built. All alterations, the new basement and anchorage will have to meet current codes. A building permit will be issued after approval from the Planning Commission, Zoning, insurance, bonds and moving permits. Inspections will be scheduled throughout the process to make sure of code compliance.

Dave Szela
221370
Building Inspector
City of Menasha
140 Main Street
Menasha, WI 54952
920-967-3655



November 3, 2016

Dear Property Owner:

The City of Menasha Community Development department has received a request to move a home onto a parcel within the city limits. The home has been proposed to be placed on Parcel # 6-01288-00, DEERFIELD COURT PLAT LOT 8. A map is enclosed showing the location of the lot.

Pursuant to Sec. 15-1-8 of the Menasha Code of Ordinances, the Plan Commission shall meet to consider the application for any moving permit. The Plan Commission may hear from the applicant and/or owner of the lot on which it is proposed to locate the building, together with any other persons desiring to be heard.

This letter serves as notice that the City of Menasha Plan Commission will hold a meeting on Tuesday, November 8, 2016 at 3:30 PM at the Menasha City Hall Council Chambers, 3rd Floor, 140 Main Street, Menasha. The Plan Commission will be considering the moving permit application. This meeting is open to the public.

Persons interested in this matter will be given an opportunity to comment on the request and written comments submitted in advance will also be considered. The City of Menasha is notifying you because you own property within one hundred (100) feet of the proposed parcel. If you have any questions, please contact our office.

Sincerely,

Kristi Heim
Community Development Coordinator

Enclosures

C: Plan Commission ✓

Moving Duplex Into City Proposed Parcel #6-01288-00 Deerfeild Court Plat Lot 8

