

Report to the Manitowoc Plan Commission

Meeting Date: Monday, June 23, 2021

Request: PC 20-2021: Phelps; Petition for Direct Annexation pursuant to §66.0217(2) from the Town of Manitowoc Rapids, West Custer Street. Custer #7 Annexation Area

Existing Land Use for Subject Property: Vacant Lot

Existing Zoning for Subject Property: Currently under County Zoning “RR” Rural Residential, after annexation temporary R-1

Surrounding Property Land Uses and Zoning

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

Comprehensive Plan: The general area on the Future Land Use Map is categorized as Single and Two Family Residential – Urban. The zoning and associated annexation petition are consistent with the Comprehensive Plan.

Report: Jason and Kelly Phelps have submitted a petition to the City for direct annexation (Unanimous Consent Annexation) for their vacant lot in the 4800 hundred block of W. Custer Street. The 1.31 acre parcel (010-026-009-004.00) is currently vacant but after annexation the Phelps’ are planning on constructing a single family residence.

They purchased the property from Woodland Dunes Nature Center and Preserve, Inc on February 3, 2021. Woodland Dunes placed a covenant on the property only allowing for single-family residential uses.

There are no taxes shown on the lot because the lot split and sale have occurred in the same tax year and Woodland Dunes is tax exempt. Per Statute if taxes were being paid to the town it would have been the responsibility of the City to pay the town’s portion of the tax bill for a 5 year period.

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 Custer #7 annexation area has a population of zero and will become Ward 36 and be part of Aldermanic District #9.

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.

Delayed assessments will be invoiced per City policy.

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 State's Boundary Review Questionnaire form was returned to the State and the City is now waiting for the State's Boundary Review final letter stating if they have any concerns with the validity of the annexation.

The Common Council must adopt the annexation ordinance by 2/3 majority vote.

Recommendation: Accept the annexation petition as presented for the Custer #7 Annexation area.

Aldermanic District 9

Ward 36

Town of
Manitowoc Rapids

SW 1/4
SEC 26,
T19N, R23E

1/4 Section Line

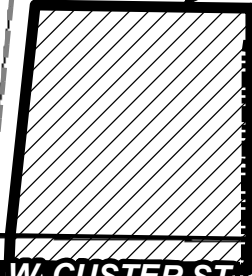
City Limits

LOT
3

TR 1
SE 1/4
SEC 26,
T19N, R23E

P-1

Annexation
Area



4816

4808

4814

TR 2

TR 3

TR 4

4750

4750

4760

City Limits

W. CUSTER ST.

TR 2
1 TR 3 2
TR 4

Part of
LOT 1 LOT 2 LOT 3 LOT 4

TR 1-A1
TR 1-A2
TR 1B

6 7 10 11
5021 5015 5044 5034
5012 5005 5043 5033
5004 5035 5043 5033
5006 5035 5043 5033
5104 5061 5061 5061
5061 5061 5061 5061

9 8 7
5014 5008 5002
12 9 8 7
5017 5017 5017
15 1 4904
14 13 12 11 10 9 8 7 6 5 4 3 2 1
4924 4921 4915 4911 4903 4901

TR 2
TR 1
TR 2
TR 3
TR 1
TR 2
TR 3

CHARM LN.

I-1

R-4

LEONARD LN.

CYPRESS CIR.
BROOKFIELD CIR.
WILLOW WAY
LEWOOD

City of
Manitowoc

Custer #7

City of Manitowoc, WI

Aldermanic District #9

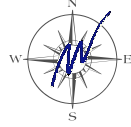
Ward 35

Population: 0

PC 20-2021 Annexation
W. Custer St.

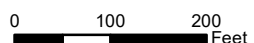
Legend

- 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: 6/14/2021



Aldermanic District 9

Ward 36

Town of
Manitowoc Rapids

SW 1/4
SEC 26,
T19N, R23E

TR 1
SE 1/4
SEC 26,
T19N, R23E

P-1

Annexation
Area

W. CUSTER ST.

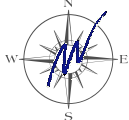
CHARM LN.

