

Report to the Manitowoc Plan Commission

Meeting Date: October 27, 2021

Request: PC 40-2021: Fager; Petition for Direct Annexation pursuant to §66.0217(2) from the Town of Manitowoc, South 15th Street. S. 15th St. # 2

Existing Land Use for Subject Property: Residential & a Vacant Lot

Existing Zoning for Subject Property: RR Rural Residential -Town of Manitowoc follows the County Zoning Ordinance

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North & East	Residential & Vacant Lane	R-4 Single and Two Family
South & West	Residential	RR Rural Residential County Zoning

Comprehensive Plan: The Future Land Use Map shows the area as Planned Neighborhood

Consistency Analysis

The proposed R-4 Single and Two Family Residential zoning classification is consistent with the Planned Neighborhood Land Use Category

Report:

Bryan Fager has submitted a petition to the City for direct annexation (Unanimous Consent Annexation) for his residence at 2815 S. 15th Street and a vacant lot to the south. Mr. Fager is the only individual on the deed but there is one elector that also lives at the residence. Unanimous or Direct annexations are governed by § 66.0217(2) which require that 100% of all land owners sign an annexation petition. The petition submitted is signed by all the property owners in the annexation area.

The two parcels total 1.27 acres (parcel 009-510-006-012.04 & 009-510-006-015.02). The north parcel contains the residence and the south parcel is vacant. Mr. Fager purchased the two parcels from Lori Reindl on November 18, 2020. A failing septic system is the main reason for the annexation.

2020 Taxes on the two properties total \$1,974.56 with the Town of Manitowoc's portion of the tax bill equaling \$234.9; per Statute the City shall pay the Town portion of the taxes for 5 years which amounts to \$1,174.55

Mr. Fager stated that he discussed annexation with his neighbors to the north and south of his property and none of them were interested in participating in the annexation.

Annexations must be contiguous with the city limits; the annexation meets this criteria. The S. 15th Street # 2 annexation area has a population of two and will become the 37th Ward and be part of Aldermanic District #7.

Currently, the property is zoned "RR" Rural Residential under the Town zoning ordinance; the proposed zoning City zoning designation is R-4 Single and Two Family residential. The current residential use will be a permitted use under the R-4 zoning classification. The R-4 zoning is consistent with the abutting properties that are in the City.

Prior to Common Council adoption of the ordinance the Department of Administration – Municipal Boundary Review shall have 20 days to review the annexation petition to determine if the annexation is in the public's best interest. The Common Council must adopt the annexation ordinance by 2/3 majority vote. It is anticipated that the Council will adopt the annexation ordinance and resolution at their November 15 meeting with the effective date of the annexation being November 23rd the date the ordinance is published.

Recommendation: Accept the annexation petition as presented for the S. 15th Street #2 annexation area.

PETITION FOR DIRECT ANNEXATION

1. The purpose of this petition is to request, pursuant to Wisconsin Statute Section 66.0217(2), direct annexation to the City of Manitowoc and detachment from the Town of Manitowoc of the following described real estate:

DESCRIPTION

A tract of land located in Lots 12 and 15 of the Subdivision of the East 1/2 of Section 6, T.18N, R.24E., Town of Manitowoc, Manitowoc County, Wisconsin described as follows:

Commencing at the North 1/4 corner of said Section 6, thence S89°51'20"E along the section line 659.58 feet to the centerline of So. 15th Street, thence S00°11'20"W (recorded as South) along said centerline 588.60 feet to the point of real beginning, thence continue S00°11'20"W (recorded as South) along said centerline 136.00 feet, thence S89°51'20"E 662.69 feet (recorded as S89°59'57"E, 662.71 feet), thence N00°05'22"E 66.00 feet, thence N89°51'20"W 496.08 feet, thence N00°11'20"E 70.00 feet, thence N89°51'20"W 166.50 feet to the point of real beginning. Said tract contains 1.27 acres (55,388 square feet)


2. A scaled map of the above described property showing its boundaries and its current relationship to the City of Manitowoc and the Town of Manitowoc is attached hereto.
3. The current population of the above described property in accordance with the definition given in Wisconsin Statute Section 66.0217(5)(a) is 2.
4. The undersigned, representing all of the electors residing in the above described property and the owners of all the real property located therein, hereby petition for the direct annexation to the City of Manitowoc of the above described property.

