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**MEETING:**           **PLANNING COMMISSION**  
**PLACE:**           **Mayville City Hall, 15 S. School Street, Mayville, WI**  
**DATE:**           **June 12, 2023**  
**TIME:**           **5:00 p.m.**

### **AGENDA**

(A Quorum of Council Members May Be Present)

1. Call to Order and Roll Call.
2. Approve Agenda.
3. Citizen Comments  
*(Citizen Comments are to be kept to a maximum of five minutes per speaker unless the chairperson allows an extension of time. Each citizen is to make comments at the podium after stating name and address. Each citizen may comment only one time per public hearing / meeting.)*
4. Approve the Minutes of the May 8, 2023 meeting
5. Discussion, with possible action, on Certified Survey Map for current parcels 251-1216-2422-071 and 251-1216-2422-069, located at 210 N. German Street, owner Michael and Darlene Hilbert.
6. Discussion regarding a proposed storage development in the River Knoll Industrial Park.
7. Discussion, with Possible Action, a potential land sale and development of lot 5 of the replat River Knoll Industrial Park Lot 10, Parcel # 251-1216-1412-011.
8. Discussion regarding a Potential Residential Development Locate as the South Five (5) Acres of 305 S. Clarke Street, Parcel #251-1216-2323-012.
9. Discussion, with Possible Action, regarding a proposed alternate to Potential Residential Development located along the Leona Street Right of Way.
10. Adjournment.

**John Guinn**  
Chairperson

NOTE: Persons with disabilities requiring special accommodations for attendance at the meeting should contact City Hall at least one (1) business day prior to the meeting.

**PLANNING COMMISSION**  
**Mayville City Hall, 15 S. School Street, Mayville, WI**  
**May 8, 2023**

**MEETING MINUTES**

1. Call to Order and Roll Call.

Meeting was called to order at 5:00 p.m.

Members present: John Guinn, Andy Shoemaker (left at 5:50), John Gable, Gene Frings, Merlin Kahlhammer, Broc Fleischer

Member Absent: None

2. Approve Agenda.

Motion made by Frings, seconded by Gable, to approve the agenda. Motion Carried on a voice vote 6-0.

3. Citizen Comments

Bill Linzenmeyer lives on Valley Street and was in attendance to voice his concerns regarding agenda item number 9 and how it would change the neighborhood.

4. Approve the Minutes of the March 13, 2023 and April 10, 2023 meetings

Motion by Shoemaker, second by Kahlhammer, to approve the agenda. Motion Carried on a voice vote 6-0.

5. Discussion, with Possible Action, regarding a potential minor land division and land purchase of part of 259 Oak Street the Parkview Early Learning Center, parcel #251-1216-2342-092

Representatives from Wings over Wisconsin would be looking to separate the current pond from the rest of the parcel. Access to the pond parcel would be provided by Degner Avenue and a buffer zone around the pond would be included as part of the parcel. Wings over Wisconsin are currently in discussions with the school district and was looking to get the Plan Commission Preliminary go ahead to have a Certified Survey Map prepared. The plan Commission did not see any reason that Wings over Wisconsin could not proceed with the proposed land division.

6. Discussion, with Possible Action, a potential land sale and development of lot 4 or 5 of the replat River Knoll Industrial Park Lot 10, Parcel# 251-1216-1412-010 and 251-1216-1412-011

Al Schellinger was in attendance to discuss a proposed seed storage facility off of Hilltop Drive. Al stated he would be looking to put up a warehouse roughly 60'x120' building with a loading dock for semis on the proposed site. He would be looking to build on either lot 4 or 5 of the replat of lot 10 in the River Knoll Industrial Park, Al also mentioned that he would be looking to have the city provide sanitary and water services to the lot. The mayor mentioned that the city would need to look into the cost of providing the services versus the proposed site improvements to see if that would be something the city would be interested in providing. It was also mentioned that the current utility easement for the overhead lines would have to be looked at and taken into account to make sure that nothing is built in that area. Al did mention that he would be looking to potentially break ground this fall and looking to have it completed by spring next year. The Plan Commission Decided that they would like additional information before moving forward with the proposed development.

7. Discussion regarding a proposed storage development in the River Knoll Industrial Park  
Item was tabled until a representative could be present.
8. Discussion, with Possible Action, the potential rezoning of RM Multi-Family Zoned parcels around the Williams Street area.

Rob Froh (City Building Inspector) was in attendance to discuss a situation that he had come up in regarding to zoning around Williams Street. The area around Williams Street is RM multi-family even though the parcels are predominately single or two family. Rob was recommending that it should be looked at rezoning the district to RB-1 mixed One and two family. He further recommended that the properties that qualify for RM be given a conditional use or left as a spot zone. Plan Commission discussed and would like to see more information on regarding what the all of the properties in this zoning area are currently used for. Once more information is obtained it will be brought back for further discussion. A motion was made by Shoemaker, second by Gable, to table the agenda item until further information can be provided. Motion carried on a voice vote 6-0.

9. Discussion, with Possible Action, a Potential Residential Development Located as the South Five (5) Acres of 305 S. Clarke Street, Parcel #251-1216-2323-012

Kory Krieser in attendance for discussion regarding the potential development. He was looking to get conditional approval to proceed with the proposed Planned Unit Development. The proposed development would include 14 lots that would be used for 1 and 2 family units. As part of the PUD the developer was looking to have setbacks set at 25 foot for front and rear with 5 foot side yard setback. The developer would be looking for the City to cover the cost of the Street and Utility improvements needed for the development. Kory did mention that at this point if allowed to proceed construction would not likely start until 2024. The city is looking into the possibility of potential amending the TID District to allow them to use TID money to fund the street and utility portion of the project. Phil from

Ehlers said that amending the TID district would take some time. Phil also stated that he would be looking for information on the cost of the infrastructure improvements, the value per unit, and the projection on how many units will be built per year. Phil would be able to use/include that information in the amendment to the TID district. The mayor brought up an ordinance that the city has that stipulates that the developer should foot the cost for infrastructure improvements if they are the sole benefactor. Phil stated that some municipalities do this by having the developer foot the cost up front and will get reimbursed over time out of the increment that is generated by development. Phil stated that were the city to pay for the infrastructure improvements that safeguards would need to be in the developer's agreement. That way the city would have a way of recouping the infrastructure cost if the development does not go as planned. The mayor recommended that Kory send the information requested by Phil to him so he could look at the economics of the development while the City looks into and works on the TID amendment. No further action was taken.

