

Date: November 5, 2020

To: Village of East Troy Plan Commission

From: Tim Schwecke, AICP, Zoning Administrator

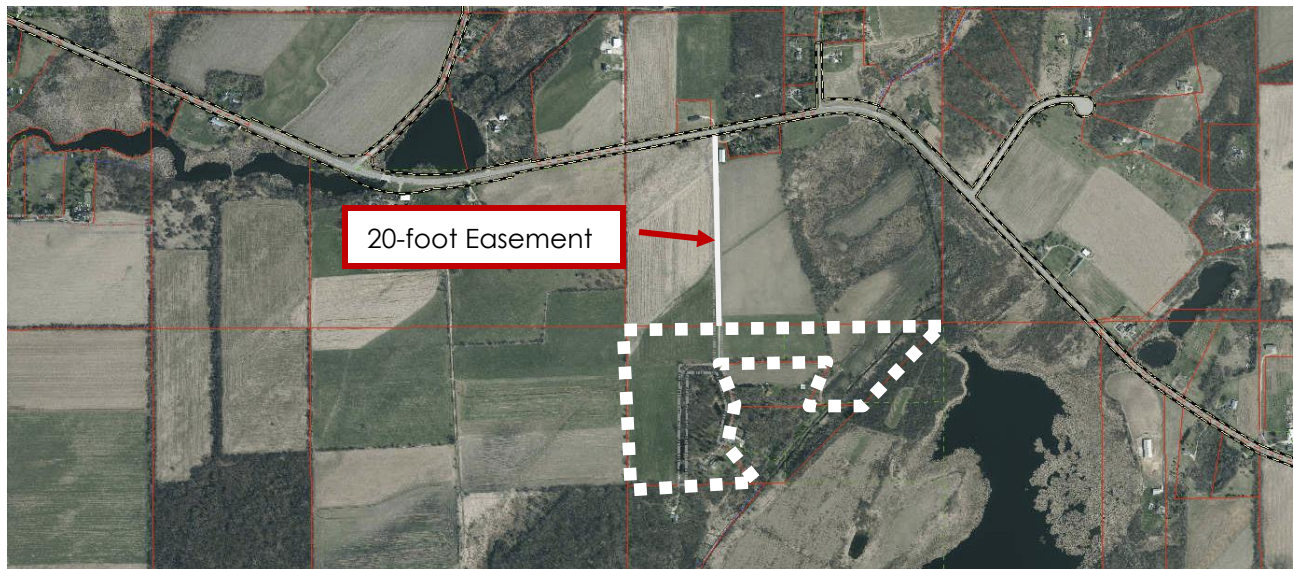
Subject: Three-lot certified survey map (CSM) for extraterritorial review for land in Town of East Troy located in Section 26, Town of East Troy (P ET2600003); Middleton Family Revocable Trust (Juli Markham, agent)

Application: 2020-20; <https://s.zoninghub.com/KEFUR6YRHY>

Meeting: November 9, 2020 Plan Commission meeting

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**General Description** The applicant owns the subject property south of STH 20. The subject property has access via an easement that extends to STH 20 (a distance about 1,555 feet).



The Village of East Troy has extraterritorial review authority because the subject property is within 1.5 miles of the Village's municipal boundary. Section 495-16 of the municipal code governs the review of land divisions in the Village's extraterritorial review authority. [Link to s. 495-16.](#)

**Lot size** Three residential lots are proposed ranging in size from 5.1 acres to 32 acres. As set forth in s. 495-16(C)1 the maximum lot size is 100,000 square feet (about 2.3 acres). Lots larger than that may be allowed provided the lots remain undeveloped.

**Access** The proposed lots do not front on a public street as required in s. 495-46(C) of the municipal code.

As set forth in s. 495-16(C)(5), the Village Board, upon Plan Commission recommendation, may on a case-by-case basis exempt one or more of the proposed lots from one or more of the specific standards in s. 495-46 relating to the design of lots.

**Village review procedures** With regard to land divisions, the Plan Commission is advisory to the Village Board. The Plan Commission may recommend (1) approval, (2) approval with conditions, or (3) denial of the application. If approval is recommended, the Plan Commission can impose conditions deemed necessary to protect the public health, safety, and welfare.