Dated this 10th day of October, 2021

ANNEXATION AREA


NAME:

ADDRESS:



2815 S. 15TH ST. MANITOWOC, WI 54220

BRYAN FAGER



2815 S. 15TH ST. MANITOWOC, WI 54220

NICHOLAS FINCK

PLAT OF SURVEY FOR ANNEXATION

ADDRESS: 2815 SO. 15TH STREET
 PARCEL NO.: 009-510-006-012.04,
 009-510-006-015.02

CERTIFICATION

I hereby certify that the adjacent map and the following description are correct to the best of my knowledge and belief
 A tract of land located in Lots 12 and 15 of the Subdivision of the East 1/2 of Section 6, T.18N., R.24E., Town of Manitowoc,
 Manitowoc County, Wisconsin described as follows:

Commencing at the North 1/4 corner of said Section 6, thence S89°51'20"E along the section line 659.58 feet to the centerline of So.
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 feet), thence N00°05'22"E 66.00 feet, thence N89°51'20"W 496.08 feet, thence N00°11'20"E 70.00 feet, thence N89°51'20"W 166.50 feet
 to the point of real beginning.

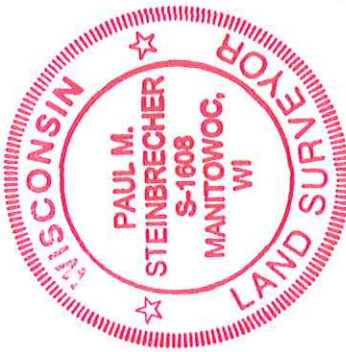
Said tract contains 1.27 acres (55,388 square feet)

Paul M. Steinbrecher
 PAUL M. STEINBRECHER, R.L.S. - 1608
 DATE 10/11/21

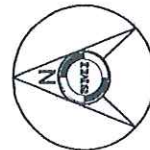
S89°51'20"E 2643.89' SECTION LINE

N 1/4 COR
 SEC 6, T.18N, R24E
 N291578.17
 E230247.72
 (EX RR SPIKE)

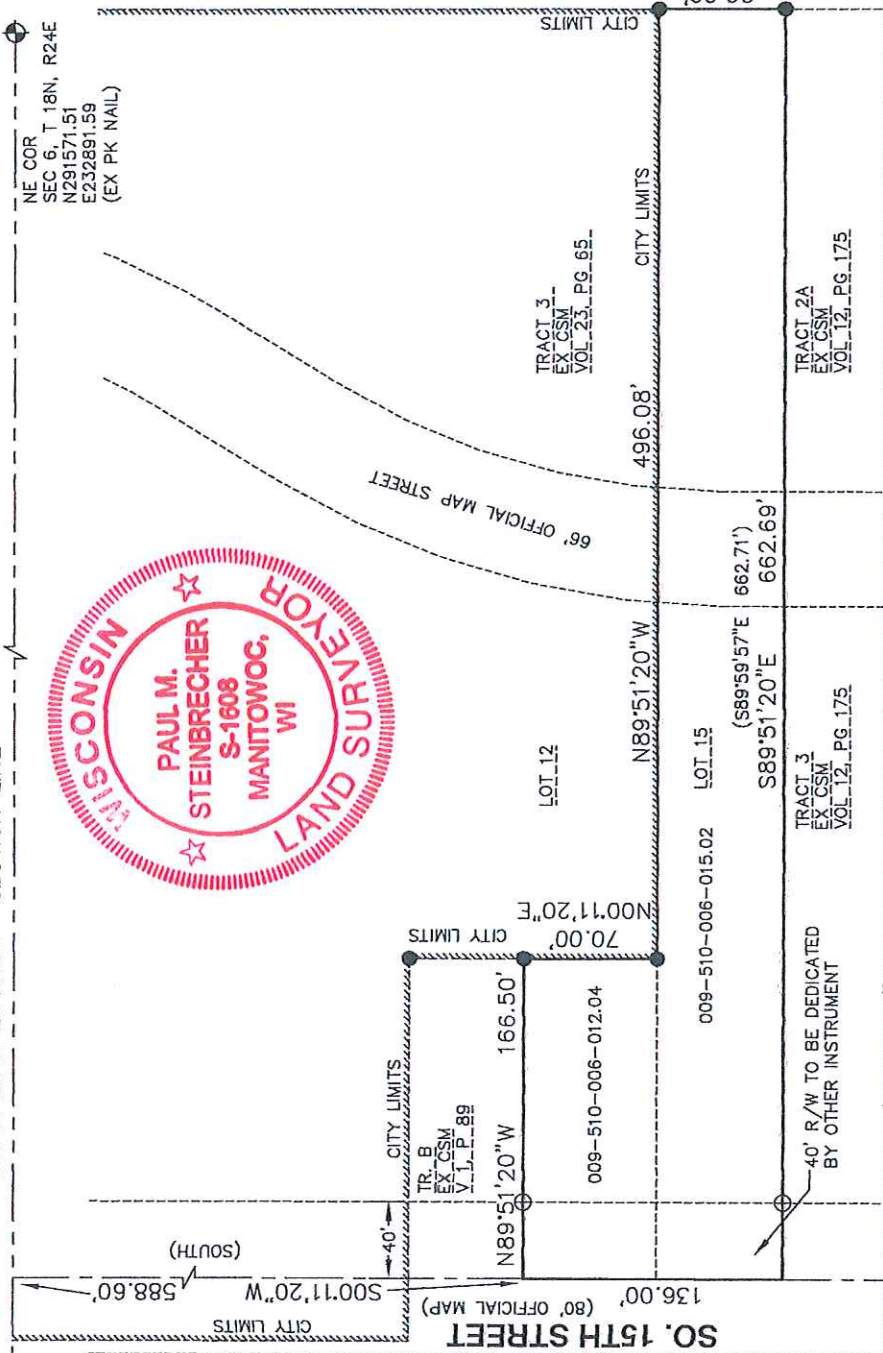
NE COR
 SEC 6, T.18N, R24E
 N291571.51
 E232891.59
 (EX PK NAIL)



- (RECORDED AS)
- EXISTING IRON
 - IRON ROD SET
 - ▲ EXISTING PK NAIL
 - △ PK NAIL SET



SCALE IN FEET



CIVIL AND STRUCTURAL ENGINEERS
 102 REVERE DRIVE
 MANITOWOC, WISCONSIN 54220-3147
 PHONE 920-684-5583 FAX 920-684-5584



CLIENT: BRYAN FAGER
 ADDRESS: 2815 SO 15TH STREET
 MANITOWOC WI 54220
 DATE: 8/27/21 JOB NO.: 21264LS
 REVISED 10/11/21

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645, Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner Information

Name: **BRYAN FAGER**

Address: **2815 S. 15TH ST.**

MANITOWOC, WI 54220

Email: **BRYAN.FAGER@GMAIL.COM**

Office use only:

RECEIVED

OCT 13 2021

CITY CLERKS OFFICE

1. Town where property is located: **MANITOWOC**
2. Petitioned City or Village: **CITY OF MANITOWOC**
3. County where property is located: **MANITOWOC**
4. Population of the territory to be annexed: **2**
5. Area (in acres) of the territory to be annexed: **1.27 ACRES**
6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **009-510-006-012.04, 009-510-006-015.02**

Petitioners phone:

920-412-3524

Town clerk's phone:

920-901-5072

City/Village clerk's phone:

920-686-6950

Contact Information if different than petitioner:

Representative's Name and Address:

Surveyor or Engineering Firm's Name & Address:
SMI CIVIL AND STRUCTURAL ENGINEERS

102 REVERE DRIVE

MANITOWOC, WI 54220-3147

Phone:

Phone: **920-684-5583**

E-mail:

E-mail: **PAUL@SMIMANITOWOC.COM**

Required items to be provided with submission (to be completed by petitioner):

1. Legal Description meeting the requirements of [s.66.0217 \(1\) \(c\)](#) [see attached annexation guide]
2. Map meeting the requirements of [s. 66.0217 \(1\) \(g\)](#) [see attached annexation guide]
3. Signed Petition or Notice of Intent to Circulate is included
4. Indicate Statutory annexation method used:
 - Unanimous per [s. 66.0217 \(2\)](#), or,
OR
 - Direct by one-half approval per [s. 66.0217 \(3\)](#)
5. Check or money order covering review fee [see next page for fee calculation]

Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

Required Fees

There is an initial filing fee and a variable review fee

\$200 Initial Filing Fee (required with the first submittal of all petitions)

\$200 – 2 acres or less

\$350 – 2.01 acres or more

\$200 Review Fee (required with all annexation submittals except those that consist ONLY of road right-of-way)