City of
Manitowoc

R-4

I-1

LEONARD LN.



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Prepared by City of Manitowoc
Community Development Department
www.manitowoc.org
Map Plotted: 6/14/2021

Document Path: O:\Planning\PC Plan Commission\PC Annexation\2021\PC 20-2021 Phelps Annexation_W Custer Street\Maps\PC 20-2021 Annexation.mxd

Custer #7

City of Manitowoc, WI

Aldermanic District #9




Ward 35

Population: 0

0 100 200
Feet

PC 20-2021 Annexation
W. Custer St.

Legend

-  Annexation Area
-  Official Map Street
-  Corporate Limits

Manitowoc City Plan Commission

Cover Letter

29 June 2019

Municipal Boundary Review – DOA
PO Box 1645
Madison WI 53701

RECEIVED

JUL 01 2021

CITY CLERKS OFFICE

City of Manitowoc Clerk Office
900 Quay Street
Manitowoc, WI 54220

Town of Manitowoc Rapids
Attn: Jessica Backus
P.O. Box 123
Manitowoc, WI 54221-0123

MPSD District Office
2902 Lindbergh Drive
Manitowoc, WI 54220

To all,

This is a Request of Annexation for a parcel of property owned by Jason Phelps and Kelly Phelps, currently part of the town of Manitowoc Rapids and requesting to be attached to the City of Manitowoc.

Contact information:

Owners:

Jason Phelps Kelly Phelps
5005 Thimbleberry Ln
Two Rivers, WI 54241
Ph; 920-901-7209

Jasonphelps77@gmail.com

alternate contact:

James Brauer
3751 Glidden Dr
Sturgeon Bay, WI 54235
Ph; 920-493-3405

jbrauer4374@charter.net

Attached:

Petition of Direct Annexation to the City of Manitowoc
Map of parcel
Land use Application for the City of Manitowoc
Request of Annexation Review to the Wisconsin Dept of Administration

Copies:

WI DOA
City Clerk of Manitowoc (application fee paid in June)
MPSD
Town of Manitowoc Rapids

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 Rapids of the following described real estate:

DESCRIPTION

A tract of land in the NE 1/4 of the SW 1/4 of Section 26, T.19N., R.23E., Town of Manitowoc Rapids, Manitowoc County, Wisconsin, described as follows:

Commencing at the South 1/4 corner of said Section 26, thence N00°32'21"E along the 1/4 section line 1311.19 feet (recorded as N00°31'58"E, 1311.05 feet) to the Southeast corner of said NE 1/4 of the SW 1/4, thence S89°53'14"W along the south line of said NE 1/4 of the SW 1/4 340.92 feet (recorded as S88°53'30"W, 341.00 feet) to the point of real beginning, thence N00°00'25"E (recorded as N01°18'00"W) 271.32 feet, thence N89°11'43"W 224.50 feet, thence S06°04'47"W 276.53 feet to said south line, thence N89°53'14"E along said south line 253.74 feet to the point of real beginning.

Said tract contains 1.50 acres (65,331 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 Rapids is attached hereto.

3. The current population of the above-described property in accordance with the Definition given in the Wisconsin Statute Section 66.0217(5)(a) is zero (0).