**Public Notice** Aside from being included on the meeting agenda, no other public notice is required.

**Proposed motion:** Recommend to the Village Board the denial of the proposed certified survey map based on a finding that the proposed lots do not meet the requirements in s. 495-46(C) of the municipal code with regard to frontage on a public street and the requirements in s. 495-16(C) 1 with regard to lot size

**Attachments:**

1. Proposed CSM



**Overview:** The Village of East Troy has adopted land divisions regulations (Chapter 495 of the municipal code) to regulate subdivisions, condominiums, and certified survey maps within the Village and within 1.5 miles of the municipal boundary (i.e., extraterritorial plat review in surrounding towns).

**Governing regulations:** The procedures and standards governing the review of this application are found in Chapter 495 of the Village's municipal code.

**General instructions:** Complete this application and submit five copies to the Village Clerk at the mailing address shown above. Before you formally submit your application, you are encouraged to meet with the zoning administrator who can answer any questions you may have. If you have any questions, do not hesitate to contact the zoning administrator at (920) 728-2814 or via email at [tim.schwecke@civitekconsulting.com](mailto:tim.schwecke@civitekconsulting.com). You may download this form at <http://villageofeasttroy.zoninghub.com/highlights/procedures/procedure.aspx>.

**Application fee:** \$150 plus \$5 per lot (per unit for condos) and charges for professional services

**Application submittal deadline:** Applications must be submitted by the second Monday of the month by 12:00 pm at the Village Hall.

1. Petitioner:

	Property Owner	Developer
Name	Juli Markham - Middleton Family Irrevocable Trust	
Street Address	PO BOX 252	
City, State, Zip Code	East Troy, WI 53120	
Daytime telephone number	262-352-9663	
Email	markham7123@gmail.com	

2. Agent contact information: Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	Agent 1	Agent 2
Name	Mike Greeson	
Company	V2G Surveying	
Street Address	123 Wolf Run Suite 4	
City, State, Zip Code	East Troy, WI 53120	
Daytime telephone number	262-378-5097	
Email	MikeG@v2g-surveying.com	

3. Type of application (select one)

☒ Certified Survey Map (CSM)

☒ Create Additional Parcels

☐ Merge Two Adjoining Parcels

☐ Modify The Loft Line Between Two Adjoining Parcels

☐ Preliminary Plat

☒ Extraterritorial



4. Subject property information

Physical Address W843 Hwy 20 East Troy, WI 53120

Tax key number(s) PA 204300001 PET 2600003

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Village Clerk.

5. Zoning information (refer to the Village's current zoning map)

The subject property is located in the following base zoning district(s). (check all that apply)

- ☐ RH-35 Rural Holding
- ☐ TR-8 Two-Family Residential
- ☐ NB Business Park
- ☐ SR-3 Estate Residential
- ☐ AR-9 Attached Residential
- ☐ HB Highway Business
- ☐ SR-4 Suburban Residential
- ☐ MR-10 Multi-Family Residential
- ☐ CB Central Business
- ☐ SR-5 Neighborhood Residential
- ☐ MHR-6 Mobile Home Residential
- ☐ BP Business Park
- ☐ SR-6 Traditional-Front Residential
- ☐ LI Light Industrial
- ☐ SR-7 Traditional-Rear Residential
- ☐ GI General Industrial

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- ☐ PD Planned Development
- ☐ GP Groundwater Protection
- ☐ FP 100-Year Floodplain
- ☐ DD Downtown Design
- ☐ NFC Natural Features Conservan
- ☐ FP 500-Year Floodplain
- ☐ SW Shoreland-Wetland

6. Adjoining land uses and zoning

	Zoning district(s)	Current Uses
North	<u>A1</u>	<u>FARMING</u>
South	<u>C2</u>	<u>HOUSING</u>
East	<u>A1</u>	<u>FARMING</u>
West	<u>A1</u>	<u>FARMING</u>

7. Preliminary Checklist (§ 495-17 of the land division regulations)

(All yes answers must be explained in detail by attaching maps and supporting documentation describing the impacts of the proposed development.)

