

# PLAN COMMISSION AGENDA

February 16, 2015  
5:30 p.m.

**Meeting Rooms D & E**  
City-County Government Center

160 South Macy Street  
Fond du Lac, Wisconsin

## I. OPENING CEREMONIES

- A. Attendance
- B. Declaration Quorum Present

## II. APPROVAL OF MINUTES

December 8, 2014

## III. PUBLIC HEARING

### STREET VACATION

Effect: Vacation of public right-of-way  
Location: Bragg Street west of Peters Avenue  
Initiator: Tammy Nelson

## IV. CERTIFIED SURVEY MAP

Effect: Dedication of public land  
Location: Rienzi Road east of DeNeveu Creek  
Initiator: Jeffrey Berenz/REVEST, LLC

## V. ADJOURN

“The City of Fond du Lac provides equal opportunities and services to all individuals, including those individuals with disabilities.”

# PLAN COMMISSION MINUTES

December 8, 2014  
5:30 P.M.

Meeting Rooms F & G  
City-County Government Center

160 South Macy Street  
Fond du Lac, Wisconsin

## OPENING CEREMONIES

ROLL CALL: Present: Hertha Longo  
Lee Ann Lorrigan  
Stan Ramaker  
Jordan Skiff  
Brent Schumacher  
David Washkoviak  
Marilyn Zangl  
Nicole Wiese

Absent: Sarah Van Buren (excused)

Administrative Staff: Joellyn Dahlin, Principal Planner  
Paul De Vries, City Engineer

Chairperson Washkoviak declared a quorum present.

## APPROVAL OF MINUTES

### November 17, 2014

Motion made by Commissioner Skiff to approve the November 17, 2014 minutes of the Plan Commission as presented.

Seconded by Commissioner Lorrigan.

ROLL CALL VOTE: Aye - Longo, Lorrigan, Ramaker,  
Skiff, Schumacher,  
Washkoviak, Zangl

Nay - None

Carried.

## PUBLIC HEARING

### REZONE

Effect: Rezone Property from M-1 (Industrial) to O  
(Office District)

Location: 490 W Rolling Meadows Drive

Initiator: Home Builder's Association of Fond du Lac and  
Dodge Counties





## PUBLIC HEARING

NOTICE IS HEREBY GIVEN, under the provision of s.66.1003(8), Wisconsin Statutes that the Plan Commission will conduct a Public Hearing at 5:30 p.m., on February 16, 2015 in Meeting Rooms D&E of the City-County Government Center, 160 South Macy Street to consider the petition of the City of Fond du Lac to vacate the following described street:

An unimproved portion of Bragg Street being a part of the Evans Heights Addition plat located in the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 16, Town 15 North, Range 17 East, City of Fond du Lac, Fond du Lac County, Wisconsin and being more particularly described as follows;

Commencing at the Northwest corner of the Northeast  $\frac{1}{4}$  of said Section 16, which is also known as the Northwest corner of said Evans Heights Addition plat, as recorded in Volume 11, Page 15, Plats, Fond du Lac County Register of Deeds on March 24, 1959, thence South  $00^{\circ}16'$  West along the West line of said Plat, a distance of 638.24 feet to the Southwest corner of Lot 11 of said Plat and the Point of Beginning for this description; thence South  $87^{\circ}57'$  East along the South line of said Lot 11 and the North line of said Bragg Street, a distance of 93.85 feet to the Southeast corner of said Lot 11 and the West line of Peters Avenue; thence Southerly, a distance of 30.04 feet along the arc of a curve to the left, which is also the Southerly extension of said West line of Peters Avenue, having a radius of 553.35 feet and a chord which bears South  $05^{\circ}03'24''$  West, a distance of 30.04 feet to the South line of said plat and the Westerly extension of the centerline of said Bragg Street; thence North  $87^{\circ}57'$  West along said South line and said Westerly extension, a distance of 91.33 feet to the Southwest corner of said Plat; thence North  $00^{\circ}16'$  East along the West lines of said Plat and said Bragg Street, a distance of 30.01 feet to the Southwest corner of said Lot 11 and the Point of Beginning. The above described parcel contains 0.064 acres (2,773 square feet) more or less of land.

