



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: August 10, 2022

Common Council Meeting Date: August 17, 2022

Item: Certified Survey Map #23-22

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owners: Benjamin & Laura Paton, Steven Parker, and Carrie Mader

Applicant: Schuler & Associates c/o Michael Frank

Address/Parcel: 1730 South Matthias Street and 2616 East John Street (Tax Id #31-4-4699-00, #31-4-5269-00, and #31-4-5268-00)

Petitioner's Request: The applicant is requesting approval of a Certified Survey Map (CSM) that crosses a plat boundary. The CSM would eliminate parcel #31-4-5269-00 and attach its land area to parcels #31-4-4699-00 and #31-4-5268-00.

BACKGROUND

Typically, CSMs are administratively reviewed and approved by City staff. However, the subject properties were originally platted in different plats. Parcel #31-4-4699-00 was included in the Lang Plat (recorded in 1962), and parcels #31-4-5269-00 and #31-4-5268-00 were included in the Apple Orchard Plat (recorded in 1975). In order to satisfy the requirements of Chapter 236 of the Wisconsin State Statutes, the proposed CSM must be approved in the same manner as a Final Plat, which includes Plan Commission and Common Council approval.

Currently, parcel #31-4-5269-00 is approximately 10,200 square feet in size. If the CSM is approved, parcels #31-4-4699-00 and #31-4-5268-00 would split this land area and each increase by approximately 5,100 square feet.

STAFF ANALYSIS

Existing Conditions: Currently, parcel #31-4-4699-00 is developed with a single-family dwelling. Parcel #31-4-5269-00 features a paved driveway that previously served a detached garage that was associated with neighboring parcel #31-4-5264-00 (garage demolished in 1982). Parcel #31-4-5268-00 is developed with a single-family dwelling and detached garage. All parcels have a zoning designation of R-1B Single-Family District. The total land area included in the CSM is approximately 0.97 acres.

Subdivision Ordinance Requirements: Per Section 17-26(b)(1) of the Municipal Code, widths and areas of lots shall not be less than that provided in the City's Zoning Ordinance. For the R-1B Single-Family District, the minimum lot width is 50 feet and the minimum lot area is 6,000 square feet, per Section 23-93(g) of the Municipal Code. Proposed Lots 1 and 2 satisfy these lot development standards.

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Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally residential and public/institutional in nature.

North: R-1B Single-Family District. The adjacent land uses to the north are currently single-family residential.

South: P-I Public Institutional District. The adjacent land use to the south is currently a public park (Lions Park).

East: R-1B Single-Family District and R-2 Two-Family District. The adjacent land uses to the east are currently a mix of single-family residential and duplexes.

West: R-1B Single-Family District and P-I Public Institutional District. The adjacent land uses to the west are currently a governmental facility (Fire Station 2) and a public park (Lions Park).

Appleton Comprehensive Plan 2010-2030: Community & Economic Development staff has reviewed this proposal and determined it is compatible with the One and Two-Family Residential designation shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map.

Technical Review Group (TRG) Report: This item appeared on the July 19, 2022 TRG agenda. Comments were received from participating departments and captured in the stipulations found below.

RECOMMENDATION

Based on the above, staff recommends that Certified Survey Map #23-22, as shown on the attached map, **BE APPROVED** subject to the following conditions:

1. On sheet 2, a property owner last name is spelled incorrectly. "Payton" should be Paton. Revise as necessary.
2. On sheet 1, some existing zoning labels are incorrect. All properties labeled as R-1A are actually zoned R-1B. Revise as necessary.
3. At the top of sheets 2 and 3 and under the Surveyor's Certificate, there is a typo in "... and governmnt lot 1 ...". Revise to spell 'government' correctly.
4. Under the Surveyor's Certificate, there is a typo in "... line of Mathias St.; thence ...". Revise to spell 'Matthias' correctly.
5. Under the Surveyor's Certificate, a parenthesis is missing in "... 96.55 feet (recorded as south 57 degrees 38 minutes east 96.63 feet, along the ...". Revise to clarify the recorded as information.
6. Under the Owner's Certificate, a property owner first name is spelled incorrectly. "Bejamin" should be Benjamin. Revise as necessary.

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7. Outstanding water account for 1730 S. Matthias Street will need to be paid in full for Finance Department approval.
8. Provide offset distances to the exterior boundary for the existing structures shown on the CSM.
9. This CSM crosses the exterior boundary of a Plat, revise the CSM to meet the minimum requirements of §236.34(1)(dm) of the Wisconsin Statutes.
10. Provide the diameter of found 2" iron pipe monuments (i.d. or o.d.).
11. The Drainage Plan requirement for this CSM is waived.
12. Each of the parcels is under different ownership, so that will need to be addressed before the Assessor's Office can delete parcel #31-4-5269-00. Deed documents will need to be recorded in the Outagamie County Register of Deeds Office for the transfer of property from parcel #31-4-5269-00 (Steven Parker) to parcels #31-4-4699-00 (Benjamin & Laura Paton) and #31-4-5268-00 (Carrie Mader).

CERTIFIED SURVEY MAP NO. _____

ALL OF LOTS 15 AND 16, BLOCK 2, LANG PLAT
 AND ALL OF LOTS 9 AND 10 AND PART OF LOT 8
 OF APPLE ORCHARD PLAT, BEING LOCATED IN
 GOVERNMENT LOT 8 IN SECTION 29 AND
 GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 21
 NORTH, RANGE 18 EAST, CITY OF APPLETON,
 OUTAGAMIE COUNTY, WISCONSIN.

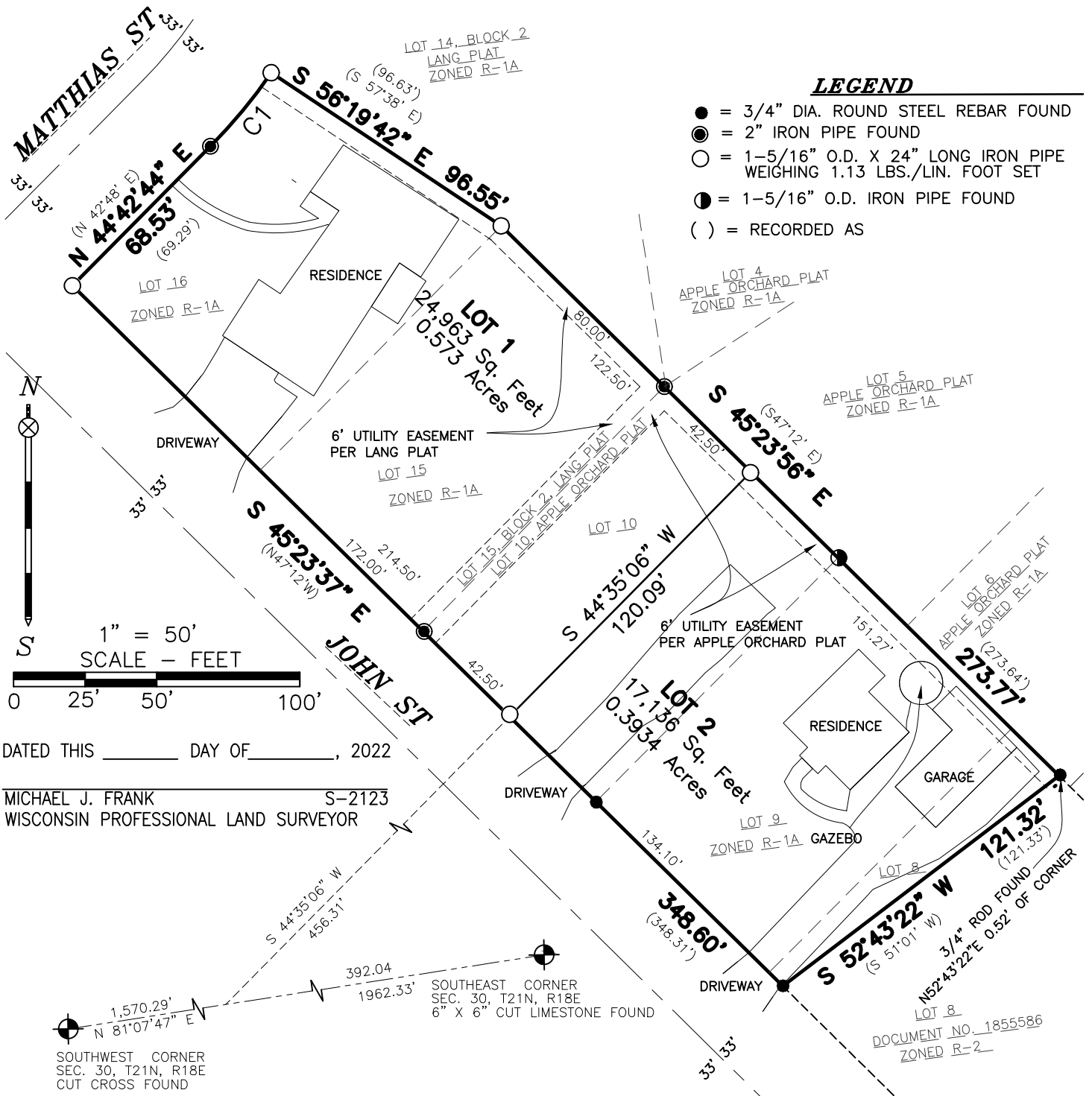
BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY
 COORDINATE SYSTEM FOR OUTAGAMIE COUNTY SOUTH LINE
 SECTION 30, T21N, R18E, BEARS N81°07'47"E

CURVE DATA TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	TANGENT BEARING-IN	TANGENT BEARING-OUT
C1	10°25'59"	183.48'	33.41'	33.36'	N 39°29'45" E (N 37°35" E)	N 44°42'44" E	N 34°16'45" E

LEGEND

- = 3/4" DIA. ROUND STEEL REBAR FOUND
- ⊙ = 2" IRON PIPE FOUND
- = 1-5/16" O.D. X 24" LONG IRON PIPE WEIGHING 1.13 LBS./LIN. FOOT SET
- ⦿ = 1-5/16" O.D. IRON PIPE FOUND
- () = RECORDED AS



DATED THIS _____ DAY OF _____, 2022

MICHAEL J. FRANK S-2123
 WISCONSIN PROFESSIONAL LAND SURVEYOR

SOUTHWEST CORNER
 SEC. 30, T21N, R18E
 CUT CROSS FOUND

SOUTHEAST CORNER
 SEC. 30, T21N, R18E
 6" X 6" CUT LIMESTONE FOUND

PREPARED BY:

SCHULER & ASSOCIATES
 LAND SURVEYORS & ENGINEERS
 2711 N. MASON ST., SUITE F, APPLETON, WI 54914

PREPARED FOR:
STEVEN PARKER
 2616 E JOHN ST
 APPLETON, WI 54915

L-22-4764
 SHEET 1 OF 3