Yes	No	I Land resources. Does the site involve the following?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Changes in relief and drainage patterns (attach a topographic map showing, at a minimum, 2-foot contour intervals)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	A landform or topographic feature of local or regional interest
<input type="checkbox"/>	<input checked="" type="checkbox"/>	A floodplain [if yes attach 2 copies of a typical stream valley cross section showing the channel of the stream, the 100-year floodplain limits and the floodway limits (if officially adopted) of each side of the channel and a cross section of area to be developed]
<input type="checkbox"/>	<input checked="" type="checkbox"/>	An area of soil instability: greater than 18% slope and/or organic soils, peats, or mucks at or near the surface
<input type="checkbox"/>	<input checked="" type="checkbox"/>	An area of bedrock within 6 feet of the soil surface
<input type="checkbox"/>	<input checked="" type="checkbox"/>	An area with the groundwater table within 10 feet of the soil surface
<input type="checkbox"/>	<input checked="" type="checkbox"/>	An area with fractured bedrock within 10 feet of the soil surface

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- ☒ Prevention of gravel extraction
- ☒ A drainageway for 5 or more acres of land
- ☒ Lot coverage of more than 50% impermeable surfaces
- ☒ Prime agricultural land
- ☒ Wetlands and marshes
- ☒ Land elevation above 950 (USGS datum)
- ☒ Mapped environmental corridors

Yes

No **II Water resources.** Does the proposed project involve any of the following?

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- ☐ Location within an area traversed by a navigable stream or dry run
- ☒ Greater than 10% change in the capacity of a stormwater storage facility or flow of a waterway within 1 mile
- ☒ The use of septic tank – soil absorption fields for on-site waste disposal
- ☒ Lowering of water table by pumping or drainage
- ☒ Raising of water table by altered drainage patterns
- ☒ Lake frontage

Yes

No **III Biological resources.** Does the proposed project involve any of the following?

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- ☒ Critical habitat for plants and animals of community interest
- ☒ Endangered, unusual or rare species
- ☒ Removal of over 25% of the present trees

Yes

No **IV Human and scientific interest.** Does the proposed project involve any of the following?

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- ☒ An area of archaeological interest
- ☒ An area of geological interest
- ☒ An area of hydrological interest
- ☒ Historic buildings or monuments
- ☒ Buildings or monuments of unique architecture
- ☒ An area of identified community recreation use

Yes

No **V Energy, transportation and communications.**

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- ☒ Does the development increase the traffic flow in any collector system by more than 10%?
- ☒ Is the development traversed by an existing or planned utility corridor? (gas, electricity, water, sewer interceptor, communications, storm sewer)

Yes

No **VI Population.**Does the development increase by more than 10% the school population of any school serving the development?

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Yes

No **VII Additional information on any of the above that may have a significant environmental impact.**

☐

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Yes

No **VIII Appendices and supporting material.**

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8. Applicant certification

◆ I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.

◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with Section 13-1-195(A) of the Village's municipal code to pay for the services of independent consultants the Village elects to retain to help review this application. Depending on the nature of the proposed project, such independent consultants may include planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts. I further understand, the Village may delay acceptance of the application as complete, or may delay final approval of the proposal, until all outstanding fees have been paid. I further understand that such fees must be paid even if this application is withdrawn or denied. If the applicant or the property owner does not pay such fees upon request, such fees may be assigned to the property owner as a special assessment to the subject property.

◆ I understand that submission of this application authorizes Village officials and employees, Plan Commission members, Village Board members, and other designated agents, including those retained by the Village, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.

◆ I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.

◆ I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

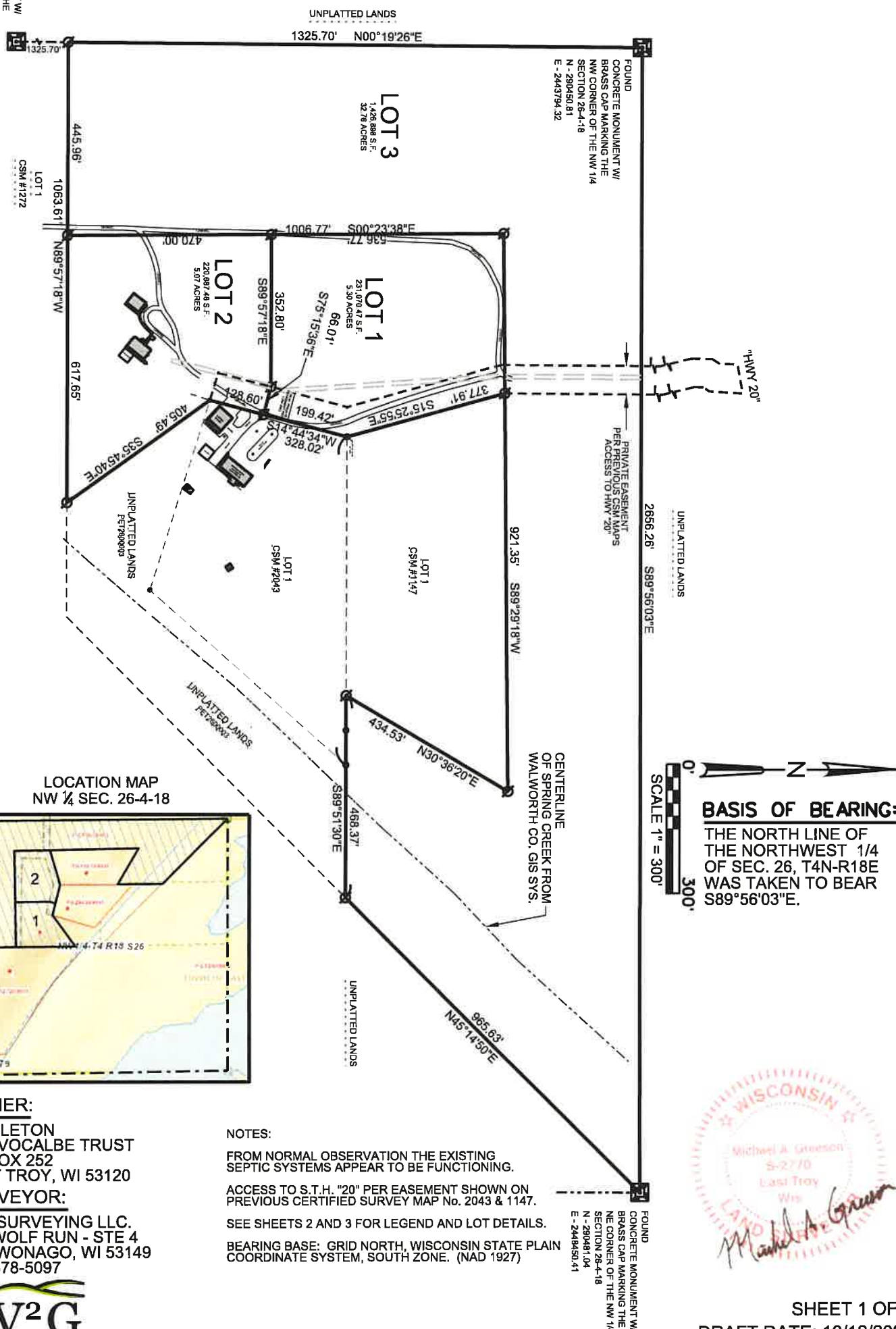
<div></div> <div>Name - Print</div>	<div></div> <div>Name - Signature</div>	<div></div> <div>Date</div>
<div></div> <div>Name - Print</div>	<div></div> <div>Name - Signature</div>	<div></div> <div>Date</div>

Applicant (if different than Property Owner):

<div></div> <div>Name - Print</div>	<div></div> <div>Name - Signature</div>	<div></div> <div>Date</div>
<div></div> <div>Name - Print</div>	<div></div> <div>Name - Signature</div>	<div></div> <div>Date</div>

BEING PART OF THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE  
NORTHWEST ¼ OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 18 EAST,  
TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

CONCRETE MONUMENT W/  
BRASS CAP MARKING THE  
SW CORNER OF THE NW 1/4  
SECTION 26-4-18  
N - 285159.48  
E - 2443838.07



**OWNER:**

MIDDLETON  
IRREVOCALBE TRUST  
PO BOX 252  
EAST TROY, WI 53120

**SURVEYOR:**

V2G SURVEYING LLC.  
123 WOLF RUN - STE 4  
MUKWONAGO, WI 53149  
262-378-5097

NOTES:

FROM NORMAL OBSERVATION THE EXISTING SEPTIC SYSTEMS APPEAR TO BE FUNCTIONING.

ACCESS TO S.T.H. "20" PER EASEMENT SHOWN ON  
PREVIOUS CERTIFIED SURVEY MAP No. 2043 & 1147.