FURTHER NOTICE IS GIVEN that the City Council of the City of Fond du Lac, Wisconsin will receive the Plan Commission report and take final action by resolution at its February 25, 2015 meeting starting at 6:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Dated this 7th day of January, 2015

Maggie Hefter  
City Clerk

Publish: February 8<sup>th</sup>, 9<sup>th</sup>, and 10th, 2015

PETITION FOR DISCONTINUANCE OF A STREET

TO: CITY COUNCIL  
CITY OF FOND DU LAC  
FOND DU LAC, WISCONSIN

The undersigned, your petitioners, constituting all of the owners of the lots and lands abutting upon and more than one third (1/3) of the owners of the frontage of the lots and land abutting on the remainder which lies within 2,650 feet of the ends thereof, respectfully request that your honorable body take such action as will discontinue or vacate the following described street in accordance with the provisions of Section 66.296 (1) of the Wisconsin Statutes.

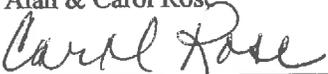
EXHIBIT A

Description of Street to Be Vacated

An unimproved portion of Bragg Street being a part of the Evans Heights Addition plat located in the Northwest 1/4 of the Northeast 1/4 of Section 16, Town 15 North, Range 17 East, City of Fond du Lac, Fond du Lac County, Wisconsin and being more particularly described as follows;

Commencing at the Northwest corner of the Northeast 1/4 of said Section 16, which is also known as the Northwest corner of said Evans Heights Addition plat, as recorded in Volume 11, Page 15, Plats, Fond du Lac County Register of Deeds on March 24, 1959, thence South 00°16' West along the West line of said Plat, a distance of 638.24 feet to the Southwest corner of Lot 11 of said Plat and the Point of Beginning for this description; thence South 87°57' East along the South line of said Lot 11 and the North line of said Bragg Street, a distance of 93.85 feet to the Southeast corner of said Lot 11 and the West line of Peters Avenue; thence Southerly, a distance of 30.04 feet along the arc of a curve to the left, which is also the Southerly extension of said West line of Peters Avenue, having a radius of 553.35 feet and a chord which bears South 05°03'24" West, a distance of 30.04 feet to the South line of said plat and the Westerly extension of the centerline of said Bragg Street; thence North 87°57' West along said South line and said Westerly extension, a distance of 91.33 feet to the Southwest corner of said Plat; thence North 00°16' East along the West lines of said Plat and said Bragg Street, a distance of 30.01 feet to the Southwest corner of said Lot 11 and the Point of Beginning. The above described parcel contains 0.064 acres (2,773 square feet) more or less of land.

End of Description.

<u>NAME</u>	<u>ABUTTING PROPERTY</u>	<u>FOOTAGE</u>
 Alan & Carol Rose	95 Lennora Crescent	30.01'
		

<u>NAME</u>	<u>ABUTTING PROPERTY</u>	<u>FOOTAGE</u>
<u>Tammy Nelson</u> Tammy Nelson	128 S. Peters Avenue	93.85'
<u>Wendy Brockert</u> Wendy Brockert, Fond du Lac School District Dir. of Business Services	140 South Peters (Evans School)	91.33'
<u>John Williams</u> John Williams, Fond du Lac School District Coor. of Facility Services	140 South Peters (Evans School)	91.33
_____	140 South Peters (Evans School)	91.33
_____	, Fond du Lac School District	

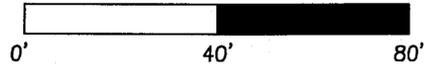
.333 x 5,103.44 = 1,699.44 feet in any combination  
of affected property owners footage

NW CORNER EVANS HEIGHTS ADDITION PLAT &  
NW CORNER-NORTHEAST 1/4 SECTION 16, T15N, R17E

N LINE NORTHWEST 1/4 SECTION 16, T15N, R17E

N LINE EVANS HEIGHTS ADDITION PLAT /  
N LINE NORTHEAST 1/4 SECTION 16, T15N, R17E

**AREA OF VACATION**  
0.064 ACRES  
2,773 SF



SCALE: 1"=40'

BEARINGS REFERENCED TO EVANS HEIGHTS ADDITION  
PLAT. ALL BEARINGS ARE TRUE BEARINGS, COMPUTED  
FROM POLARIS OBSERVATION ON OCT. 13, 1958".

