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9-19-16

16-0892



CITY OF MANITOWOC
WISCONSIN, USA
www.manitowoc.org



August 25, 2016

To: Mayor and Common Council
From: Manitowoc City Plan Commission
Subject: **PC 26-2016 Custer #5 Annexation – Backus Petition for Direct Annexation pursuant to § 66.0217(2)**

Dear Mayor and Common Council:

At the August 24, 2016 meeting of the Manitowoc City Plan Commission, the Commission considered all items on its agenda, including the item identified above, and wishes to report and recommend to the Common Council the following action: i) to accept the petition from the Backus' for direct annexation, and ii) recommend zoning the subject property as "R-4" Single and Two Family Residential.

Respectfully Submitted,

Paul Braun
Plan Commission Secretary

Attachment: Petition and Map
Granicus #16-0800

Adam Backus
5034 Brookfield Circle
Manitowoc, Wi 54220

Report to the Manitowoc Plan Commission

Meeting Date: August 24, 2016

Report Print Date: August 18, 2016; 4:19 PM

Request: PC 26-2016 Custer #5 Annexation – Jerome and Judith Backus Petition for Unanimous Consent Annexation (100% Direct Annexation) pursuant to §66.0217(2)
Tax Parcel # 010-026-012-001.00

Reason for Request: Direct annexation from the Town of Manitowoc Rapids to the City of Manitowoc.

Existing Land Use for Subject Property: Vacant land. Proposed use is Residential.

Existing Zoning for Subject Property: Currently zoned "RR" Rural Residential under County Zoning. The proposed City zoning classification after annexation is R-4 Single and Two Family Residential.

Surrounding Property Land Uses and Zoning

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

Comprehensive Plan: The 20 Year Future Land Use Map shows the area as "Single and Two Residential – Urban"

Consistency Analysis

The proposed annexation and use are consistent with the Comprehensive Plan.

Report: The Unanimous Consent Annexation petition and map were prepared by the Backus'; pursuant to § 66.0217(2) a valid petition for this type of annexation requires a signed petition by 100% of the electors and 100% of the land owners. The petition meets both criteria.

- The annexation area is 1.00 acre, measuring 218' along W. Custer Street and averaging 225' in lot depth from the centerline of W. Custer Street.
- Number of Electors: 0
- Sanitary Sewer, Storm and Water are all available from W. Custer Street.
- 2015 Land Value \$20,500. 2015 Taxes \$339.99. Per Statute the City must pay the Town the Town's share of the tax bill for the next 5 years.
- Assessments Due: Sanitary, Storm, Water

- Additional street dedication not needed, W. Custer Street has been dedicated to required width in the past.

The Backus' stated that they contacted Alton Klein, 4925 W. Custer Street, who lives in the residence directly to the east to gauge his interest in annexation. Mr. Klein was not interested in annexation at this time.

The Backus' submitted the annexation petition in preparation for a lot sale to a buyer that is interested in constructing a new residence. After the annexation occurs the subject property will be split by Certified Survey into two parcels with one of the lots being sold to be used for a residence and the other lot will be up for sale.

The proposed zoning classification for the subject property is R-4 Single and Two Family Residential.

Per statute the petition was mailed to the Department of Administration – Boundary Review; the DOA has 20 days to review and to determine if the annexation is in the public interest; the Common Council cannot adopt the ordinance until the City receives the letter from the DOA. The petition was also mailed to the Clerk of the Town of Manitowoc Rapids and the Manitowoc Public School District.

Per statute the annexation ordinance must be adopted by a 2/3 vote of the Common Council.

Recommendation: Community Development recommends to approve the annexation petition as presented and to place a temporary zoning designation of R-4 Single and Two Family Residential on the subject parcel.

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

Located in the southeast Quarter (SE ¼) of the southwest Quarter (SW ¼) of Section 26, Township Numbered Nineteen (19) North, Range Numbered twenty three (23) East, Town of Manitowoc Rapids, Manitowoc County, Wisconsin more particularly described as follows:

Commencing at the N.W. corner of the SE1/4, of the SW1/4 of section 26, T19N-R23E, thence S89°49'45"E along the 1/16th section line a distance of 200' feet to the point of real beginning, thence continuing S89°49'45"E along the 1/16th section line a distance of 218 feet, thence S0°20'15"W a distance of 225 feet, thence N89° 49'45"W a distance of 218 feet, thence N0°20'15"E a distance of 225 feet to the point of real beginning.

Said described area contains 43,560 square feet or 1.00 acres of land more or less.

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 Wisconsin Statute Section 66.0217(5)(a) is 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 9 day of August, 2016.

CUSTER # 5 ANNEXATION AREA

NAME:

ADDRESS:



Jerome Backus: Owner Name

4911 Brookfield Cir., Manitowoc, WI 54220

Judith W Backus

Judith Backus: Owner Name

4911 Brookfield Cir., Manitowoc, WI 54220

Adam Backus

Adam Backus: Trustee

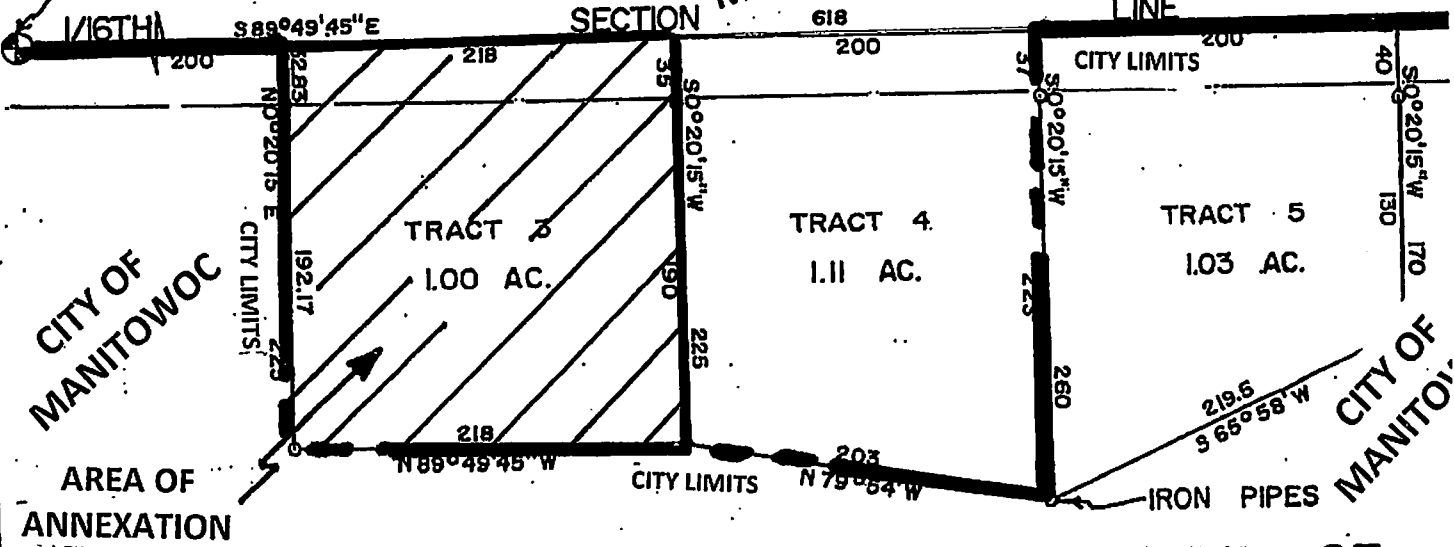
5034 Brookfield Cir., Manitowoc, WI 54220

RECEIVED
AUG 09 2016
CITY CLERKS OFFICE

TOWN OF
MANITOWOC RAPIDS

N.W. CORNER OF SE-SW
OF SEC. 26-19-23

W. CUSTER STREET



SURVEY IN THE SE 1/4 OF THE SW 1/4 OF
SECTION 26, T19N, R23E

ALAN GROLL, SURVEYOR
JUNE 25, 1968
SCALE : 1" = 100'



CERTIFICATE OF SURVEYOR

I, Alan Groll, Leg. Land Surveyor, State of Wisconsin, NO. S-0246, do hereby certify that I have surveyed into three (3) tracts the following described parcel of land in the SE 1/4 of the SW 1/4 of section 26, T19N, R23E.

Commencing at the N.W. corner of the SE 1/4 of the SW 1/4 of section 26, T19N, R23E, thence $S89^{\circ}49'45''E$ along the 1/16th section line a distance of 200 feet to the point of real beginning, thence continuing $S89^{\circ}49'45''E$ along the 1/16th section line a distance of 618 feet, thence $S0^{\circ}20'15''W$ a distance of 170 feet, thence $S65^{\circ}58'W$ a distance of 219.5 feet, thence $N79^{\circ}54'W$ a distance of 203 feet, thence $N89^{\circ}49'45''W$ a distance of 218 feet, thence $N0^{\circ}20'15''E$ a distance of 225 feet to the point of real beginning.

I do further certify that I have made the said survey, division and map by the order of the owner, Mr. Louis Schramm, and that I have fully complied with the provisions of Chap. 236.34 of the Wisconsin Statutes and the Subdivision regulations of Manitowoc County in making the said survey, division and map.

Dated June 25, 1968 Signed Alan Groll
Alan Groll, Surveyor

CERTIFICATE OF OWNER

As owner I do hereby certify that I caused the land as shown on this map to be surveyed, divided and mapped as represented on this map.

Dated June 26 - 1968 Signed Marl Schramm, P. 1.
Louis Schramm, Owner



CERTIFICATE OF PLANNING AGENCY

This certified survey map has been submitted to and approved by the Mani...

447570

Aldermanic District 9

Ward 28

Town of
Manitowoc Rapids

SW 1/4
SEC 26,
T19N, R23E

1/16th Section Line

City Limits

TR 8

TR 5

TR 4

TR 1

1/16 Section Line

218' +/-

W CUSTER ST

City Limits

NW Corner of SE1/4,
SW 1/4 Section 26

TR 1

TR 2

TR 3

TR 4

Part of

LOT
1

LOT
2

LOT
3

LOT
4

WILLOW
6

CYPRESS
BROOK
8

15
SUBD.

TR C

City Limits

TR
D-1

TR
D-2

TR
D-3

City of
Manitowoc

EDGEWOOD LN

BROOKFIELD CIR




WILLOW
WAY

VISTA
RD

Custer #5 Annexation Map City of Manitowoc, WI

PC26-2016 Annexation;
Custer St.

Ward = 28
Population = 0

-  Custer Annexation
-  Official Map Street
-  Corporate Limits



Prepared by City of Manitowoc
Planning Department
www.manitowoc.org
Map Plotted: 8/10/2016
Y:\Planning\PC Plan Commission\Actions 2016\PC26-2016 Custer #5 Annexation Ward
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.