SEE SHEETS 2 AND 3 FOR LEGEND AND LOT DETAILS

BEARING BASE: GRID NORTH, WISCONSIN STATE PLAIN  
COORDINATE SYSTEM, SOUTH ZONE. (NAD 1927)

FOUND  
CONCRETE MONUMENT W/  
BRASS CAP MARKING THE  
NE CORNER OF THE NW 1/4  
SECTION 26-4-18  
N - 290481.04  
E - 2448450.41

SHEET 1 OF 5  
DRAFT DATE: 10/12/2020  
V2G JOB NO.: 2020-095



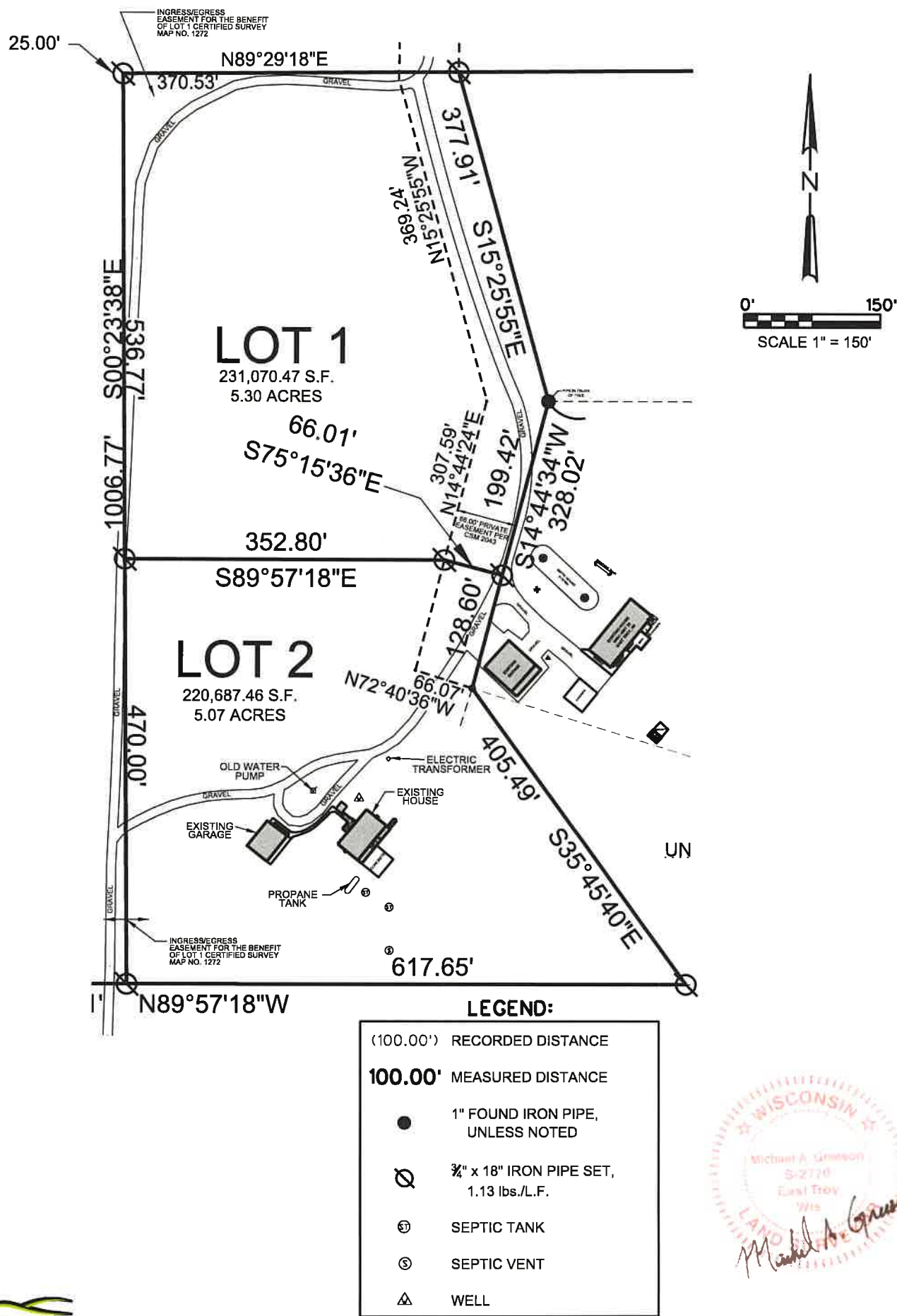
INSTRUMENT DRAFTED BY MICHAEL A. GREESON



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

BEING PART OF THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE  
NORTHWEST ¼ OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 18 EAST,  
TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

LOT 1 AND 2 DETAIL





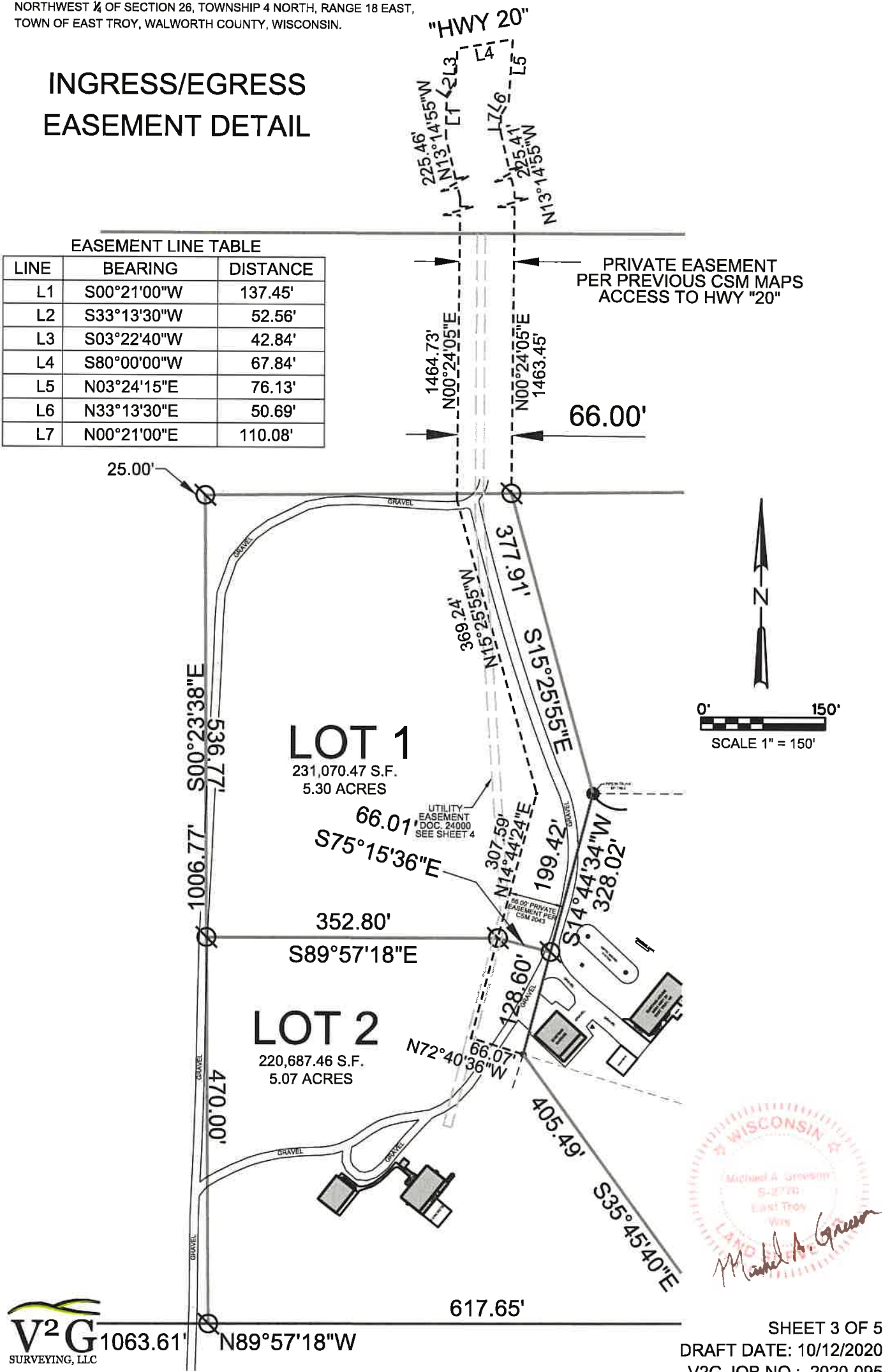
CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE  
NORTHWEST ¼ OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 18 EAST,  
TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

INGRESS/EGRESS  
EASEMENT DETAIL

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°21'00"W	137.45'
L2	S33°13'30"W	52.56'
L3	S03°22'40"W	42.84'
L4	S80°00'00"W	67.84'
L5	N03°24'15"E	76.13'
L6	N33°13'30"E	50.69'
L7	N00°21'00"E	110.08'