10. Discussion, with Possible Action, a Potential Residential Development located along the Leona Street Right of Way

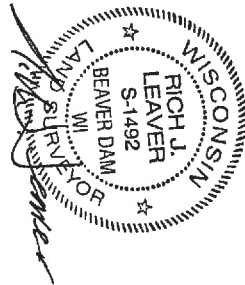
Kory was in attendance to discuss the proposed development along the Leona Street right of way. Kory stated that they would be looking to potentially option of vacate the north end of the Leona Street right of way with the potential to develop Lots 11 and 12 of the Valley View Subdivision First Addition. The other option that was proposed was to extend driveways that could then later be tied into a new roadway. Broc Fleischer brought up that at this point he did not believe that the city was interested in building a road through the existing right of way. Motion was made by Fleischer, second by Kahlhammer, to vacate the Leona Street right of way from the south line of lot 12 to the north and end of the Leona Street right of way with the cost of resurveying the lots to be paid by the developer. Motion carried on a voice vote 6-0.

11. Adjournment.

Motion made by Frings, seconded by Gable, to adjourn the meeting at 6:30 PM.  
Motion passed 5-0

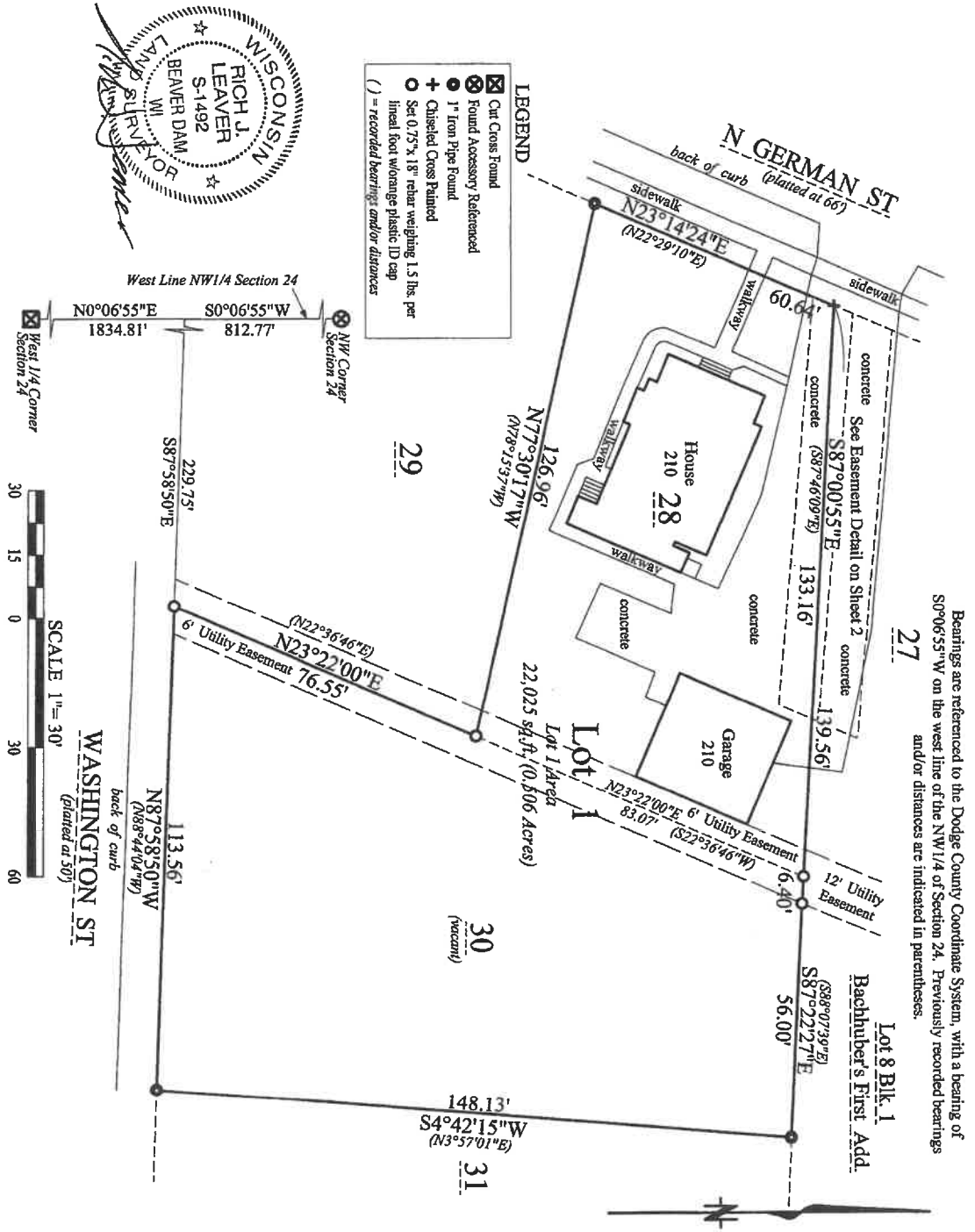
# CERTIFIED SURVEY MAP

For Michael H. Hilbert  
 Lots 28 and 30 of Mayville Assessor's Plat No. 4  
 Located in the NW1/4-NW1/4 of Section 24,  
 T12N-R16E, City of Mayville, Dodge County, Wisconsin  
**Being a Combination of 2 Lots**



**LEGEND**

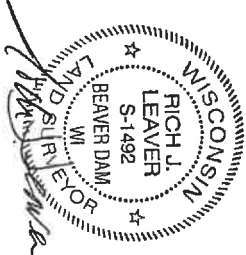
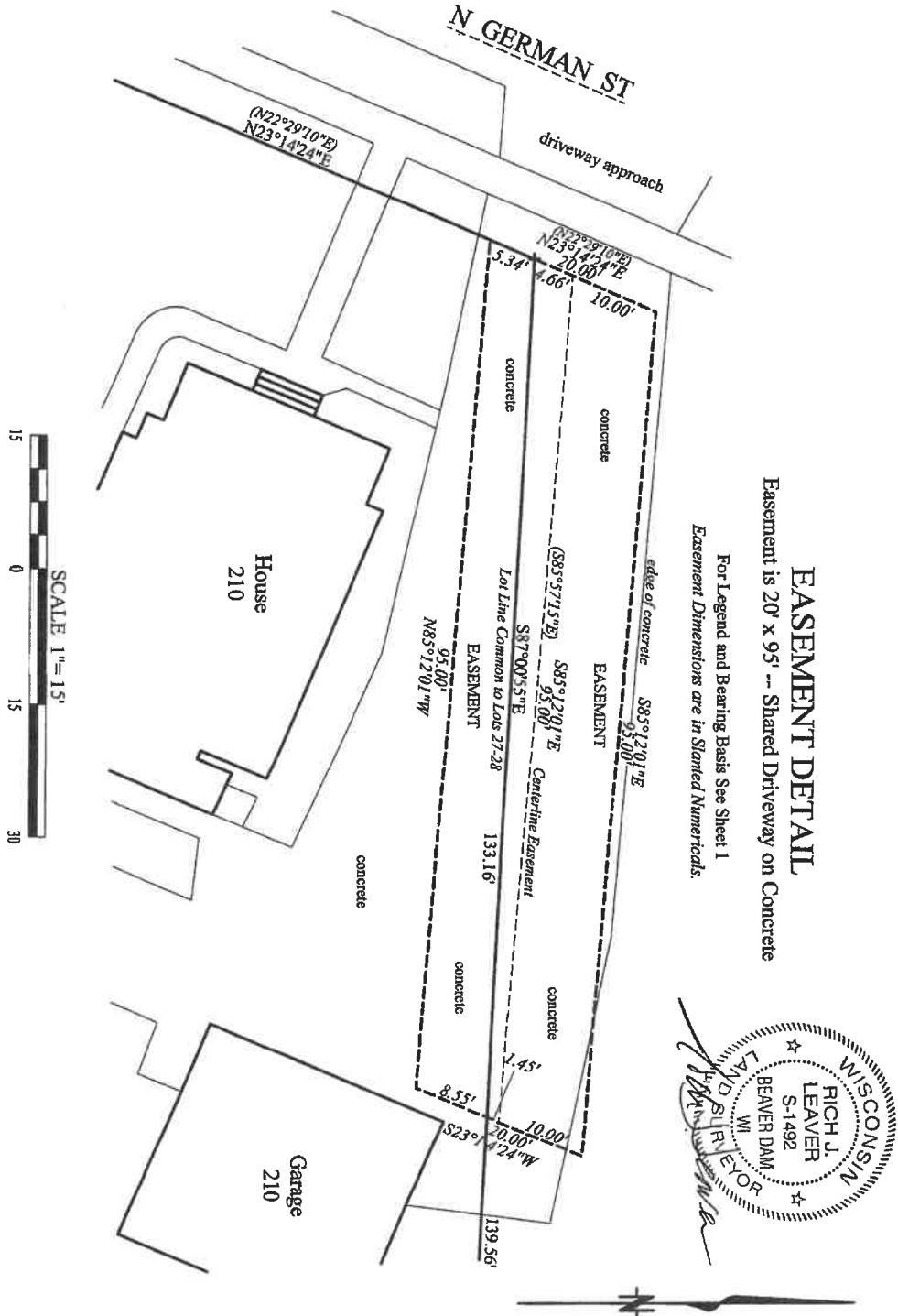
- ☒ Cut Cross Found
- ⊗ Found Accessory Referenced
- ⊕ 1" Iron Pipe Found
- ⊕ Chiseled Cross Painted
- Set 0.75" x 18" rebar weighing 1.5 lbs. per lined foot w/ orange plastic ID cap
- ( ) = recorded bearings and/or distances



Bearings are referenced to the Dodge County Coordinate System, with a bearing of S0°06'55"W on the west line of the NW1/4 of Section 24. Previously recorded bearings and/or distances are indicated in parentheses.

# CERTIFIED SURVEY MAP

For Michael H. Hilbert  
 Lots 28 and 30 of Mayville Assessor's Plat No. 4  
 Located in the NW1/4-NW1/4 of Section 24,  
 T12N-R16E, City of Mayville, Dodge County, Wisconsin  
**Being a Combination of 2 Lots**



# CERTIFIED SURVEY MAP

For Michael H. Hilbert  
Lots 28 and 30 of Mayville Assessor's Plat No. 4  
Located in the NW1/4-NW1/4 of Section 24,  
T12N-R16E, City of Mayville, Dodge County, Wisconsin  
**Being a Combination of 2 Lots**

## SURVEYOR'S CERTIFICATE

I, Rich J. Leaver, Wisconsin Professional Land Surveyor, hereby certify that I have surveyed, combined and mapped two parcels of land by the direction of Michael H. Hilbert, who is representing the owner. This combined parcel is described and located as indicated above.

The above described and combined parcel contains 22,025 square feet (0.506 acres) of land, and is subject to all easements, including utility easements, setbacks and restrictions, either recorded or unrecorded, if any.

I further certify that the information contained herein is a correct representation of the boundaries of the land surveyed and mapped, and that I have fully complied with the provisions of Chapter 236.34 of the revised Wisconsin State Statutes in surveying and mapping the same, to the best of my knowledge and belief.



Rich J. Leaver, WI\_LS-1492  
Leaver Land Surveying LLC  
W8871 Gossfeld Ln.  
Beaver Dam, WI 53916  
920-887-2401



### Owner of Record

Michael H. and Darlene D. Hilbert Revocable Trust Dated September 28, 2022  
210 N. German St.  
Mayville, WI 53050

### City of Mayville Planning Commission Approval

This land division is hereby approved by the City of Mayville Planning Commission on this \_\_\_\_\_ day of

\_\_\_\_\_, 2023.

\_\_\_\_\_  
John Guinn, Planning Commission Chairman

### City of Mayville Common Council Approval

This land division is hereby approved by the City of Mayville Common Council by Resolution

Number \_\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
John Guinn, Mayor

\_\_\_\_\_  
Anastasia Gonstead, City Clerk

April 28, 2023

PRIVATE AND CONFIDENTIAL

Mayville Plan Commission

15 S. School St.

Mayville, WI 53050

Mayville Plan Commission:

On behalf of SELF-STOR LLC (“Self-Stor”), we are pleased to submit to you the below discussion materials regarding the potential development within the River Knoll Industrial Park in Mayville, WI. We look forward to the discussion.

- (i) **Proposition Overview:** Self-Stor is seeking feedback / recommendation from the commission regarding the development of Commercial and RV storage within the River Knoll Industrial park. We have performed a detailed market analysis of Mayville and the surrounding nearby cities. Per our analysis, there are no Commercial or RV / Camper storage facilities that exist today. We believe Mayville has a need for additional commercial and RV storage in terms of supply / demand (via analyzing approximate rental sq ft per capita and other metrics), and the number of small businesses located within the community. Mayville and surrounding communities could significantly benefit from additional commercial and mega storage as the community grows, existing business expand, and new small businesses emerge. Multiple conversations have been had with local community members who have expressed interest in a space.
- (ii) **Self-Stor Overview:** Self-Stor is a family owned, father-son business with a mission of providing quality and affordable commercial rentals and mini storage within central Wisconsin. We have experience in the industry which is demonstrated by the acquisitions and new builds of our facilities in Wisconsin Rapids, Ripon, Necedah, Green Lake and Redgranite, WI. Self-Stor is actively working on a similar project as the one proposed within Wisconsin Rapids, and more information / pictures of that development are included below in Attachment B.
- (iii) **Uses for Commercial Storage:** included below are examples of some of our current commercial tenants and likely users of the facility as described. Our facilities come with interior motion sensor lights, electric overhead doors and electrical outlets. Our facility is generally used to foster small business growth and development as companies need additional space or a “hub” for their employees to store and pickup equipment before they head off to their jobs.
  - a. **Contractors and construction companies:** These businesses often need to store large equipment, tools, and building materials. Our facility offering tall doors, outlets, and lights which can provide a secure and convenient space to store these items. Some of our tenants include general contractors, tree service companies, roofing companies, etc.
  - b. **Retail businesses:** Retailers may need to store excess inventory, seasonal merchandise, or display fixtures. For example, we have a sign manufacturing company that stores excess materials and seasonal signs
  - c. **E-commerce businesses:** Online retailers may need additional space to store their products before shipping them out to customers. A commercial storage unit with electric outlets and lights can provide a safe and convenient location to store products, package them, and



prepare them for shipping. Some of e-commerce based tenants include E-bay / liquidation resellers, a pet food / supplement company, and a vehicle cargo / racking company

- d. **Service-based businesses:** Businesses that provide services such as plumbing, landscaping, or catering may need to store their equipment and supplies. We have a variety of service based businesses including landscapers, tree trimmers, electricians, plumbers, equipment rental companies, kayak / boat rental companies, etc.
  - e. **Automotive based businesses:** Auto repair shops or dealerships also utilize our units to store cars, parts, or equipment. Our facilities with high doors can accommodate larger vehicles, and our outlets and lights provide power and visibility for working on cars (which occurs occasionally) and storing of parts.
  - f. **RV Camper Storage:** given our units come with interior lights and electrical outlets, they are often a popular choice for RV / camper owners that like to take advantage of the electrical outlets for trickle charging.
- (iv) **Subject Property:** See Attachment A for details on the lots that may be suitable for development. We are targeting 3-5 acres in total. Phase I of the development would likely entail ~2 acres worth of buildable space.
- (v) **WI, Rapids Development:** See Attachment B for our Wisconsin Rapids Development which is similar in nature to the one we are proposing.
- (vi) **Ripon, WI Development:** See attachment C for 3D renderings of a different commercial lot we are working on in Ripon, WI. The middle building in this rendering will look very similar to what is contemplated as building #1 in Phase I of the Mayville development.
- (vii) **Building Overview / Assessed Value:** Based on the work that we have completed to date, our tentative plans would include two phases, consisting of 3-4 buildings in total. Phase I would include two buildings. Building 1 is expected to be approximately 80'x150' in size and double sided with units on each side. Tentative plans consist of 8 (20'x40') units with 14' electric overhead doors and a side access door, 6 (15'x40') units with 14' electric doors and 4 (12'x40') units. Units will include interior and exterior lights and interior electrical outlets for commercial storage purposes. The second building in Phase one would consist of a 60'x200' building and would include a mix of 12'x30' and 12'x35' units for the purpose of storing Commercial Items, Campers, RVs, Boats, Cars, and equipment. Phase II will consist of 1-2 additional buildings with a similar mix of sizes and units as the buildings in Phase I, but will also include electric heat (pending feedback from tenants).
- a. **The buildings will likely have an assessed value of \$700,000+ after Phase I, and \$1,400,000+ after Phase II.**
  - b. For positive curb appeal, landscaping will be included on the side and front yards of the buildings, consisting of large rocks, shrubbery and pine trees. Formal landscaping plans would be put together at a later date. Additionally, the driveways will be constructed with recycled asphalt.

Our identity as a developer, and this letter, including the terms of this letter, are strictly confidential and, thus, are not to be communicated to anyone, including any other potential developers or those outside of

Plan Commission. As noted previously, we are very excited about working with the Village to provide much needed storage and small business solutions to Mayville residents and the surrounding community!

Sincerely,

Cameron Butler  
SELF-STOR LLC

# Attachment A (Potential Properties)

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## Option 1:

- Parcel #: 251-1216-1412-004
- Parceling off a portion of the 16.2 acre parcel north of the existing storage units in the industrial park. Would likely target ~3 acres of buildable land.

## Option 2:

- Parcel #: 251-1216-1412-002
- Size: 5.07 acres
- Lot is a bit bigger than what we're looking for, but looks to be relatively flat and clear of trees.

## Option 3:

- Parcel #: 251-1216-1411-004
- Size: 14.304
- Lot is located on corner of Hilltop and what will be Mallard. Could consider parceling a lot on the corner of Hilltop / Mallard.

## Option 4:

- Lots 3&4
- Parcel #: 251-1216-1412-008 & 251-1216-1412-010
- Lots are a bit smaller than what we would be targeting, but could likely work for our first phase of development



# Attachment B (Wisconsin Rapids Development)

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## Attachment C (Ripon Self-Stor Commercial Development)

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## Attachment D (Other Self-Stor Contractor Development Examples)



# Conceptional Plan

**Business name:** Supreme Forage Plus

**Business Purpose:** Provide service and supplies to local Farms in the surrounding area.

**Building purpose:** Used as a warehouse throughout the year to store seed corn soybeans, alfalfa, grasses, preservatives to be added to forages at harvest.  
**Size of building:** Looking at constructing a 60x112 pole type building with loading ramp for semis to unload along with a 18x20 size garage door along with service door in front and back of building, would like to put bathroom along with office inside building as well. The sidewalls would be 18 feet in height along with a 5-to-6-foot overhang on east side.

**Cost of building:** Estimated cost would be 300 to 400 hundred thousand dollars.

**Lot number:** Looking at either lot number 4 or 5. Preferably number 4 if we could use some fill from lot number 5 to help level that lot off.

**Developer agreement:** Looking for the city to provide laterals of water and sewer hookup to the lot.

Thank you, any questions please contact me.

Al Schellinger

[Schellinger1014@gmail.com](mailto:Schellinger1014@gmail.com)

920-382-1176



DOCUMENT#: 1324323

Recorded: 04-18-2022 at 1:39 PM  
CHRIS PLANASCH, REGISTER OF DEEDS

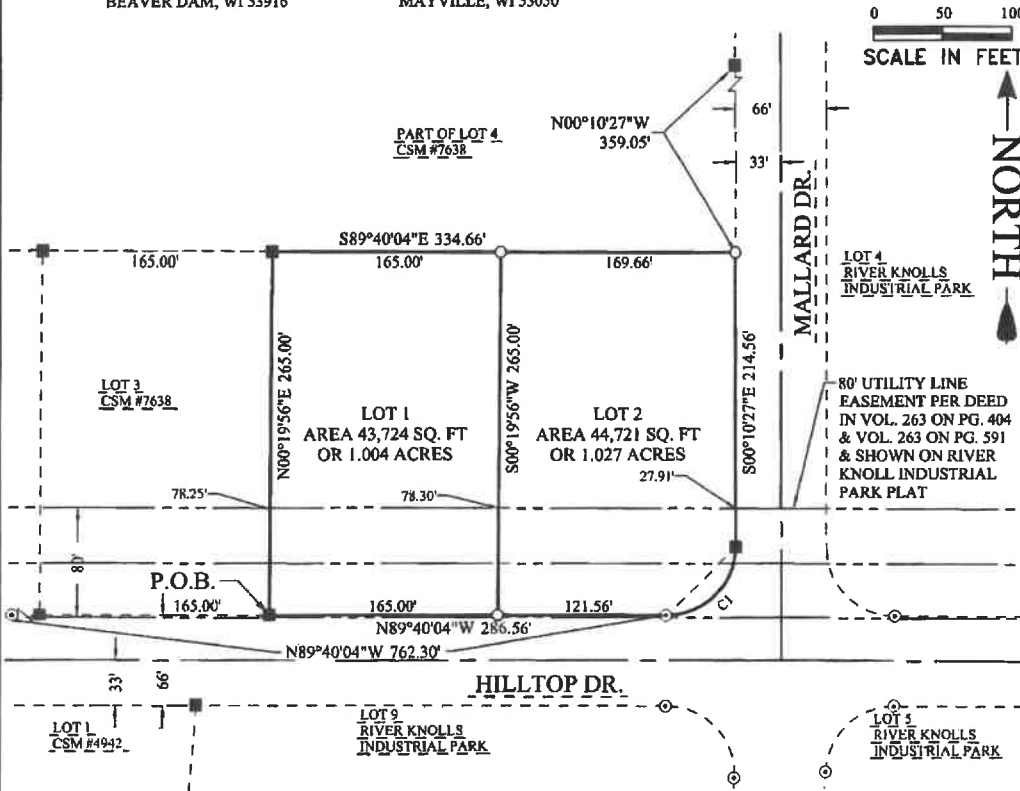
*Chris Planasch*  
DODGE COUNTY, WI  
Fee Amount: \$30.00 Pages: 2

DODGE COUNTY CERTIFIED SURVEY MAP # 7674

PART OF LOT 4 OF CSM #7638 RECORDED AS DOCUMENT #1320786 AND BEING LOCATED IN THE NE 1/4 OF SECTION 14, TOWN 12 NORTH, RANGE 16 EAST, CITY OF MAYVILLE, DODGE COUNTY, WISCONSIN

**SURVEYOR**  
MARK R. TOMASHEK  
107 PARALLEL STREET  
BEAVER DAM, WI 53916

**OWNERS**  
CITY OF MAYVILLE  
15 S. SCHOOL STREET  
MAYVILLE, WI 53050



**LEGEND**

- SET 0.75" x 18" REBAR WEIGHING 1.5 LBS PER LINEAL FOOT
- 3/4" REBAR FOUND
- ⊙ 1" REBAR FOUND
- ⊕ SECTION MONUMENT

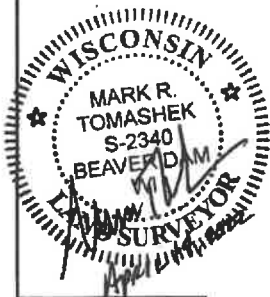
**CURRENT ZONING**

- M-2 GENERAL MANUFACTURING
- SETBACKS**
- STREET YARD 25 FEET
- SIDE YARD 10 FEET
- REAR YARD 25 FEET

**CSM AREA**  
88,445 SQ. FT  
OR 2.031 ACRES

**NOTES:**

- 1) THE BEARINGS ARE ORIENTED TO THE SOUTH LINE OF LOT 10 OF RECORDED RIVER KNOLLS INDUSTRIAL PARK PLAT WHICH IS RECORDED TO BEAR S89°40'04"E.
- 2) PARCEL SHOWN IS SUBJECT TO ALL EASEMENTS, INCLUDING UTILITY EASEMENTS AND RESTRICTIONS, EITHER RECORDED OR UNRECORDED, IF ANY



**KUNKEL**  
engineering  
group

107 Parallel Street  
Beaver Dam, WI 53916  
(920)358-9447  
Fax (920)358-9454

CURVE TABLE							
CURVE #	RADIUS	CHORD BEARING	CHORD DIST	DELTA	ARC LENGTH	TANGENT IN	TANGENT OUT
C1	50.00	S45°04'44"W	71.02	090°30'25"	78.98	S89°40'04"E	N00°10'27"W

√ 539275



# Dodge County, WI

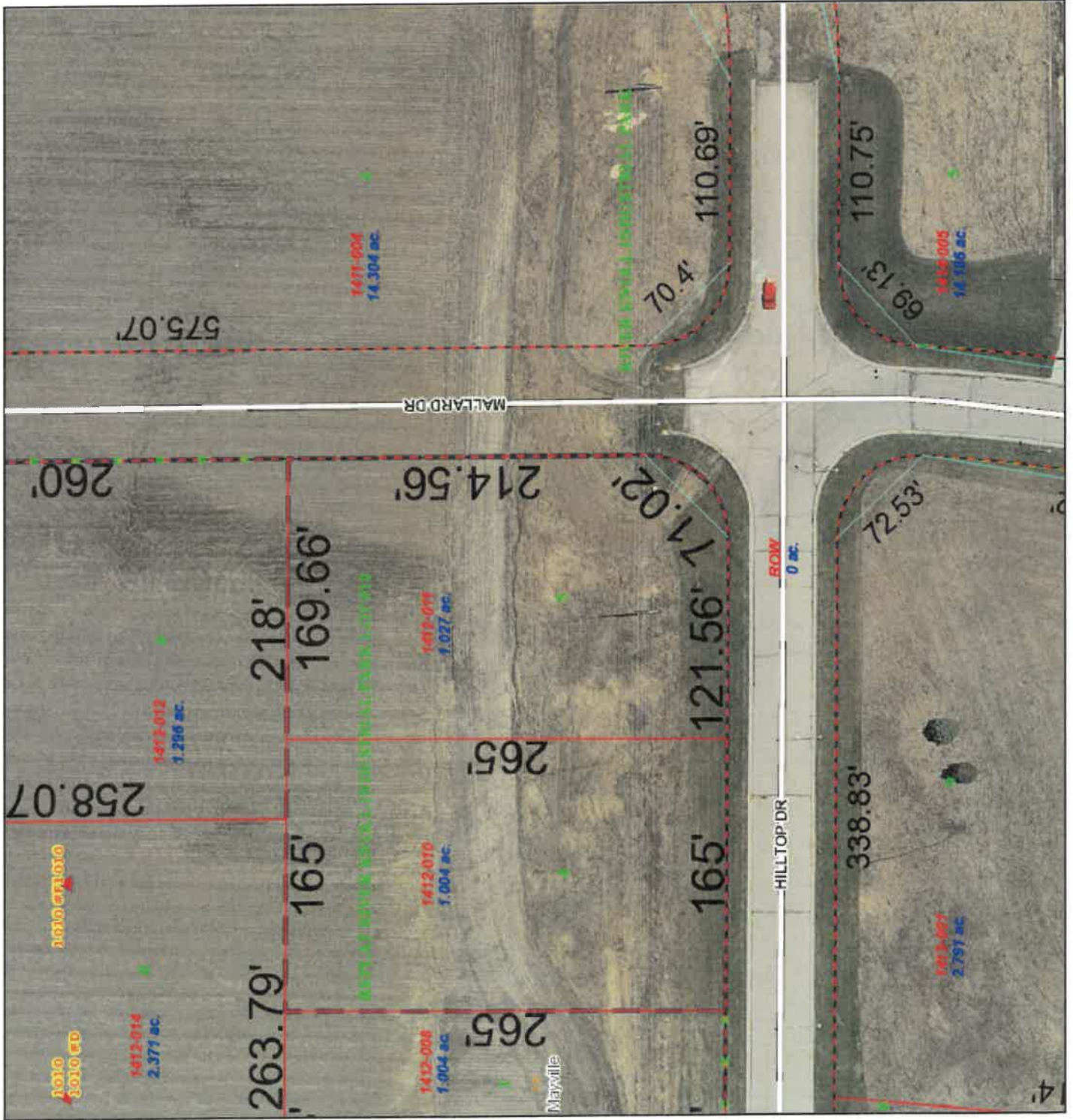
## Legend

- Parcels
- Parcel Labels
- CSM Boundaries
- CSM Lots
- Sub and Condo Lots
- Subdivisions and Condo Boundaries
- Encumbrances
- ROW
- Address Points
- Address Labels
- Driveways
- Building Footprints
- Misc Lines
- Cities and Villages (scale below 30K)
- Towns
- Sections
- State Roads
- County Roads
- Federal Roads
- Interstates
- Centerline
- Lakes and Rivers
- Horizon Marsh
- Surrounding Counties



DISCLAIMER: This map is not guaranteed to be accurate, correct, or complete and conclusions drawn are the responsibility of the user.

Author	
Date Printed	
Scale	



City of Mayville, WI  
Friday, May 19, 2023

## Chapter 430. Zoning

### Article V. Basic District Regulations

#### § 430-45. M-2 General Manufacturing District.

- A. Intent. The M-2 Manufacturing District is intended to provide for manufacturing and industrial development of a more general and less restrictive nature than the M-1 Light Manufacturing District in those areas where the relationship to surrounding land use would create fewer problems of compatibility and would not normally abut directly upon residential districts.
- B. Principal uses. Principal uses are as follows:
- (1) Those industrial uses permitted in the M-1 Light Manufacturing District.
  - (2) Processing, manufacturing and/or storage of the following, provided that the Plan Commission, in approving or disapproving proposed locations for uses under this section, shall give due consideration to the character and suitability for development of the neighborhood in which any such use is proposed to be located. The Plan Commission shall also base its decision on such evidence as may be presented regarding those attributes of the proposed use, such as increased traffic on the public streets, heavy vehicular traffic, and the emission of noise, smoke, dust or dirt, odorous or noxious gases, and the like, that would be detrimental to such character and such suitability for development.

Aircrafts and parts

Boat building and repairing

Coating, engraving and allied services

Communication equipment

Concrete and concrete products not including the manufacture of cement

Construction, mining and materials handling machinery and equipment

Cutlery, hand tools and general hardware

Electrical transmission and distribution equipment

Electric lighting and wiring equipment

Electronic components and accessories

Engines and turbines

Farm machinery and equipment

Fine earthenware, table and kitchen articles

Flat glass

Glass containers

Heating apparatus and plumbing fixtures

Household appliances

Inflammable gases, liquids, refining or manufacture of overground tank farms  
Metal cans  
Metal products, fabricated structural  
Motorcycles, bicycles and parts  
Motor vehicles and motor vehicle equipment  
Office, computing and accounting machines  
Porcelain electrical supplies  
Radio and television receiving sets  
Ready-mix concrete plants  
Screw machines products and bolts, nuts, screws, rivets and washers  
Service industry machines  
Signaling and fire control equipment  
Stove and stove products, cut  
Warehousing  
Wire products, fabricated

C. Permitted accessory uses. Permitted accessory uses are as follows:

- (1) Garages for storage of vehicles used in conjunction with the operation of an industry.
- (2) Off-street parking and loading areas.
- (3) Offices, storage, power supply, and other uses normally auxiliary to the principal industrial operations.

D. Conditional uses. Conditional uses are as follows:  
[Amended 1-10-2022 by Ord. No. 1128-2021]

Acid, ammonia, bleach, chlorine or soap manufacture  
Airports, airstrips and landing fields, provided that the site is not less than 20 acres  
Ammunition manufacture  
Asphalt, coal and coal tar or coke manufacture  
Automobile wrecking yard or junkyard  
Brick and structural clay tile  
Cement, lime, gypsum or plaster of paris  
Clay refractories  
Distillation of bones  
Electrometallurgical products  
Experimental, testing and research laboratories  
Explosives or fireworks manufacture or storage  
Fat rendering  
Fertilizer manufacture  
Forge plants  
Fur goods  
Gelatine, glue or size manufacture  
Heliports, bus and rail depots, provided that all principal structures are not less than 100 feet from any residential district boundary  
Manufacturing and processing of dimension hardwood flooring, veneer and plywood

Millwork, lumberyards, sawmills and planing mills

Paving mixtures and blocks

Slaughterhouse or stockyard

Smelting

Transmitting towers, receiving towers and relay and microwave towers without broadcast facilities or studios

Used car sales and detailing

Utilities

Wood buildings and structural members construction and prefabrication and construction of wooden containers

Wood pressing

- E. Lot area and width. Lot area and width requirements are as follows: lots shall have a minimum area of 7,200 square feet and shall not be less than 60 feet in width.
- F. Building height. Building height requirements are as follows: no building or part of a building shall exceed 50 feet in height.
- G. Yards. Yard requirements are as follows:
  - (1) Minimum street yard: 25 feet.
  - (2) Minimum side yard: 10 feet.
  - (3) Minimum rear yard: 25 feet.
- H. Site plans to be submitted to Plan Commission. Every builder of any building hereafter erected or structurally altered for manufacturing use shall, before a building permit is issued, present detailed site plans pertaining to the proposed structures to the City Plan Commission, which will approve said plans only after determining that the proposed building will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or traffic congestion or otherwise endanger the public health or safety or substantially diminish or impair property values within the neighborhood.

We are requesting conditional approval from the Planning Committee for the creation of a PUD on 5 acres of land located on Clark Street - the southern half of 305 S Clark Street (See the attached lot layout sketch). The preliminary plan of the PUD will include:

- 14 one or two home lots
- required grading, storm-water management, utilities and roadway built by the City of Mayville
- requested setbacks for the lots include a 25' front, 25' rear and a 5' for the sides
- the new roadway to match Alphyll Lane in dimension and construction specifications.

With preliminary approval the developer will work with the City of Mayville to secure the following:

- adjustments to the TID district as required
- cost effective roadway construction
- tax increment increase calculations
- development agreement
- other necessary documents
- final review of lot and zoning requirements with the planning committee.





Storm-water Pond

Wetland Reserve

14, 8,000 SF lots, and preliminary roadway layout.

st line commences at the  
in 475.35, but feet that  
aving distance of 475.35' or  
x's of 16th line which would  
boundary of Mayville and  
showing the east line being



## North Third of Leona Street Vacation

We are requesting conditional approval from the Planning Committee for the vacation of Leonna Street with the street lands being allocated to adjacent land owners on a pro-rata basis. Additionally we are asking for two driving entrances to serve two lots at the eastern end of Valley Street. See the attached sketch.

With conditional approval of the Planning Committee the City can review the process and costs.



Roadway Area to be vacated in blue

Driveway Locations

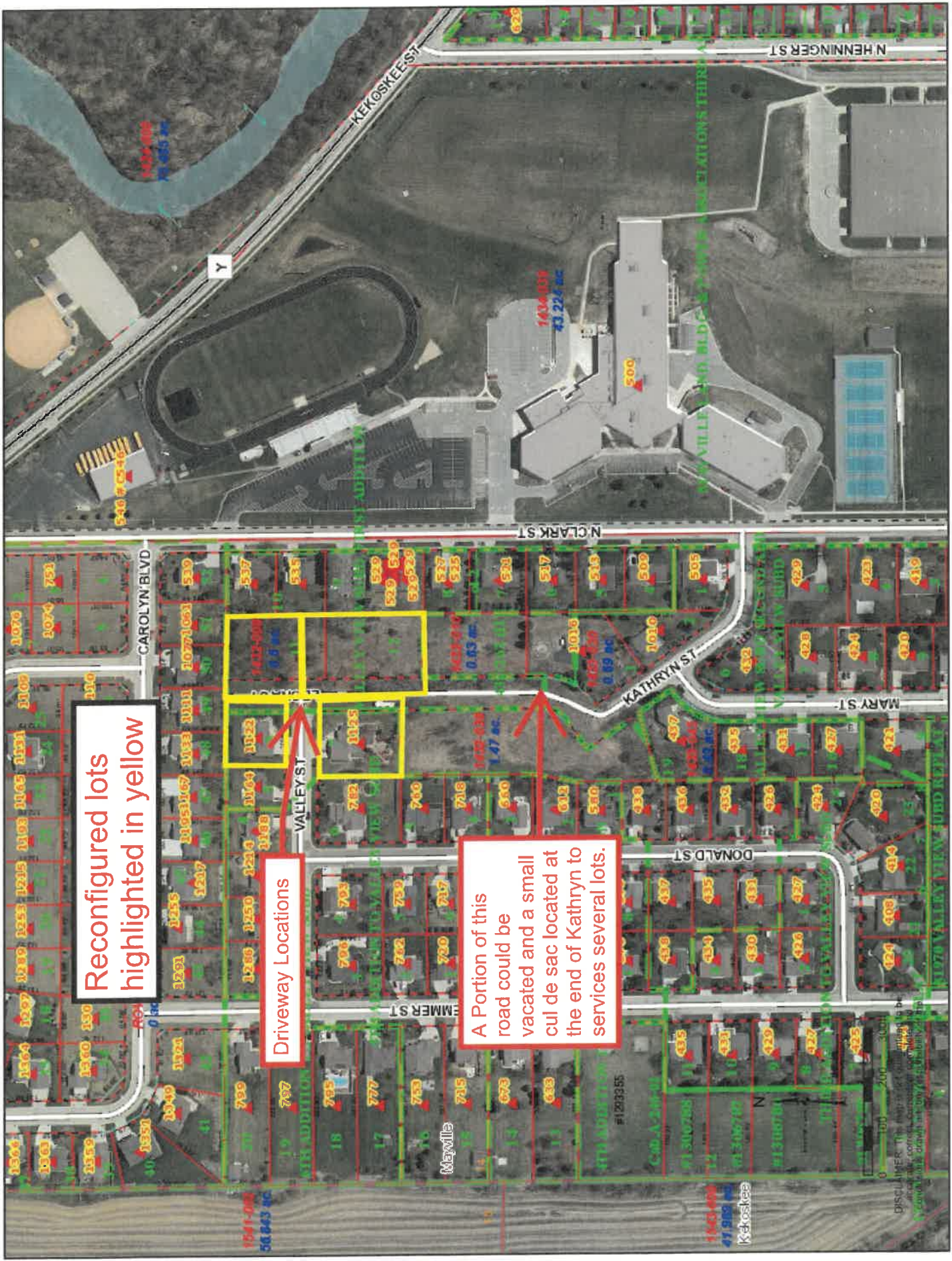




Reconfigured lots highlighted in yellow

Driveway Locations

A Portion of this road could be vacated and a small cul de sac located at the end of Kathryn to services several lots.



DISCLAIMER: This map is for informational purposes only and does not constitute an offer of any financial product. Please consult your advisor for more information.

# VACATIONS

## PROCESS

### Application

The circuit court of the county in which the subdivision plat (plat) or Certified Survey Map (CSM) is located may vacate or alter, all or part of, a recorded plat or CSM when:

- The owner of the plat or CSM or the owner of any lot therein applies to the circuit court for a vacation.
- The county board applies to the circuit court if the county has any interest in the subdivision plat or CSM or any lot therein by tax deed.

s. 236.40 &  
s. 236.34 (4),  
Wis. Stats

A recorded plat may be replatted under s. 236.36 without undertaking the court proceedings set forth in 236.40, 236.41 and 236.42, when the replat complies with the requirements of ch. 236 applicable to original plats and does not alter areas dedicated to the public. (58 Atty. Gen. 145)

### Notice

Notice of the application for the vacation or alteration of a plat or CSM must be given at least 3 weeks before the application is submitted to the circuit court by:

- Posting the written notice in at least 2 of the most public places in the county; **and**
- Publishing a "Class 3 Notice" as per Ch. 985 Wis. Stats. (see example this section); **and**
- Serving notice to the municipality or town (and county if population exceeds 500,000) in the manner required for the service of a summons in the circuit court; **and**
- Mailing a copy of the notice to the owners of record of all the lots in the plat or CSM or the part thereof proposed to be vacated or altered at their last known address.

s. 236.41, Wis.  
Stats.

**A "Class 3 Notice" requires "3 Insertions".**  
*Insertion is defined as "once per week, for the required number of weeks (3, for a class 3 notice), the last of which shall be at least one week prior to the meeting or event, unless otherwise specified by law"*

## VACATIONS

### **PROCESS**

#### **Orders**

s. 236.42, Wis. Stats.

The circuit court may grant an order vacating or altering a plat or CSM or part thereof after:

- Receiving proof that the notices required by s. 236.41, Stats., have been given; *and*
- Hearing from all interested parties.

s. 236.42 (1) (a&b), Wis. Stats.

The circuit court may grant an order vacating or altering a plat or CSM or part thereof except for:

- Areas dedicated to and accepted by the public for public use (except as provided in s. 236.43, Stats., next page).
- Alleys at the rear of lots fronting on county or state trunk highways without the prior approval of the county board or the Department of Transportation.

*Whenever any public roadway or public land is vacated or discontinued, the easements and restrictions over the described land continue.*

*If easements and restrictions are to be released, a "written release," by the public body or utility having the right of enforcement, must be made part of the vacation or discontinuance.*

*The "written release" must be referenced in the resolution, ordinance or court order.*



## VACATIONS

### **PROCESS**

#### **Areas dedicated to the public**

The circuit court may vacate streets and roads if:

- The plat or CSM was recorded 40 years before the application is filed; *and*
- The streets and roads were never improved; *and*
- The streets and roads are not necessary to reach platted property; *and*
- All of the owners of land in the plat or CSM or part thereof sought to be vacated, and the municipality or town in which the street or road is located, have all joined the application for vacation.

The circuit court may vacate platted public parks and public land in a city, village or town if:

- The land was never developed or used by the municipality or town for a park or public area so designated on the plat; *and*
- The municipality or town files an application for vacation with the circuit court.

**Public access to navigable water** established under Ch. 236, Wis. Stats. may only be vacated by circuit court action.

*Section 236.36 permits the replat of a part of a previously recorded subdivision plat, without circuit court action, when the only areas dedicated to the public in that portion of the original subdivision being replatted, were discontinued streets fully and properly vacated under s. 66.1003. (63 Atty. Gen. 210)*

s. 236.43, Wis. Stats.

s. 236.16 (3), Wis. Stats.

## VACATIONS

### EXAMPLE OF CLASS 3 PUBLIC NOTICE FOR VACATION OF PUBLIC ACCESS

#### NOTICE - TOWN OF FRANCE

The APPLICATION FOR VACATION OF THE PUBLIC ACCESS TO LAKE HAWKINS located in the Second Addition to Yokum Cove, Town of France, Kickapoo County, Wisconsin will be on file in the Town Hall, 123 Jubilation Drive, telephone 987-3456, and the United States Post Office, Village of Dogpatch, telephone 987-7890, for a period of 30 days commencing January 2, 2000 for public inspection in accordance with Section 236.41, Wis. Stats. Persons interested in inspecting this application may do so Monday through Friday from 7:45 a.m. to 11:30 a.m. and from 12:30 p.m. through 4:00 p.m., after which the application for vacation will be presented to the Town Board of the Town of France on February 2, 2000 to hear all interested parties and act on a resolution authorizing said vacation. Following the passage of said resolution the matter will be presented to the Circuit Court of the County of Kickapoo for the hearing of all interested parties and the order of vacation.

Sam Sickleblade Town Chair, Town of France

Charlie Augerhandle, Clerk Town of France

Publish: January 2, 2000

# VACATIONS

## SAMPLE VACATION RESOLUTION

### RESOLUTION AND ORDER VACATING UNPAVED ALLEY

RE: Vacation of a portion of an unpaved alley located within Block One (1) of the First Addition to the Village of Stone Lake

This matter came on for hearing on the 13<sup>th</sup> day of September, 2005 before the Town Board of the Town of Sand Lake, and the petitioner appearing in person and by Ward Wm. Winton, his attorney.

The Town having filed its Findings of Fact and Conclusions of Law.

NOW, THEREFORE, the Town adopts the following resolution and order:

RESOLVED, The application for vacation of unpaved alley submitted to the Town of Sand Lake by Steven A. Friendshuh, petitioner, dated August 3, 2005, be and is hereby granted; and,

The following alley, pursuant to the provisions of Section 66.1003(3) and 66.1003(7), Wis. Stats., be and is hereby vacated this 13<sup>th</sup> day of September, 2005:

The unpaved alley which bisects Block One (1) of the First Addition to the Village of Stone Lake, according to the Plat of Survey of said alley and abuts on Lots One (1) through Twelve (12), Block One (1), inclusive. Said alley is located entirely within Block One (1) of the First Addition to the Village of Stone Lake, and is further located within Section Nineteen (19), Township Thirty-nine (39) North, Range Nine (9) West.

A copy of the Plat of Survey of said alley and Block One (1) are attached hereto and made a part hereof and are incorporated herein by reference.

Dated this 13<sup>th</sup> day of September, 2005.

*Elsaine Nyberg*  
Elsaine Nyberg, Clerk  
Town of Sand Lake

State of Wisconsin )  
                                  ) ss.  
Sawyer County      )

Personally came before me this 13<sup>th</sup> day of September, 2005, the above named Elsaine Nyberg, to me known to be the person who executed the foregoing instrument and acknowledged the same, and who further certified, as Clerk of the Town of Sand Lake, that the foregoing resolution is a true and correct copy of the resolution passed at the Town meeting of the Town of Sand Lake on September 13, 2005.

*Ward Wm. Winton*  
Ward Wm. Winton  
Notary Public, State of Wisconsin.  
My commission is permanent.



This document drafted by:  
Ward Wm. Winton  
Attorney at Law  
State Bar of Wisconsin Member No. 1013645  
P.O. Box 796, 15842 West Second Street  
Hayward WI 54843  
715/634-4450

PAULA CHISSER SAWYER COUNTY, WI REGISTER OF DEEDS	
333475	
09/15/2005 2:20 PM	
RECORDING FEE	13.00
Pages	2
WARD WM. WINTON, ATTY P.O. Box 796 Hayward, WI 54843	
Parcel Identification No. 025-191-01 0100 This is not homestead property.	

# VACATIONS

## A GUIDE TO VACATING A PUBLIC DEDICATION WITHIN RECORDED SUBDIVISION PLAT OR CSM

- 1) Identify area to be vacated.
- 2) Identify owners affected by proposed vacation.
- 3) Contact local unit of government (usually Corporation Counsel) in which proposed vacation lies.
- 4) Draft application for vacation of public area:
  - A. Assemble evidence that the required conditions have been met and that the proposed vacation complies with statutory provisions.
  - B. Prepare map to exhibit area to be vacated.
  - C. Draft petition for vacation and obtain signatures of owners.
- 5) Present draft application to the local unit of government (usually Corporation Counsel) to be assembled into a resolution for public to view.
- 6) Provide Public Notification in accordance with statutory provisions by:
  - A. Posting notice in at least 2 of the most public places in county.
  - B. Publishing a "Class 3 Notice".
  - C. Serving notice in the form of a summons to the municipality or town.
  - D. Mailing a copy of the written notice to owners of record.
- 7) A minimum of 1 week following the minimum time for public notification, schedule a public hearing with the legislative body of the local unit of government.
- 8) Offer resolution authorizing vacation to local legislative body for adoption.
- 9) If resolution is adopted, present resolution, proof of notification, and other supporting documentation to Circuit Court for that jurisdiction for final hearing and court order.
- 10) Recording Court Order: The Applicant shall record in the office of the Register of Deeds the Court Order and a map showing the part of the plat or CSM being vacated or altered.