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 29th day of June 2021/

NAME:

ADDRESS:



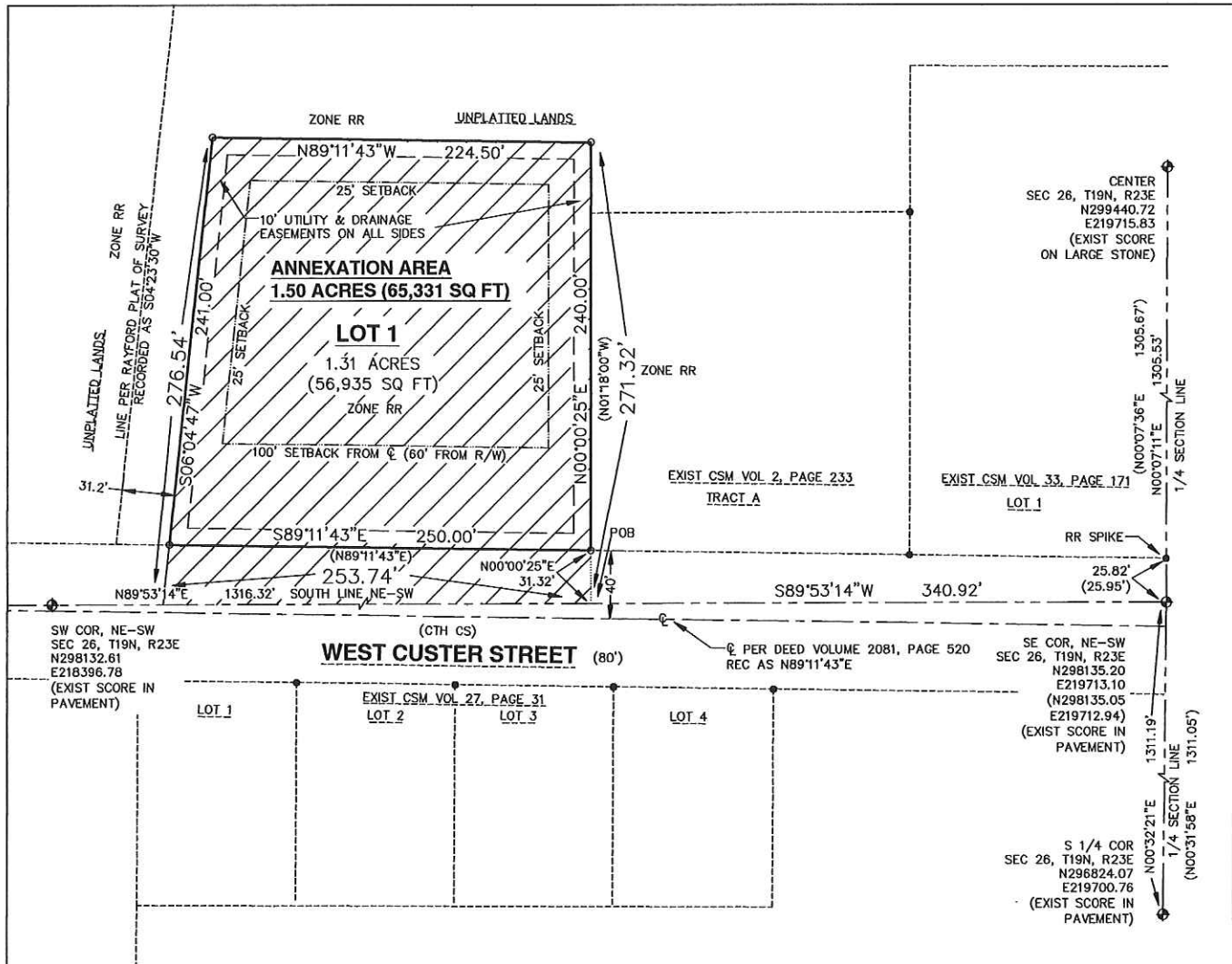
Jason Phelps

5005 Thimbleberry Lane, Two Rivers, WI 54241



Kelly Phelps

5005 Thimbleberry Lane, Two Rivers, WI 54241



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SCALE IN FEET



PHELPS CUSTER STREET ANNEXATION

CLIENT: JASON AND KELLY PHELPS
 ADDRESS: 1934 32ND STREET
 TWO RIVERS WI 54220
 DATE: 6/4/21 JOB NO.: 21217MS



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



LAND USE APPLICATION

APPLICANT Jason Phelps and Kelly Phelps PHONE 920-901-7209

MAILING ADDRESS 5005 Thimbleberry Ln, Two Rivers, WI 54241 EMAIL jasonphelps77@gmail.com

PROPERTY OWNER Jason Phelps and Kelly Phelps PHONE 920-901-7209

MAILING ADDRESS 5005 Thimbleberry Ln, Two Rivers, WI 54241 EMAIL jasonphelps77@gmail.com

REQUEST FOR:

- | | |
|--|--|
| <input type="checkbox"/> Conditional Use Permit (CUP) \$350* | <input type="checkbox"/> Zoning District Change/Map Amendment \$350* |
| <input type="checkbox"/> Site Plan Review \$350 | <input checked="" type="checkbox"/> Request for Annexation \$350* |
| <input type="checkbox"/> Certified Survey Map (CSM) \$100 | <input type="checkbox"/> Planned Unit Development (PUD) \$350* |
| <input type="checkbox"/> Official Map Review \$350* | <input type="checkbox"/> Street/Alley Vacation \$350* |

**Publication of legal notice fees additional.*

STATUS OF APPLICANT: Owner Agent Other

PROJECT LOCATION ADDRESS 010-026-009-004.00 Lot #1 W Custer

PARCEL ID# 052-010-026-009-004.00 Lot #1 W Custer CURRENT ZONING Rural Residential

CURRENT USE OF PROPERTY unused

PROPOSED USE OF PROPERTY single family residence

REQUIRED: Attach a detailed written description of your proposal or request.

Include as much information as possible including planned use, maps, project renderings or drawings, etc.

attached

The undersigned hereby certifies that the information contained in this application is true and correct.

Signed Jason Phelps Kelly Phelps Date 29 June 2021
(Property Owner)

For Office Use Only	
Date Received: _____	PC #: _____
Fee Paid: _____	Check#: _____
Plan Commission Date: _____	

**The City of Manitowoc Plan Commission meets the fourth Wednesday of each month at 6pm.
Deadline for submission is the Friday two weeks prior to the meeting.**

Please contact the Community Development Department at 920-686-6930 if you have any questions.

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: **JASON PHELPS AND KELLY PHELPS**

Address: **5005 THIMBLEBERRY LANE**

TWO RIVERS, WI

54241

Email: **JASONPHELPS77@GMAIL.COM**

Office use only:

Petitioners phone:

920-901-7209

Town clerk's phone:

920-901-6559

City/Village clerk's phone:

920-686-6950

1. Town where property is located: **MANITOWOC RAPIDS**

2. Petitioned City or Village: **CITY OF MANITOWOC**

3. County where property is located: **MANITOWOC COUNTY**

4. Population of the territory to be annexed: **0**

5. Area (in acres) of the territory to be annexed: **1.50**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **#010-026-009-004.00**

Contact Information if different than petitioner:

Representative's Name and Address:

JAMES BRAUER

3751 GLIDDEN DR

STURGEON BAY, WI 54235

Phone: **920-493-3405**

E-mail: **JBRAUER4374@CHARTER.NET**

Surveyor or Engineering Firm's Name & Address:

PAUL STEINBRECHER

STEINBRECHER & MENEAU, INC

102 REVERE DRIVE

MANITOWOC, WI 54220

Phone: **920-684-5583**

E-mail:

**PAUL@SMIMANITOWOC.COMCASTBIZ.N
ET**

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

- Legal Description meeting the requirements of [s.66.0217 \(1\) \(c\)](#) [see attached annexation guide]
- Map meeting the requirements of [s. 66.0217 \(1\) \(g\)](#) [see attached annexation guide]
- Signed Petition or Notice of Intent to Circulate is included
- Indicate Statutory annexation method used:
 - Unanimous per [s. 66.0217 \(2\)](#), or,
OR
 - Direct by one-half approval per [s. 66.0217 \(3\)](#)
- 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: _____