S00°16'W  
638.24'

E LINE BILLY P. MORRIS ADDITION PLAT  
W LINE EVANS HEIGHTS ADDITION PLAT

LOT 6

LOT 12

LOT 7

LOT 11

LOT 8

P.O.B.

S87°57'E 93.85'

N00°16'E  
30.01'

BRAGG STREET  
PROPOSED VACATION

DELTA ANGLE=3°07'  
ARC=30.04', RADIUS=553.35'  
CHORD BEARING=S05°03'24"W  
CHORD=30.04'

N87°57'W 91.33'

S LINE EVANS HEIGHTS  
ADDITION PLAT

W LINE NORTHEAST 1/4  
SECTION 16, T15N, R17E

EVANS ELEMENTARY SCHOOL

DRAWN BY: MPB  
DATE: 2/12/14  
REVISION BY: -  
DATE: -

ACAD FILE: Bragg Street - Exhibit B.dwg

# EXHIBIT B

MAP OF STREET TO BE VACATED



Fond du Lac  
First on the Lake

Department of Public Works  
Engineering & Traffic Division  
City of Fond du Lac, Wisconsin  
Phone: 920-322-3470  
Fax: 920-322-3471

VACATION OF RIGHT-OF-WAY – BRAGG STREET



PROPOSED AREA OF STREET VACATION

# ***CITY OF FOND DU LAC - Memorandum***

---

Department of Community Development

**Date:** January 14, 2015

**To:** Plan Commission

**From:** Joellyn Dahlin, Principal Planner  
Paul DeVries, City Engineer

**Re:** Petition for Street Vacation – Bragg Street

The street area proposed for vacation is an unimproved segment of Bragg Street west of South Peters Avenue. The street area extends along the south lot line of 128 South Peters Avenue and provides access to the driveway for that home. The gravel street area is 30' wide, half of the 60' right-of-way of Bragg Street east of South Peters Avenue.

The owner of 128 South Peters Avenue has initiated a petition to vacate the subject right-of-way segment. Two abutting owners have signed the petition for vacation. The right-of-way area serves no purpose except to provide driveway access for 128 South Peters. If approved, the street vacation would affect only 128 South Peters Avenue. There are no utilities within the right-of-way area that would require easements.

<b>Recommendation</b>
-----------------------

Community Development and City Engineering staff suggests the Plan Commission recommend to the City Council vacation of the right-of-way area as proposed.

## Public Notification - Petition for Street Vacation

### Bragg Street Request to Vacate

Parcel Number	Mailing Address 1	Mailing City	Mailing State	Mailing Zip	Site Address
FDL-15-17-16-12-270-00	636 GRAND REGENCY BLVD	BRANDON	FL	33510	122 S PETERS AVE
FDL-15-17-16-12-271-00	128 S PETERS AVE	FOND DU LAC	WI	54935	128 S PETERS AVE
FDL-15-17-16-21-081-00	72 W 9TH ST	FOND DU LAC	WI	54935	140 S PETERS AVE
FDL-15-17-16-21-006-00	308 LUKE LN	DANE	WI	53529	91 LENNORA CRES
FDL-15-17-16-21-007-00	95 LENNORA CRESCENT	FOND DU LAC	WI	54935	95 LENNORA CRES

