

Report to the Manitowoc Plan Commission

Meeting Date: May 26, 2021

Request: PC 19-2021: Budnik: Request for a variance from Official Map. Future Street, South of Michigan Avenue and County JJ Intersection, Parcel 010-022-002-000.00.

Reason for Request: The owner is requesting to relocate the location of an officially mapped future right-of-way within the same parcel.

Existing Land Use for Subject Property: Agricultural

Existing Zoning for Subject Property: County Zoning – ID, Industrial

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North	Commercial and Undeveloped	County Zoning – CB, Commercial/Business
South and East	Agriculture	County Zoning – EA, Exclusive Agriculture
West	Interstate 43 and Residential	County Zoning – CB, Commercial/Business

Comprehensive Plan: The subject property is show as “Planned Mixed Use”. This land use category is intended to facilitate a carefully controlled mix of commercial and residential uses on public sewer, public water, and other urban services and infrastructure.

Consistency Analysis

The Official Map is not required to be consistent with the Comprehensive Plan. However, the intent of the two documents is to work together to ensure that orderly development can be accomplished. By relocating the location of the right-of-way within the same parcel, the ability to provide future access to and through the parcel is maintained. Therefore, staff feels the request is consistent with the planned land use in the area.

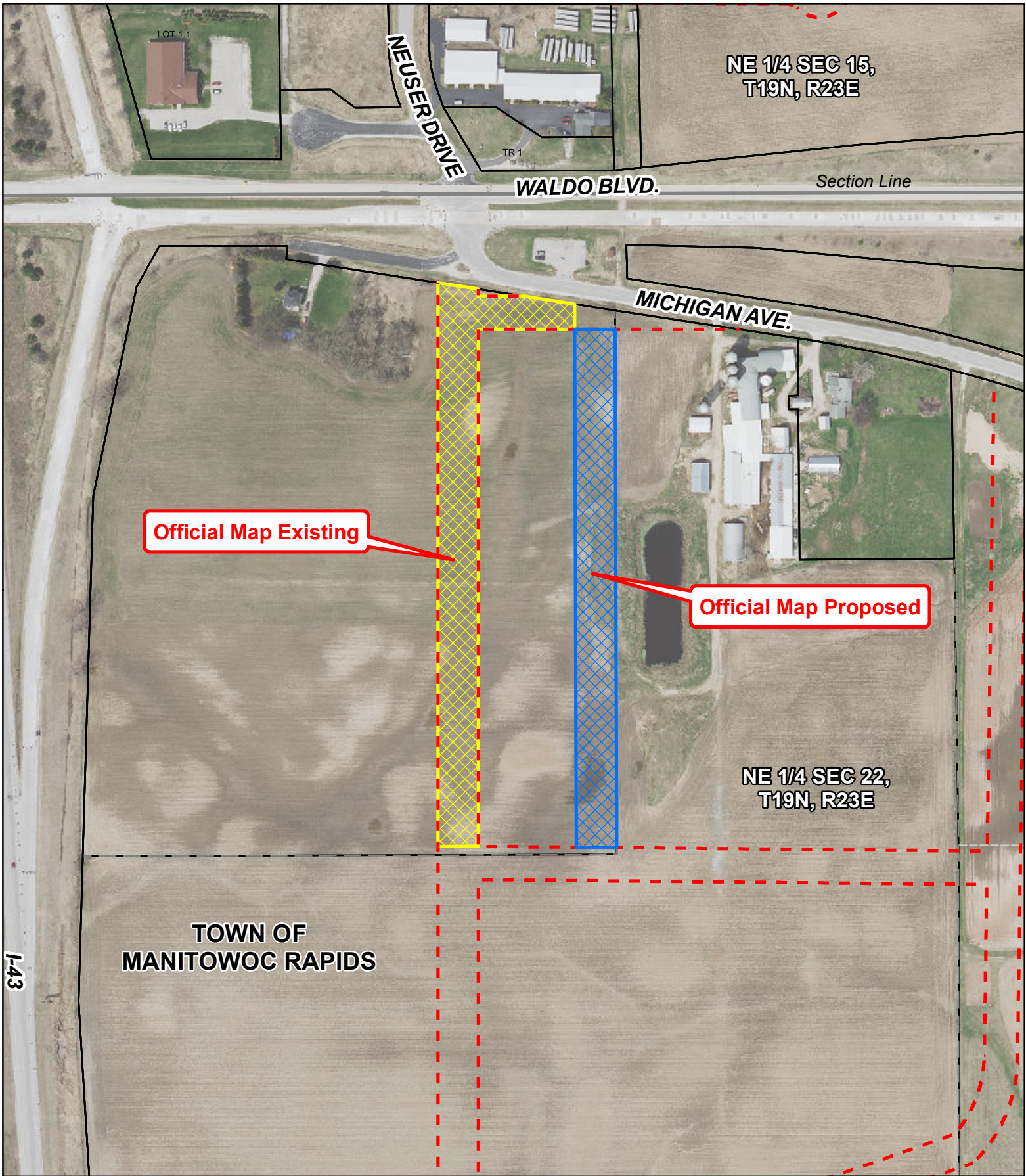
Report: The owner of the process is in the process of selling the subject property. As part of the land sale they have requested a zoning change from the County from Commercial/Business to Industrial. Also part of the sale was the creation of a new Certified Survey Map (CSM). It was during the City’s extraterritorial review of the CSM that the need to accommodate the future roadway shown on the Official Map was identified. The requested variance was made based upon two main factors:

1. The buyer of the lot is using the entire lot and the street in the middle would interfere with the proposed operation.
2. This location serves the undeveloped land to the east better.

In this case, with the exact layout of utilities and roadways unclear this far from the current City boundary, there is the ability to consider alternate locations that honor the intent of the Official Map without impacting the ability of the parcel to develop.

Public Comments: A variance of the Official Map does not require notification of property owners or a public hearing. As such, no public comments have been received as of the writing of this report.

Recommendation: Approval of the Official Map Variance to relocate the future right-of-way as shown on the attached Certified Survey Map located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, T.19N, R.23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin.



Official Map Existing

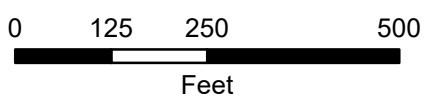
Official Map Proposed

**TOWN OF
MANITOWOC RAPIDS**

I-43



**Official Map Variance
City of Manitowoc**



Legend

-  Official Map Proposed
-  Official Map Existing
-  Official Map Street

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: 01/16/2019

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PC 19-2021

From: Paul Steinbrecher
To: Adam Tegen; Mike Zimmer
Cc: Paul Braun
Subject: RE: External: CSM Section 22 Rapids
Date: Wednesday, May 19, 2021 3:01:29 PM

Adam

I show the 80' official map street further east than the map had it for 2 reasons. One is the buyer of the lot is using the entire lot and that street in the middle would interfere with his operation. Two, this location serves the land to the east better.

Paul

SMI
Paul M Steinbrecher, PE, PLS
102 Revere Drive
Manitowoc Wi 54220
920-684-5583 Ext. 102
920-374-0379 Cell

CERTIFIED SURVEY MAP LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 22, T.19N., R.23E., TOWN OF MANITOWOC RAPIDS, MANITOWOC COUNTY, WISCONSIN



