

## Report to the Manitowoc Plan Commission

**Date:** April 11, 2019

**Request:** PC 18-2019 Gerard and Louise Strharsky – Petition for Unanimous Annexation: Northwest #20

**Reason for Request:** The Strharsky's would like to annex a strip of land they recently purchased from the adjacent property.

**Existing Land Use:** Residential

**Existing Zoning:** Adjacent City zoning is R-4 Single and Two Family

**Comprehensive Plan:** 20 Year Land Use Map indicates the subject area to be Planned Neighborhood

**Consistency Analysis** The proposed annexation and proposed zoning of R-4 Single and Two Family is consistent with the Comprehensive Plan

**Report:** The Strharsky's currently live at 2715 Knuell Street which is described as Lot 10, and the South 10' of Lot 11 all in Block 8 in Royal Oaks Subdivision No. 3. In November 2015, the Strharsky's purchased and then annexed a 20' x 110' (0.051 acre) strip of land to allow them to build a detached garage. In December 2018, the Strharsky's purchased a second strip of land that is in the Town of Manitowoc Rapids which provides easier access to the recently constructed detached garage. The second strip is 20' x 164' (0.12 acres) and provides access to the garage off of Homestead Road. The second strip of land is the property that the Strharsky's are petitioning for annexation.

After the annexation is complete the Strharsky's will need to ask the Council for "Access Over an Un-improved Right-of-way Agreement" allowing them to use the dedicated but un-improved Homestead Road to access their garage.

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 that own the annexation area.

Chapter 15.050(5) of the Municipal Code states the following regarding the zoning of Annexed Lands:

*"(5) Classification of Annexed Lands. All new territory annexed to the City shall automatically be classified as "R-1," Residential-Agricultural District, unless designated otherwise by the Common Council, until definite boundaries and regulations for such territory are recommended by the City Plan Commission and adopted by the Common Council; provided, however, that the Common Council shall adopt, upon recommendation by the City Plan Commission, definite zone regulations for such districts within 120 days from the date of its annexation to the City."*

The proposed zoning for the subject area will be R-4 Single and Two Family which is consistent with the adjacent properties. At the May Plan Commission the Commission will hold a public informational hearing to begin to the process to change the zoning from R-1 to R-4.

The subject area has a population of zero and will become Ward 30 and part of Aldermanic District #10.

Pursuant to Statute the City must pay the Town the lost taxes for the next 5 years unless there is a boundary agreement between the Town and the City. The taxes are minimal because the land is unbuildable and is also encumbered by an electric utility easement.

**Recommendation:** Staff recommends to the Plan Commission to accept the annexation petition as presented and to place a temporary zoning classification of R-1 Residential – Agricultural Zoning District on the property.

# Strharsky Annexation



Author:  
Date Printed: 4/23/2019





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PETITION FOR DIRECT ANNEXATION

1. The purpose of this petition is to request, pursuant to Wis. Stat. §66.0217(2), direct annexation to the City of Manitowoc from the Town of Manitowoc Rapids, the real estate described in the attached Exhibit A to this petition. Petitioners request the annexation in order to connect to and utilize the municipal utilities and facilities of the City of Manitowoc.
2. A scale map of the property described in Exhibit A, showing its boundaries and its current relationship to the City of Manitowoc and the Town of Manitowoc Rapids is attached hereto as Exhibit B.
3. The land to be annexed, described in Exhibit A, has a population of zero (0).
4. The undersigned persons, who represent all of the owners of the real property located within the proposed annexed property, described in Exhibit A, hereby petition to the City of Manitowoc for the direct annexation of all of the property described in Exhibit A.
5. The assessed value of the property is \$77.87 per the tax roll which is attached hereto as Exhibit C.
6. The address of the real estate described in Exhibit A is 2715 Knuell Street, Manitowoc, Wisconsin, 54220. The owner of the real property is Gerard D. Strharsky and Louise E. Strharsky


Dated this 1<sup>st</sup> day of March, 2019.

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Gerard D. Strharsky  
  
Louise E. Strharsky

STATE OF WISCONSIN    )  
                                  )SS  
MANITOWOC COUNTY    )

Personally came before me this 1<sup>st</sup> day of March, 2019, the above-named Gerard D. Strharsky and Louise E. Strharsky, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

  
\_\_\_\_\_  
Mitchel L. Olson  
My Commission is permanent



This document drafted by:  
Salutz & Salutz LLP- Attorney John W. Stangel  
P.O. Box 187, 823 Marshall Street  
Manitowoc, WI 54221-0187

## EXHIBIT A

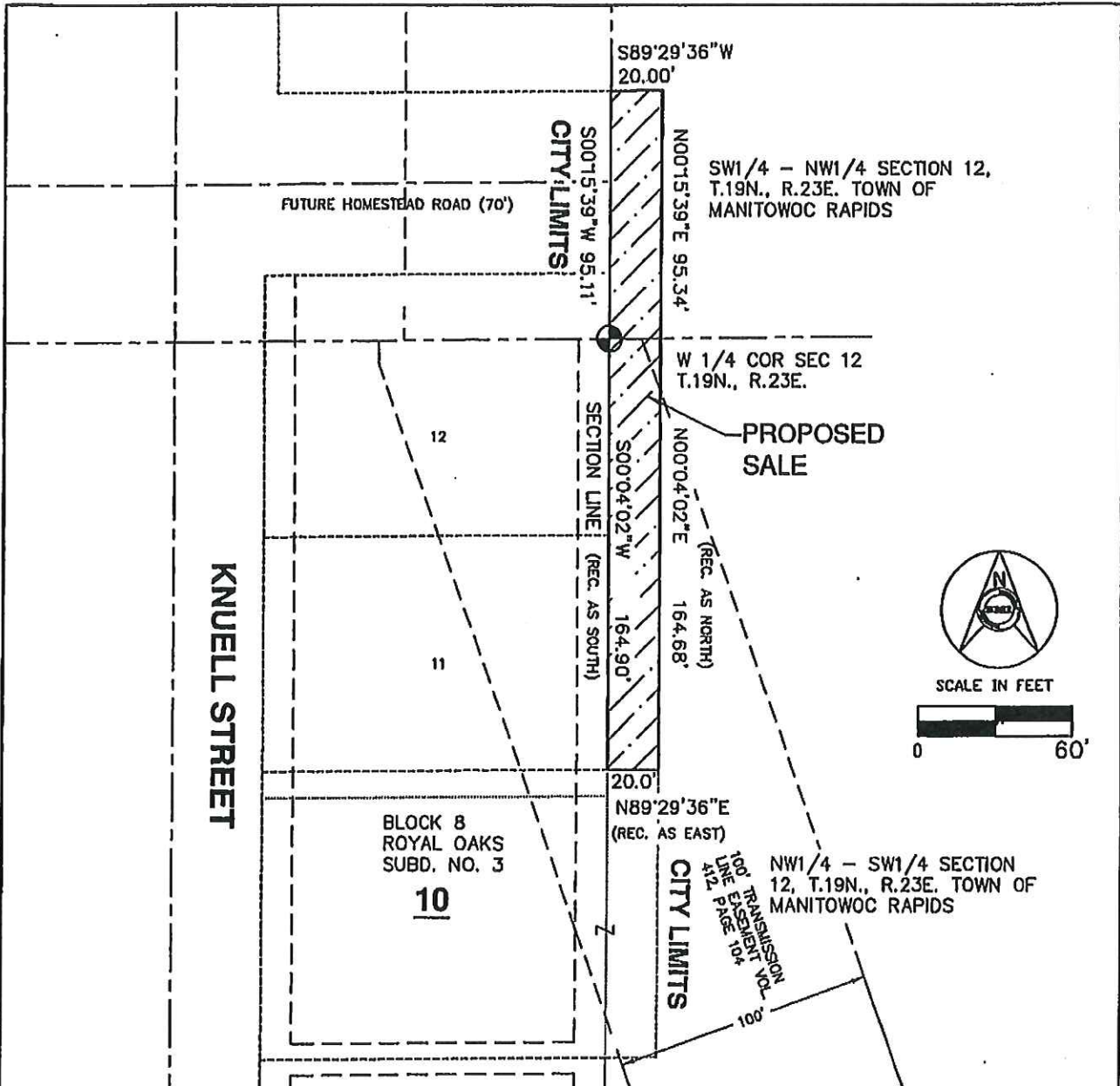
A tract of land located in the NW ¼ of the SW ¼ and in the SW ¼ of the NW ¼ of Section 12, T.19N., R.23E., Town of Manitowoc Rapids, Manitowoc County, Wisconsin and described as follows:

Commencing at the West ¼ corner of said Section 12, the point of real beginning, thence S00°04'02"W along the section line 164.90 feet to the northwest corner of Lot 10, Block 8, Royal Oaks Subdivision No. 3, thence N89°29'36"E (recorded as East) 20.0 feet, thence N00°04'02"E (recorded as North) 164.68 feet, thence N00°15'39"E 95.34 feet, thence S89°29'26"W 20.0 feet to the section line, thence S00°15'39"W along the section line 95.11 feet to the point of real beginning.

Said tract contains 0.12 acres (5,200 square feet).

Said tract is to be attached to an extension of Lot 10, Block 8 of Royal Oaks Subdivision No. 3.

EXHIBIT B



DESCRIPTION:

A tract of land located in the NW 1/4 of the SW 1/4 and in the SW 1/4 of the NW 1/4 of Section 12, T.19N., R.23E., Town of Manitowoc Rapids, Manitowoc County, Wisconsin and described as follows: Commencing at the West 1/4 corner of said Section 12, the point of real beginning, thence S00°04'02"W along the section line 164.90 feet to the northwest corner of Lot 10, Block 8, Royal Oaks Subdivision No. 3, thence N89°29'36"E (recorded as East) 20.0 feet, thence N00°04'02"E (recorded as North) 164.68 feet, thence N00°15'39"E 95.34 feet, thence S89°29'36"W 20.0 feet to the section line, thence S00°15'39"W along the section line 95.11 feet to the point of real beginning. Said tract contains 0.12 acres (5,200 square feet). Said tract is to be attached to an extension of Lot 10, Block 8 of Royal Oaks Subdivision No. 3

SOARING EAGLE DAIRY TO STRHARSKY SECTION 12, TOWN OF MANITOWOC RAPIDS, MANITOWOC COUNTY, WISCONSIN

CLIENT: GERARD AND LOUISE STRHARSKY  
 ADDRESS: 2715 KNUELL STREET  
 MANITOWOC WI 54220  
 DATE: 10/8/18 JOB NO.: 18339MS



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

**Manitowoc County Tax Record**

**EXHIBIT C**

Tax Detail For Parcel Number: 010-012-010-001.00

**Location Information**

Parcel Number 010-012-010-001.00  
 Municipality TOWN OF MANITOWOC RAPIDS  
 Owner(s) Name SOARING EAGLE DAIRY LLC  
  
 Location Address  
 Mailing Address 7407 CTH F  
  
 City, State, Zip NEWTON WI 53063-0000

**Assessment Information**

Note: Fair Market Value is not shown for Agricultural Land because of Use Value Assessment per State law.

	2016	2017
Assessed Acres	19.88	19.88
Land value	\$12,900.00	\$12,900.00
Improvement Value	\$0.00	\$0.00
Total Value	\$12,900.00	\$12,900.00
Fair Market Value	\$0.00	\$0.00
Fair Market Ratio	0.984	1.0164

**Property Description**

(As of last tax bill issued)

Please refer to original source document for actual legal description

**Legal Description**

2016-742 N1/2 NW1/4 SW1/4 EX COM SE COR LOT 10 BLK 8 ROYAL OAKS SUBD NO.3 CITY OF MTWC POB E20' N110' W20' S110' TO POB S.12 T18N R23E

Section, Town, Range 12 , 19 , 23  
 Total Acres 19.88  
 Volume 2916  
 Page 742  
 Document Number

**Tax Information**

	2016	2017
Original Tax	\$210.10	\$196.82
Lottery Credit	\$0.00	\$0.00
Net Tax	\$210.10	\$196.82
Special Assessments	\$0.00	\$0.00
Total Amount Due	\$210.10	\$196.82
Installment 1	\$105.05	\$98.41
Installment 2	\$105.05	\$98.41
Total Payments	\$210.10	\$196.82
Balance Due...	\$0.00	\$0.00

\*Green = postponed | \*Red = delinquent (subject to interest)  
 Please refer to Taxes Due table for payoff amounts

**Tax District Information**

School District MANITOWOC SCHOOL Vocational School District LTC

**Tax Payments**

Tax Year	Payment Date	Payment Amount	Interest	Receipt Number
2017	12/30/2017	\$196.82	\$0.00	831
2016	1/1/2017	\$210.10	\$0.00	817



# 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](mailto:wimunicipalboundaryreview@wi.gov)  
<http://doa.wi.gov/municipalboundaryreview>

## Petitioner Information

Name: **GERARD D. STRHARSKY AND LOUISE E. STRHARSKY**

Address: **2715 KNUELL STREET**

**MANITOWOC, WI 54220**

Email: **JSTANGEL@SALUTZLAW.COM**

Office use only:

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

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

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

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

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

6. Tax parcel number(s) of territory to be annexed  
(if the territory is part or all of an existing parcel):

**010-012-010-004.00**

Petitioners phone:

Town clerk's phone:  
**920.901.6559**

City/Village clerk's phone:  
**920.686.6930**

## Contact Information if different than petitioner:

Representative's Name and Address:  
**ATTORNEY JOHN W. STANGEL**

**SALUTZ & SALUTZ, LLP**

**P.O. BOX 187, 823 MARSHALL STREET**

**MANITOWOC, WI 54220**

Phone: **920.682.4644**

E-mail: **JSTANGEL@SALUTZLAW.COM**

Surveyor or Engineering Firm's Name & Address:  
**SMI**

**102 REVERE DRIVE**

**MANITOWOC, WI 54220**

Phone: **920.684.5583**

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

## 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]

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# 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: \_\_\_\_\_



LAWRENCE V. SALUTZ (1926-2016)  
TIMOTHY M. SALUTZ  
DAVID J. PAWLOWSKI  
JOHN W. STANGEL  
KEVIN P. STANGEL  
MITCHEL L. OLSON

ATTORNEYS AT LAW  
823 MARSHALL STREET  
P.O. BOX 487  
MANITOWOC, WISCONSIN 54221-0187

RICHARD P. MOZINSKI  
JOHN M. CASHMAN  
TELEPHONE 920-682-4644  
FACSIMILE 920-682-3205

DARRYL W. DELTS, OF COUNSEL

March 28, 2019

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Ms. Deborah Neuser  
City of Manitowoc  
900 Quay Street  
Manitowoc, WI 54220

Re: Our Clients: Gerard Strharsky and Louise Strharsky  
Request for Annexation Review

Dear Ms. Neuser:

Please be advised that our office has been retained to represent Gerard Strharsky and Louise Strharsky with regard to a request for annexation review. Enclosed please find a Petition for Direct Annexation together with a check in the amount of \$300.00 representing the filing fee. Please return a receipt for the same in the enclosed self-addressed, stamped envelope.

If you have any questions, please feel free to contact me.

Very truly yours,

SALUTZ & SALUTZ LLP

Mitchel L. Olson  
Direct Line: (920) 482-1702

MLO:sml  
Enclosures  
cc: Gerard Strharsky and Louise Strharsky

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FACSIMILE 920-682-3205

DARRYL W. DEETS, OF COUNSEL

March 28, 2019

WI Department of Administration  
Municipal Boundary Review  
101 E. Wilson Street, 9th Floor  
Madison, WI 53703

Re: Request for Annexation Review

Dear Sir/Madam:

Enclosed is our Request for Annexation Review together with our check in the amount of \$400.00 payable to the Wisconsin Department of Administration representing the review fee. By copy of this letter, I am serving the original Petition for Direct Annexation on the City of Manitowoc.

If you have any questions, please contact me at my office. Thank you for your attention to this matter.

Very truly yours,

SALUTZ & SALUTZ LLP

Mitchel L. Olson  
Direct Line: (920) 482-1702

MLO:smi  
Enclosures

cc: ✓ Ms. Deborah Neuser, City Clerk  
Gerard Strharsky and Louise Strharsky