# CERTIFIED SURVEY MAP

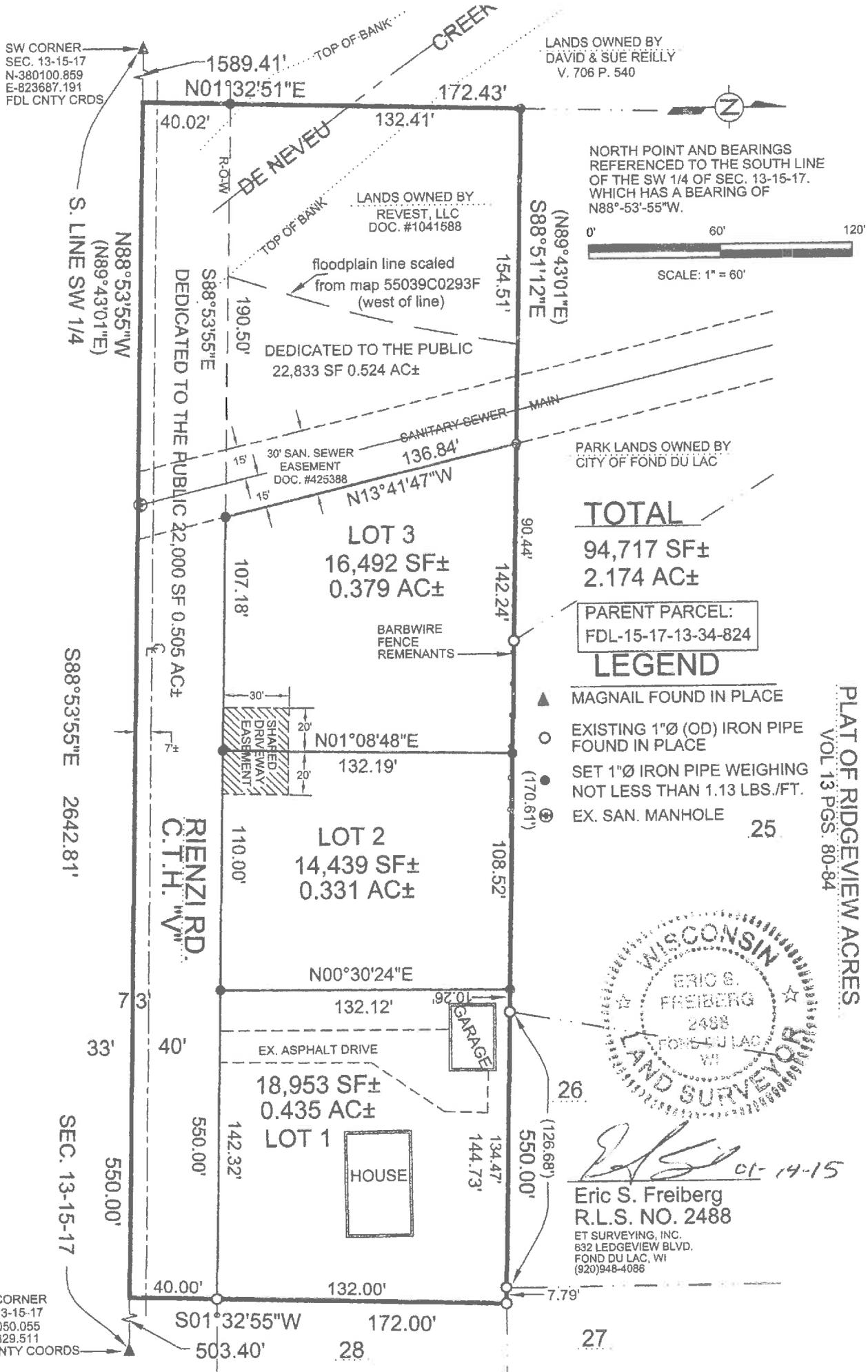
FOR  
 JEFFREY BERENZ OF REVEST, LLC.  
 OF UNPLATTED LAND ALL BEING LOCATED IN THE  
 SOUTHEAST 1/4 OF THE SOUTHWEST 1/4  
 SECTION 13, T. 15 N. - R. 17 E.,  
 CITY OF FOND DU LAC, FOND DU LAC COUNTY, WISCONSIN

CERTIFIED SURVEY MAP NO.

VOLUME

PAGE

SHEET 1 OF 3



PLAT OF RIDGEVIEW ACRES  
 VOL 13 PGS. 80-84



*Eric S. Freiberg*  
 01-14-15  
**Eric S. Freiberg**  
 R.L.S. NO. 2488  
 ET SURVEYING, INC.  
 632 LEDGEVIEW BLVD.  
 FOND DU LAC, WI  
 (920)948-4086

# CERTIFIED SURVEY MAP

A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13 BEING  
LOCATED IN TOWNSHIP 15 NORTH - RANGE 17 EAST, CITY OF FOND DU LAC,  
FOND DU LAC COUNTY, WISCONSIN

## SURVEYOR'S CERTIFICATE

I, Eric S. Freiberg, Registered Land Surveyor of the State of Wisconsin, hereby certify that by the direction of Jeff Berenz of REVEST, LLC, I have surveyed and mapped a parcel of land being located in the Southeast 1/4 of the Southwest 1/4 of Section 13 in Township 15 North-Range 17 East, City of Fond du Lac, Fond du Lac County, Wisconsin, being more particularly described as follows:

Commencing at the Southwest corner of said Section 13; thence South 88°-53'-55" East along the South line of the Southwest 1/4 of said Section 13, 1589.41 feet to the Point of Beginning; thence North 01°-32'-51" East along the West line of the lands recorded in Document #1041588 of the Fond du Lac County Register of Deeds Office, 172.43 feet to the North line of said lands recorded in Document #1041588 (also being the South line of the City of Fond du Lac Park Lands and a South line of the Plat of Ridgeview Acres as recorded in Plats in Volume 13 Pages 80-84 of the Fond du Lac County Register of Deeds Office when extended Westerly); thence South 88°-51'-12" East along said North line, 550.00 feet to the East line of said lands recorded in said Document #1041588 (also being a West line of said Ridgeview Acres Plat); thence South 01°-32'-55" West along said East line, 172.00 feet to the South line of said Southwest 1/4; thence North 88°-53'-55" West along said South line, 550.00 feet to the Point of Beginning and containing 2.174 Acres (97,717 Sq. Ft.) of land more or less, and being subject to all easements and restrictions of record.

That such is a correct representation of all exterior boundaries of the land surveyed.

That I have fully complied with the provisions of Chapter 236.34 of the State of Wisconsin Statutes and the City of Fond du Lac regulations in surveying and mapping the same.



  
01-14-15  
Eric S. Freiberg R.L.S. No. 2488  
ET Surveying, INC.  
632 Ledgeview Blvd.  
Fond du Lac, WI

## CITY OF FOND DU LAC PLAN COMMISSION CERTIFICATE

Approved by the City of Fond du Lac Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
City Clerk

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

VOLUME \_\_\_\_\_

PAGE \_\_\_\_\_

SHEET 2 OF 3

# CERTIFIED SURVEY MAP

A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13 BEING  
LOCATED IN TOWNSHIP 15 NORTH - RANGE 17 EAST, CITY OF FOND DU LAC,  
FOND DU LAC COUNTY, WISCONSIN

## OWNER'S CERTIFICATE OF DEDICATION

As owner(s), we hereby certify that we consented to the land described on this plat to be surveyed, dedicated and mapped as represented on the plat. We also certify that this plat is required by S.236.10 or 236.12 to be submitted to the following for approval or objection.

1) City of Fond du Lac

WITNESS the hand and seal of said owner(s) this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.

In the presence of

\_\_\_\_\_  
\_\_\_\_\_

Jeffrey Berenz  
(Managing Partner, REVEST, LLC)

STATE OF WISCONSIN)  
SS  
FOND DU LAC COUNTY)

Personally came before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_ the above named to me known to be the persons who  
executed the foregoing instrument and acknowledged the same.