SCALE IN FEET

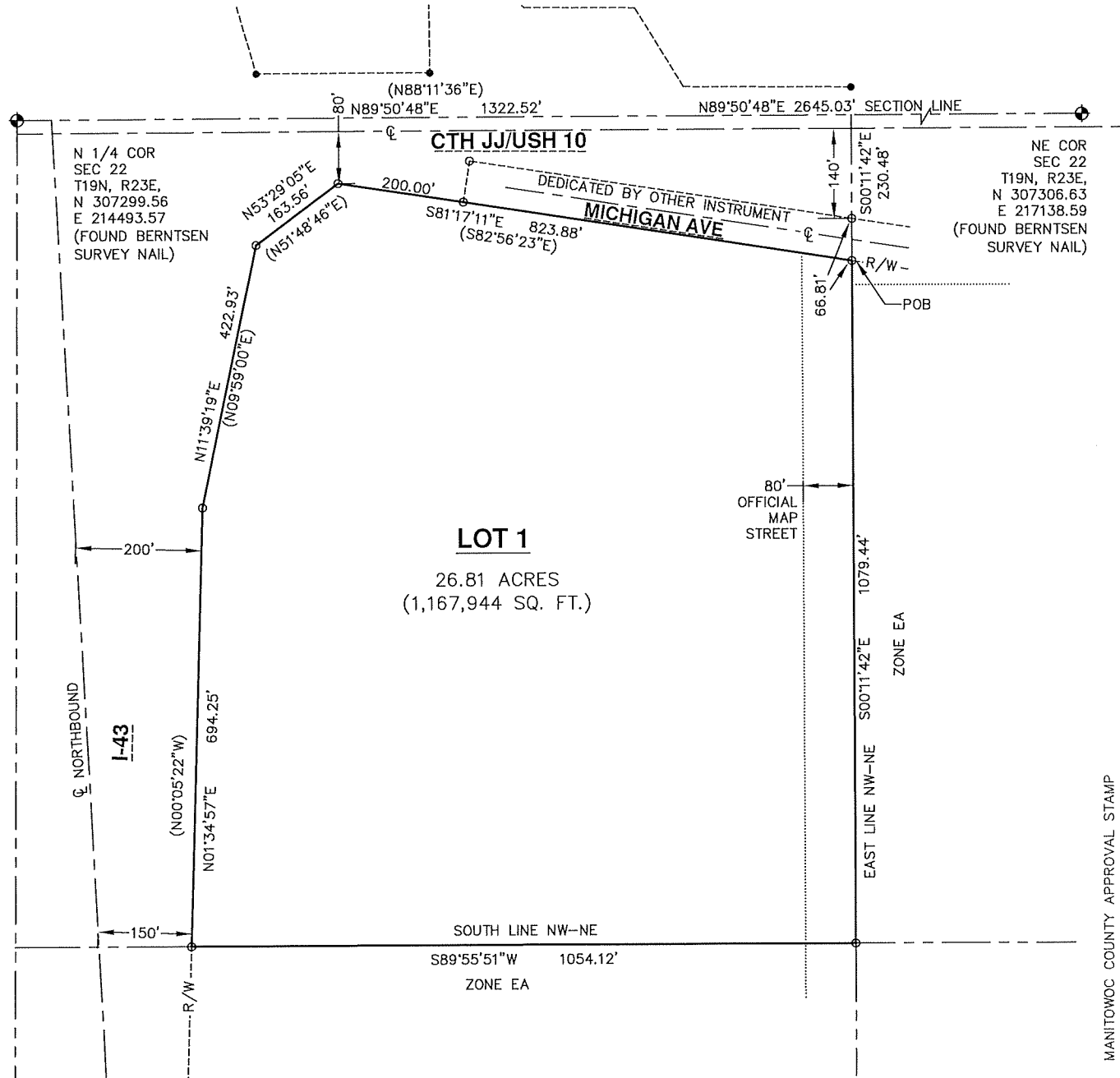


- - EXISTING IRON PIPE
- - 1"x18" IRON PIPE SET WEIGHING 1.50 lbs./ft

ALL BEARINGS ARE RELATED TO THE MANITOWOC COUNTY COORDINATE REFERENCE SYSTEM

ZONE ID
 BUILDING SIDE YARD SETBACK FOR PRINCIPAL AND CONDITIONAL USE STRUCTURES -25'
 10' SIDE YARD SETBACK FOR ACCESSORY STRUCTURES
 100' FRONT YARD SETBACK FROM THE ROAD CENTERLINE OR 25' FROM R/W WHICH EVER IS GREATER - MICHIGAN AVE.
 25' FROM R/W OF I43, USH 10/JJ

SMI
 CIVIL & STRUCTURAL ENGINEERS
 102 REVERE DRIVE
 MANITOWOC, WI 54220-3147
 PHONE 684-5583 FAX 684-5584



MANITOWOC COUNTY APPROVAL STAMP

CERTIFIED SURVEY MAP LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 22, T.19N., R.23E., TOWN OF MANITOWOC RAPIDS, MANITOWOC COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, Paul M. Steinbrecher, Professional Land Surveyor with SMI do hereby certify that I have surveyed and mapped the following described tract:

A tract of land located in the NW 1/4 of the NE 1/4 of Section 22, T.19N., R.23E., Town of Manitowoc Rapids, Manitowoc County, Wisconsin described as follows:

Commencing at the North 1/4 corner of said Section 22, thence N89°50'48"E (recorded as N88°11'36"E) along the section line 1322.52 feet to the east line of said NW 1/4 of the NE 1/4, thence S00°11'42"E along said east line 230.48 feet to the south right of way of Michigan Avenue, the point of real beginning, thence continue S00°11'42"E along said east line 1079.44 feet to the south line of said NW 1/4 of the NE 1/4, thence S89°55'51"W along said south line 1054.12 feet to the easterly right of way of I-43, thence N01°34'57"E (recorded as N00°05'22"W) along said right of way 694.25 feet, thence N11°39'19"E (N09°59'00"E) along said right of way 422.93 feet, thence N53°29'05"E (recorded as N51°48'46"E) along said right of way 163.56 feet, thence S81°17'11"E (recorded as S82°56'23"E) along said south right of way 823.88 feet, to the point of real beginning.

Said Tract contains 26.81 acres (1,167,944 square feet).

I further certify that this survey was done under the direction of Judith Budnik, James Peterson, Jean Hansen, Roy Peterson, William Becker and Barbara Siehr and the map on Page 1 of 2 is a true representation of said property and correctly shows the exterior boundary lines and correct measurements thereof. Also that I have fully complied with the requirements of Chapter 236.34 of the Wisconsin Statutes and Section 12.07 of the Manitowoc County Subdivision Regulations.

Dated _____

Paul M. Steinbrecher
Professional Land Surveyor, S-1608

OWNER'S CERTIFICATE

As owners, we hereby certify that we caused the land described on this map to be surveyed, mapped, divided and dedicated as represented on the map, and that we shall comply with the established drainage plan on file at the Manitowoc City Hall and with the "Standard Utility Easement Conditions" recorded at the Manitowoc County Register of Deeds on November 7, 1997 in Volume 1252, Page 498 of Records, Document No. 798738 and as may be amended from time to time. We hereby consent to the granting of utility, access and drainage easement to the Manitowoc Public Utilities, City of Manitowoc, and other utilities or companies furnishing heat, power, electricity, sewer, water, gas, telecommunications, cable television or other public works or utility services who may be franchised by the City or otherwise authorized to provide such services by the City for the purpose of granting to the applicable firm the right to access, to place, repair and maintain applicable utilities. Said compliance with the drainage and plan easements granted shall run with the land and be binding upon the owners, their successors and assigns.

Dated _____

Judith Budnik

James Peterson

Jean Hansen

Roy Peterson

William Becker

Barbara Siehr

CERTIFICATE OF PLANNING AGENCY
This certified survey map has been submitted and approved by the City of Manitowoc Plan Commission.

Dated _____