***CERTIFIED SURVEY MAP NO.*** \_\_\_\_\_  
BEING PART OF THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE  
NORTHWEST ¼ OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 18 EAST,  
TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

**SURVEYORS CERTIFICATE:**

I, Michael A. Greeson, professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter S. 236.34 of the Wisconsin Statutes and the subdivision regulations of the Town of East Troy and the County of Walworth, and under the direction of Middleton Irrevocable Trust, Juli A. Markham and Daniel G Middleton, Trustee's, I have surveyed, divided and mapped this Certified Survey Map; that such map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is located in part of the Northwest 1/4 and Northeast 1/4 of the Northwest 1/4 of Section 26, Township 4 North, Range 18 East, Town of East Troy, Walworth County, Wisconsin. Described further as follows:  
Beginning at a found concrete monument marking the Northwest corner of said Northwest 1/4, section 26; thence S89°56'03"E along the North line of said Northwest 1/4, 2656.26' to a found concrete monument marking the Northeast corner of said Northwest 1/4; thence S45°14'50"W, 965.63' to a point; thence N89°51'30"W, 468.37' to a point; thence N30°36'20"E, 434.53' to a point; thence S89°29'18"W, 921.35' to a point; thence S15°25'55"E, 377.91' to a point; thence S14°44'34"W, 328.02' to a point; thence S35°45'40"E, 405.49' to a point; thence N89°57'18"W, 1063.61' to a point on the Westerly line of said Northwest 1/4; thence N00°19'26"E, 1325.70' to the point of beginning.  
Said described area contains 43.13 acres more or less

Dated this 12th day of OCTOBER, 2020.

\_\_\_\_\_  
Michael A. Greeson, P.L.S. # 2770

**OWNERS CERTIFICATE:**

AS TRUSTEE'S OF MIDDLETON IRREVOCABLE TRUST, WE JULI A. MARKHAM AND DANIEL G. MIDDLETON HEREBY CERTIFY THAT WE HAVE CAUSED THE LAND DESCRIBED ABOVE TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED ON THIS CERTIFIED SURVEY MAP IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 236.34 OF THE WISCONSIN STATE STATUTES, THE TOWN OF EAST TROY, VILLAGE OF EAST TROY (EXTRATERRITORIAL REVIEW) AND WALWORTH COUNTY.

WITNESS THE HAND AND SEAL OF SAID TRUSTEE'S THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
JULI A. MARKHAM, TRUSTEE

\_\_\_\_\_  
DANIEL G. MIDDLETON, TRUSTEE

STATE OF WISCONSIN                    )  
RACINE COUNTY                        ) ss.

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.  
JULI A. MARKHAM AND DANIEL G. MIDDLETON TRUSTEE'S FOR MIDDLETON IRREVOCABLE TRUST, THE ABOVE NAMED OWNERS OF SAID DESCRIBED PROPERTY, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN.

MY COMMISSION EXPIRES \_\_\_\_\_



***CERTIFIED SURVEY MAP NO.*** \_\_\_\_\_  
BEING PART OF THE NORTHWEST  $\frac{1}{4}$  AND NORTHEAST  $\frac{1}{4}$  OF THE  
NORTHWEST  $\frac{1}{4}$  OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 18 EAST,  
TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

**TOWN OF EAST TROY BOARD APPROVAL CERTIFICATE:**

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE TOWN BOARD OF THE TOWN OF EAST TROY,

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 .

\_\_\_\_\_  
JOSEPH KLARKOWSKI, CHAIRMAN

\_\_\_\_\_  
KIM BUCHANAN, CLERK

**VILLAGE OF EAST TROY EXTRATERRITORIAL APPROVAL CERTIFICATE:**

THIS CERTIFIED SURVEY MAP BEING LOCATED IN THE TOWN OF EAST TROY AND WITHIN THE  
EXTRATERRITORIAL JURISDICTION OF THE VILLAGE OF EAST TROY IS HEREBY APPROVED BY  
THE VILLAGE OF EAST TROY,

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
SCOTT SEAGER, PRESIDENT

**WALWORTH COUNTY ZONING AGENCY APPROVAL CERTIFICATE:**

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE WALWORTH COUNTY ZONING  
AGENCY, ON

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
RICK STACEY, CHAIRMAN