Notary Public  
My commission expires: \_\_\_\_\_



*[Signature]*  
01-14-15

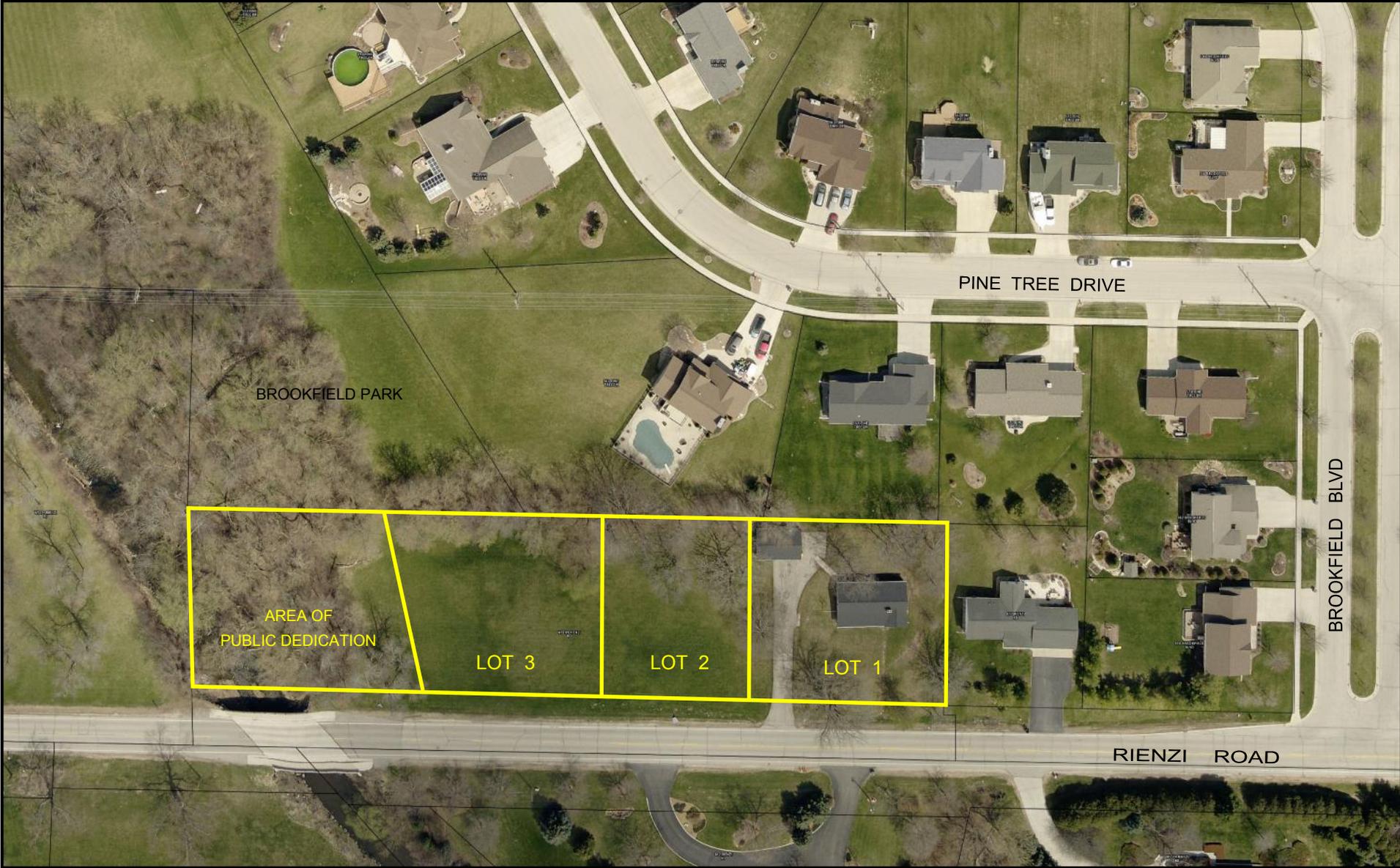
CERTIFIED SURVEY MAP NO. \_\_\_\_\_

VOLUME \_\_\_\_\_

PAGE \_\_\_\_\_

SHEET 3 OF 3

CERTIFIED SURVEY MAP - BERENZ



# ***CITY OF FOND DU LAC - Memorandum***

---

Department of Community Development

**Date:** February 4, 2015

**To:** Plan Commission

**From:** Joellyn Dahlin, Principal Planner  
Paul DeVries, City Engineer

**Re:** Certified Survey Map – Jeffrey Berenz

The area affected by the certified survey map is 2.174 acres of land on Rienzi Road east of DeNeveu Creek. The property was recently annexed to the City and is zoned for single family residential use. The property is mostly undeveloped except for a single family home and detached garage located at the easternmost end of the property.

The certified survey map proposes to divide the property for three residential lots. Lot 1 creates a parcel for the existing dwelling and garage. Lots 2 and 3 allow the potential for a new home on each property.

In addition to the three lots, the certified survey map provides a public land dedication along DeNeveu Creek and adjacent to Brookfield Park. The .523-acre land dedication would extend the existing limit of the park land to Rienzi Road, and also provide access along the creek for flood control and maintenance of the stream channel. The area of dedication considers the location of an existing sanitary sewer easement, whereby the land between the sewer easement and the creek is not usable for residential development. The public land dedication requires City Council approval.

<b>Recommendation</b>
-----------------------

Community Development and City Engineering staff suggests the Plan Commission recommend to the City Council acceptance of the public dedication and approval of the certified survey map, subject to the following condition:

1. Technical revisions to the certified survey map to meet requirements of the subdivision code shall be completed prior to recordation.