



# CITY OF APPLETON

## MEMORANDUM

**Date:** April 9, 2025  
**To:** Plan Commission  
**From:** Don Harp, Principal Planner  
**Subject:** Petition for Direct Annexation by Unanimous Approval Where No Owners/Electors Reside – Dorn Property Annexation

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## GENERAL INFORMATION

**Owner/Petitioner:** David L. Dorn, Trustee for Jane E. Dorn Revocable Trust

**Owner's Representative:** Steve Wieckert, Wieckert Real Estate

**Address/Parcel Numbers:** 4700 N. Richmond Street / 101040101, 101040200, 101040500, and 101040300 – Town of Grand Chute

**Petitioner's Request:** The owner/petitioner is requesting direct annexation by unanimous approval where no owners/electors reside pursuant to Section 66.0217(2), Wisconsin State Statutes of land currently located in the Town of Grand Chute, Outagamie County.

**Purpose for Annexation:** To allow the property to be developed utilizing City services for anticipated residential subdivision.

**Population of Such Territory:** 0

**Annexation Area:** 95.949 acres m/l

**Plan Commission Meeting Date:** April 9, 2025

**Common Council Meeting Date:** April 16, 2025

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## BACKGROUND

On March 16, 1992, the City of Appleton and the Town of Grand Chute agreed to and entered into an Intermunicipal Boundary Agreement pursuant to Section 66.027 and 66.30 of the Wisconsin State Statutes for the purpose of defining and expanding the provision of governmental services, including water and sewer services, by establishing the City's growth area and establishing provisions for annexation of land within the Town of Grand Chute to the City of Appleton.

On November 12, 2024, City staff reviewed and provided initial comments back to the prospective developer of subject site for a conceptual subdivision layout. Staff will continue to work with the developer of the property to review and provide feedback on future conceptual subdivision layout

submittals. This ongoing collaboration is indented to ensure that all municipal requirements are met and that the development aligns with City goals and policies.

On March 24, 2025, the Department of Administration (DOA) found the annexation to be in the public interest, attached is the review letter.

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## **STAFF ANALYSIS**

This item appeared on the March 4, 2025 Development Review Team (DRT) agenda. The Development Review Team has reviewed the annexation petition and identifies the following:

- Currently, the subject property is undeveloped and farmed. No electors reside in the annexation area.
- The area proposed for annexation is contiguous to the existing City boundary located to the north, south, and east of the annexation area.
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- City water infrastructure is already installed along Richmond Street. Annexation to the City of Appleton is required before the subject property could connect to the City water.
- The subject property is currently located within the City of Appleton Sanitary Sewer Service Area. The existing sanitary sewer lift station located at Spartan Drive and Haymeadow Avenue is designed to serve this development. However, the north portion of this sewer extension (Spartan to CTH JJ) is tentatively programmed for 2027; the remaining (south) portion of the extension is not currently in the City's 5-year Capital Improvement Plan. Engineering staff was able to take a preliminary look at the sanitary stub at Apple Creek Road and while it does appear that there should be sanitary capacity for some homes, a feasibility analysis for pipe slopes and depth within the property boundary line would still be required to ensure the pipes can meet gravity requirements. The city will request a formal agreement be in place to its allowance and part of that agreement would include that the gravity sewer to the north will be installed in conjunction with the east side work in order to serve the remainder of the 94-acre parcel.
- The subject property is adjacent to North Richmond Street, North Haymeadow Avenue, North Mossrose Lane, North Clayhill Drive, North Marshall Heights Avenue, and East Apple Creek Road right-of-way.
- Access to North Richmond Street is under the authority of Wisconsin Department of Transportation. Access to the other streets would be under the authority of City of Appleton.
- The City can provide Police and Fire services to the subject property.
- The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future One/Two family residential.

- The owner is requesting the City Plan Commission initiate a zoning map amendment (rezoning) for the annexation area from AG Agricultural District to a zoning classification of R-1B Single-family residential District. This request is consistent with the City of Appleton 2010-2030 Comprehensive Plan Map.

**Surrounding Zoning and Land Uses:** The surrounding zoning and uses (north, south, east, and west) are generally residential in nature with a small portion being commercial.

North: City of Appleton. R-1B Single-family District. The adjacent land use to the north is undeveloped land.

Town of Grand Chute. The adjacent land uses to the north are residential and undeveloped land.

South: City of Appleton. R-1B Single-family and R-2 Two-family District. The adjacent land uses to the south are residential, stormwater detention pond and lift station.

East: City of Appleton. R-1B Single-family District. The adjacent land uses to the east are residential and public trail.

West: Town of Grand Chute. The adjacent land uses to the west are residential and commercial.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future one/two family residential development. The proposed annexation is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

*Goal 1 – Community Growth*

*Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.*

*Goal 3 – Housing Quality, Variety, and Affordability*

*Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.*

**OBJECTIVE 5.3 Housing and Neighborhoods:**

*Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.*

*Policy 5.3.3 Plan for a supply of developable land suitable for residential development.*

**OBJECTIVE 10.1 Land Use:**

*Provide an adequate supply of suitable land meeting the demand for development of various land uses.*

## RECOMMENDATION

Staff recommends that the Dorn Annexation, as shown on the attached maps, **BE APPROVED** with the following stipulation:

1. The Plan Commission initiate the zoning map amendment (rezoning) for the subject property from AG Agricultural District to the zoning classification of R-1B Single-family District, pursuant Section 23-65(h) which is consistent with the *Comprehensive Plan 2010-2030*, pursuant to Section 23-65(e)(1)a. of the Municipal Code.