\$200 – 2 acres or less

\$600 – 2.01 to 10 acres

\$800 – 10.01 to 50 acres

\$1,000 – 50.01 to 100 acres

\$1,400 – 100.01 to 200 acres

\$2,000 – 200.01 to 500 acres

\$4,000 – Over 500 acres

\$400 TOTAL FEE DUE (Add the Filing Fee to the Review Fee)

Attach check or money order here, payable to: **Department of Administration**

**THE DEPARTMENT WILL NOT PROCESS
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED
BY THE REQUIRED FEE.**

**THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD
COMMENCES UPON RECEIPT OF THE PETITION AND REVIEW FEE**

Shaded Area for Office Use Only

Date fee received: _____

Payee: _____ Check Number: _____

Check Date: _____

Amount: _____

ANNEXATION SUBMITTAL GUIDE

s. 66.0217 (5) THE PETITION

- State the purpose of the petition:
 - Direct annexation by unanimous approval; OR
 - Direct annexation by one-half approval; OR
 - Annexation by referendum.

- Petition must be signed by:
 - All owners and electors, if by unanimous approval.
 - See 66.0217 (3) (a), if by one-half approval.
 - See 66.0217 (3) (b), if by referendum.

- State the population of the land to be annexed.

[It is beneficial to include Parcel ID or Tax numbers, the parcel area, and identify the annexee (Town) and annexor (Village or City) in the petition.]

s. 66.0217 (1) (c) THE DESCRIPTION

- The annexation petition must include a legal description of the land to be annexed. The land must be described by reference to the government lot, private claim, quarter-section, section, town and range in which the land lies. The land must be further described by metes and bounds commencing from a monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the land lies; OR

- If the land is wholly and entirely within a lot or lots, or all of a block or blocks of a recorded subdivision plat or certified survey map, it must be described by reference to the lot (s) and/or block (s) therein, along with the name of the plat or the number, volume, page, and County of the certified survey map.

- The land may NOT be described only by:
 - Aliquot part;
 - Reference to any other document (plat of survey, deed, etc.);
 - Exception or Inclusion;
 - Parcel ID or tax number.

s. 66.0217 (1) (g) THE MAP

- The map shall be an *accurate reflection* of the legal description of the parcel being annexed. As such, it must show:
 - A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.
 - Bearings and distances along all parcel boundaries as described.
 - All adjoining as referenced in the description.

- The map must include a **graphic scale**.

- The map must show and identify the existing municipal boundary, in relation to the parcel being annexed.

[It is beneficial to include a North arrow, and identify adjacent streets and parcels on the map.]

s. 66.0217 FILING

- The petition must be filed with the Clerk of the annexing City or Village and with the Clerk of the Town in which the land is located.

- If the annexation is by one-half approval, or by referendum, the petitioner must post notice of the proposed annexation as required by s. 66.0217 (4).

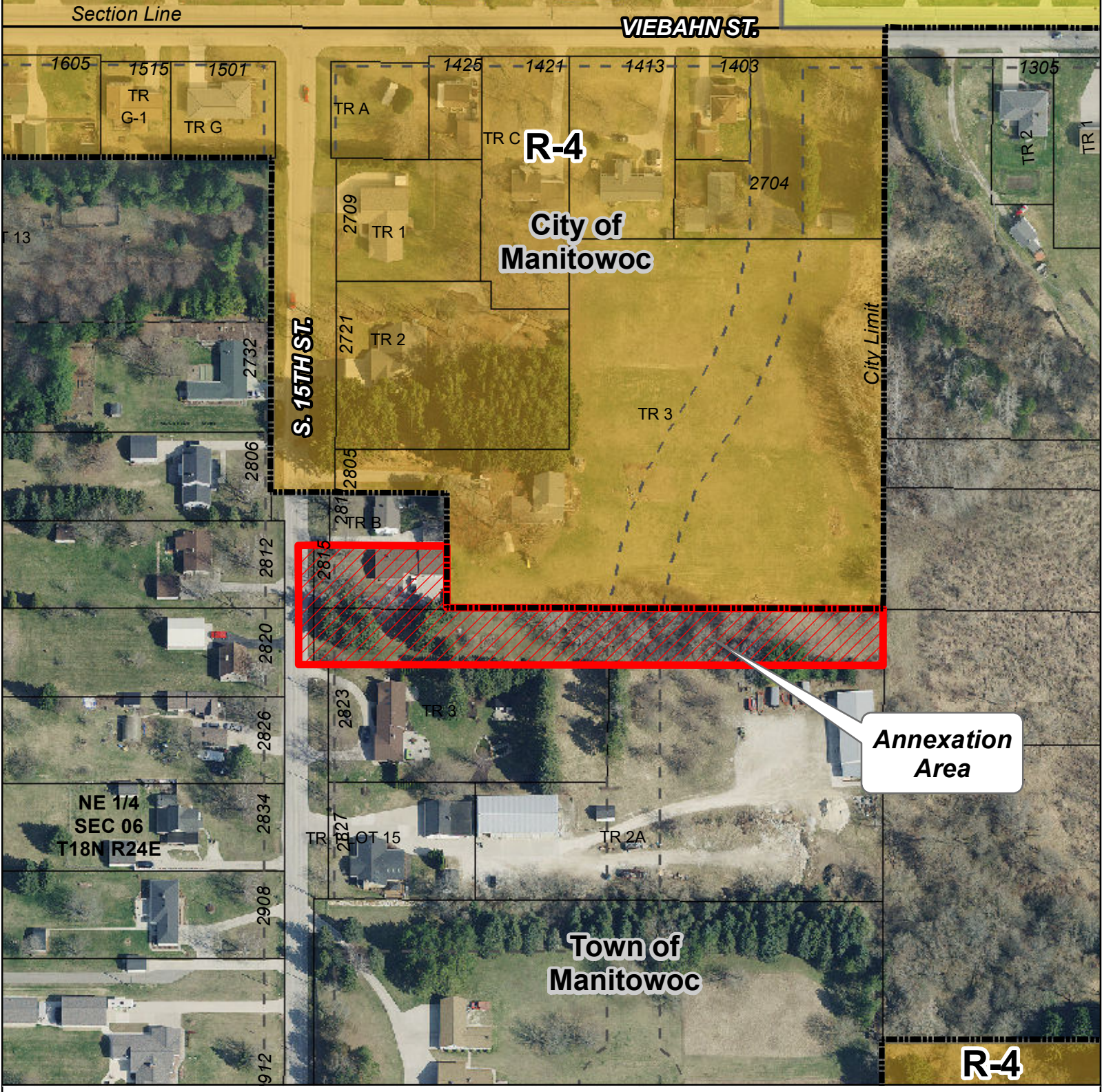
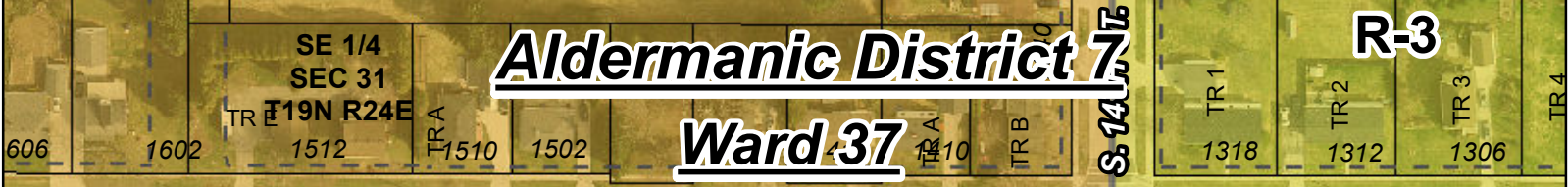
- If the lands being annexed are within a County of 50,000 or greater population, the petition must also be filed with the Department of Administration for review

[Note that no municipality within a County of 50,000 or greater population may enact an annexation ordinance prior to receiving a review determination from the Department of Administration.]

Aldermanic District 7

R-3

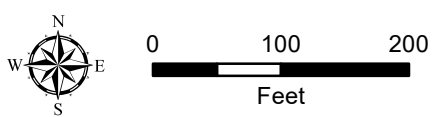
Ward 37



Annexation Area

Town of Manitowoc

R-4



S. 15th St. #2
 City of Manitowoc, WI
Aldermanic District #7
Ward 37
Population: 2

PC 40-2021
 2815 S. 15th St.

Legend

- Annexation Area
- Official Map Street
- Corporate Limits

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

Prepared by City of Manitowoc
 Community Development Department
 www.manitowoc.org
 Map Plotted: 10/18/2021
 O:\Planning\PC Plan Commission\PC_Annexation\2021\PC 40-2021 Fager 2815 S 15th St\Maps\PC 40-2021 Annexation.mxd