# CITY OF APPLETON

## PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY

The undersigned, constituting the Trustee of the Jane E. Dorn Revocable trust, owner of the real property in which no electors reside in the following territory of the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, petition the Common Council of the City of Appleton to annex the territory described below and shown on the attached scaled map to the City of Appleton, Outagamie County, Wisconsin.

Legal description of proposed territory to be annexed:

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8713, BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, AND ALL OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 11, TOWNSHIP 21 NORTH, RANGE 17 EAST, TOWN OF GRAND CHUTE, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 11; THENCE NORTH 01 DEGREES 12 MINUTE 23 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 292.48 FEET; THENCE SOUTH 89 DEGREES 51 MINUTE 01 SECONDS EAST, ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8713, A DISTANCE OF 433.31 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 59 SECONDS EAST, ALONG THE EAST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8713, A DISTANCE OF 187.95 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 01 SECONDS WEST, ALONG THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8713, A DISTANCE OF 429.85 FEET; THENCE NORTH 01 DEGREES 12 MINUTE 23 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 849.60 FEET; THENCE SOUTH 89 DEGREES 26 MINUTE 21 SECONDS EAST, ALONG THE NORTH LINE OF SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 2560.33 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 1311.48 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SOUTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 331.76 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 01 SECONDS WEST, ALONG THE NORTH LINE OF MARSHALL HEIGHTS II AND MARSHALL HEIGHTS III, A DISTANCE OF 2595.85 FEET; THENCE NORTH 01 DEGREES 04 MINUTES 11 SECONDS EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 331.80 FEET TO THE POINT OF BEGINNING. CONTAINING 4,179,535 SQUARE FEET [95.949 ACRES]. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.


The undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

I further respectfully request that the City Plan Commission initiate a rezoning for the subject property, from AG Agricultural District to a zoning classification of R-1B Single-family District.

Area of lands to be annexed contains 95.949 acres m/l.

Tax Parcel numbers of lands to be annexed: 101040101, 101040200, 101040500, 101040300.

The current population of such territory is 0.

Signature of Petitioner/Trustee	Date of Signing	Address of Petitioner (Include Zip Code)
	2-17-25	4700 N. Richmond Steet Appleton, WI 54913
David L. Dorn, Trustee Jane E. Dorn Revocable Trust		







**REVISED**

Received March 19, 2025  
Appleton Community Development Dept.

## LEGAL DESCRIPTION ANNEXATION FROM GRAND CHUTE TO CITY OF APPLETON

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8713, BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, AND ALL OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 11, TOWNSHIP 21 NORTH, RANGE 17 EAST, TOWN OF GRAND CHUTE, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 11; THENCE NORTH 01 DEGREES 12 MINUTE 23 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 292.48 FEET; THENCE SOUTH 89 DEGREES 51 MINUTE 01 SECONDS EAST, ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8713, A DISTANCE OF 433.31 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 59 SECONDS EAST, ALONG THE EAST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8713, A DISTANCE OF 187.95 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 01 SECONDS WEST, ALONG THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8713, A DISTANCE OF 429.85 FEET; THENCE NORTH 01 DEGREES 12 MINUTE 23 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 849.60 FEET; THENCE SOUTH 89 DEGREES 26 MINUTE 21 SECONDS EAST, ALONG THE NORTH LINE OF SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 2560.33 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 1311.48 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SOUTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 331.47 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 24 SECONDS WEST, ALONG THE NORTH LINE OF MARSHALL HEIGHTS II AND MARSHALL HEIGHTS III, A DISTANCE OF 2595.85 FEET; THENCE NORTH 01 DEGREES 04 MINUTES 11 SECONDS EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 331.80 FEET TO THE POINT OF BEGINNING. CONTAINING 4,179,159 SQUARE FEET [95.940 ACRES]. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

PROJECT NO.: 1-1306-002  
DATE: March 19, 2025  
FILE: Q:\1-1306-002 N Appleton Prop - Dorn Property\Legal



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TONY EVERS

GOVERNOR

KATHY BLUMENFELD

SECRETARY

**Municipal Boundary Review**

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: [wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)

Web: <http://doa.wi.gov/municipalboundaryreview>

March 24, 2025

PETITION FILE NO. 14742

KAMI LYNCH, CLERK  
CITY OF APPLETON  
100 N APPLETON ST  
APPLETON, WI 54911-4702

KAYLA RAATZ, CLERK  
TOWN OF GRAND CHUTE  
1900 W GRAND CHUTE BOULEVARD  
GRAND CHUTE, WI 54913-9613

Subject: DORN ANNEXATION

The proposed annexation submitted to our office on March 03, 2025 and as revised on March 19, 2025, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city...." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory. The subject petition is for territory that is reasonably shaped and contiguous to the City of Appleton, which is able to provide needed municipal services.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14742 with your ordinance.** Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to [mds@wi.gov](mailto:mds@wi.gov) or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: <http://mds.wi.gov/View/Petition?ID=2816>

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner