

REZONING & CERTIFIED SURVEY MAP (CSM) APPLICATIONS

5/9/22 Plan Commission Meeting

Todd & Cindy Wetterau / Kyle Wurster

Village Planner Report

Germantown, Wisconsin

Summary

Todd & Cindy Wetterau and Kyle Wurster, property owners, are requesting approval of a rezoning application and 2-lot certified survey map (CSM) to redivide 57.4 acres of land on Fond du Lac Ave/STH145 ½ mile west of Division Road.

Location: Vicinity of W180 N12500 Fond du Lac Ave/STH 145

Applicant/

Property Owners: Todd & Cindy Wetterau Kyle Wurster
W204 N12541 Goldendale W204 N12541 Goldendale Road
Richfield, WI Richfield, WI

Existing Zoning: A-1: Agricultural

Proposed Zoning: A-2: Agricultural

Adjacent Land Uses		Zoning
North	Agricultural (T. Germantown)	n/a
South	Agricultural	A-1
East	Agricultural/Residential	A-2/Rs-1
West	Agricultural	A-1

Location Map



Proposal/Background

Todd & Cindy Wetterau and Kyle Wurster, property owners, are requesting approval of a rezoning application and 2-lot certified survey map (CSM) to redivide 57.4 acres of land on Fond du Lac Ave/STH145 ½ mile west of Division Road.

The 54 acres contains three (3) separate undeveloped parcels. One parcel currently straddles Fond du La Ave/STH145. The new owners want to re-divide the land into two parcels for future small-scale agricultural/hobby farm or residential use (no development is proposed at this time).

CSM

As shown in the preliminary CSM, Lot 1 will be 23.6 acres and Lot 2 will be 30.7 acres. Additional right-of-way is required to be dedicated along Holy Hill Road (50 feet), along Lovers Lane (40 feet) and Fond du Lac Ave/STH145 (50 feet).

Rezoning

Rezoning of the property from the current A-1: Agricultural District to the A-2: Agricultural District is required (each parcel less than 35 but more than 10 acres).

Staff Comments

The proposed rezoning and division is consistent with the "Agricultural/Conservation Residential" classification on the 2020 Land Use Plan map.

Because proposed Lot 2 contains a significant amount of wetland, a wetland delineation will be conducted with the final boundary and 25' wetland setback shown on the CSM (prior to recording). Similarly, soil tests are being conducted with final results required before final recording of the CSM.

The Public Works Department contracted engineer responsible for reviewing the CSM for code compliance has not yet completed a technical review of the CSM. Once provided, all technical corrections will need to be corrected prior to recording the CSM.

VILLAGE STAFF RECOMMENDATION

APPROVE rezoning the property from the A-1: Agricultural District to the A-2: Agricultural District as proposed.

APPROVE the proposed 2-lot Certified Survey Map (CSM) for the Todd & Cindy Wetterau and Kyle Wurster property on Fond du Lac Ave/STH145 subject to the following conditions:

1. All technical issues and plan corrections identified by the Public Works Department engineer surveyor shall be addressed and reflected in a revised CSM submitted to the Village prior to recording.
2. A wetland delineation shall be conducted with the wetland boundary and 25' wetland setback shown on the CSM prior to recording.

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3. Soil tests indicating the location and what type of on-site sanitary septic system can be supported on the two proposed lots shall be provided to the Village and shown on the CSM prior to recording the CSM.
 4. Right-of-way shall be dedicated along the following roads/highways as required under the Village's Subdivision & Platting Code:
 - a. Holy Hill Road 50' feet south of the section/center line;
 - b. Lovers Lane 40' north of the section/center line;
 - c. Fond du Lac Ave/STH145 50' north & south of the section/center line



Village of

Germantown
Willkommen

Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid \$ Date 3/14/22

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1 APPLICANT OR AGENT

TODD + CINDY WETTERAU

Phone (715) 892-7972

Fax ()

E-Mail TWETTERAU @ AOL.COM

PROPERTY OWNER

TODD + CINDY WETTERAU

Kyle Wurster

Phone ()

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2

--	--

3

PURPOSE OF LAND SPLIT

	Will the land split require rezoning?	
	From	To

4

READ AND INITIAL THE FOLLOWING:

QW I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

QW I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

QW I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

QW I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5

SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Todd Wetterau
Applicant Date

Kyle Wurster
Owner Date



Village of

Germantown
Willkommen

FEES MUST BE PAID AT TIME OF APPLICATION

\$200 Plan Commission Consultation

X \$1,085 Rezoning

\$1,240 PDD < 5 acres

\$2,095 PDD 5-20 acre site

\$3,460 PDD > 20 acre site

Date Paid: 3/14/22 Received by: L.

REZONING & PDD APPLICATION

Pursuant to Section 17.51 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1	APPLICANT OR AGENT <u>TODD + CINDY WETTERAU</u> _____ _____ <u>Phone (715) 892-7972</u> <u>E-Mail TWETTERAU @ AOL.COM</u>	PROPERTY OWNER <u>TODD + CINDY WETTERAU</u> <u>Kyle WURSTER</u> _____ _____ <u>Phone (715) 892-7972</u> <u>E-Mail TWETTERAU @ AOL.COM</u>
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2	PROPERTY ADDRESS OR GENERAL LOCATION	TAX KEY NUMBER
	<div style="border: 1px solid black; height: 40px;"></div>	<div style="border: 1px solid black; height: 40px;"></div>

3	REZONING REQUEST		
	<table border="1" style="display: inline-table;"><tr><td>FROM A-1</td></tr></table> <table border="1" style="display: inline-table; margin-left: 20px;"><tr><td>TO A-2</td></tr></table>	FROM A-1	TO A-2
FROM A-1			
TO A-2			

4	METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED
	<div style="border: 1px solid black; padding: 5px;">Attach pages as necessary</div> <div style="border: 1px solid black; height: 150px; margin-top: 5px;"></div>

5

PURPOSE OF REZONING REQUEST

Briefly describe why the applicant is rezoning the property. Include a description of the proposed use, including any new construction and number of employees, if applicable.

5

6

SUPPORTING DOCUMENTATION:

- ☐ Plat of Survey (1:100)
- ☐ Site Plan and elevations for new construction (can be conceptual)

7

READ AND INITIAL THE FOLLOWING:JW

I understand that the Village is under no obligation to rezone property and that density and lot coverages provided in the Zoning Code are maximums. Actual build out will depend on myriad factors including topography and other natural conditions, surrounding neighborhood context and the detailed design of a project.

JW

I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.

JW

I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance

JW

I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and time frame.

8

SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

[Signature]
Applicant _____ Date _____

[Signature]
Owner _____ Date _____
Kyle Winstan

Accurate Surveying & Engineering LLP

Land Surveying, Developing and Consulting

2911 Wildlife Lane, Richfield, WI 53076 Phone (262)677-2120

March 11, 2022

RE: Arear to be rezoned to A2:

Part of the NE 1/4 and SE 1/4 of the NW 1/4 of Section 16, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Beginning at the North Quarter corner of said Section 16; thence S 01°33'55" E, along the east line of said NW 1/4, 2664.82 feet, to a concrete monument with a brass cap marking the Center of said Section 16; thence S 88°49'55" W, along the south line of said NW 1/4, 1289.82 feet, to the southwest corner of lands described in Document No. 1154306, recorded in the Washington County Registry; thence N 01°56'52" W, along the east line of said Document No. 1154306, 198.00 feet, to a 1.3 inch od iron pipe found; thence S 88°49'55" W, along the northerly line of said Document No. 1154306, 9.21 feet; thence N 01°51'03" W, on a line agreed to by the two owners, 1127.96 feet, to the intersection on the monumented north line of said SE 1/4 of the NW 1/4; thence N 89°04'33" E, along said monumented north line of the SE 1/4 of the NW 1/4, being the south line of lands described in Document No. 1376219 and 1524471 as recorded in the Washington County Registry, 521.51 feet, to the centerline of Fond du Lac Ave. / S.T.H. "145", formerly STH 155; thence S 55°57'43" E, along said centerline, 116.10 feet, to the intersection of the monumented northwesterly line of Certified Survey Map No. 3381, as recorded in the Washington County Registry in Volume 20 of Certified Survey Maps on pages 166-169 as Document No. 542687; thence S 34°09'05" W, along said monumented northwesterly line, 384.21 feet, to a 1.3 inch od iron pipe found; thence S 87°04'19" E, along the monumented south line of said Certified Survey Map No. 3381, 386.02 feet, to a 1.3 inch od iron pipe found; thence N 34°07'23" E, along the monumented southeasterly line of said Certified Survey Map No. 3381, 184.76 feet, to said centerline of Fond du Lac Ave.; thence N 55°57'43" W, along said centerline, 441.77 feet, to the intersection of the south line of monumented south line of lands described in Document No. 1540238 as recorded in the Washington county Registry; thence N 87°06'40" E, along said south line, 140.90 feet, to a 1 1/4 inch iron pipe found; thence N 01°18'31" W, along the monumented east line of said Document No. 1540238, 223.94 feet, to a 1 1/4 inch iron pipe found; thence S 87°23'23" W, along the north line of said Document No. 1540238, 16.06 feet, to the intersection of the west line of the E 1/2 of said NE 1/4 of the NW 1/4; thence N 01°34'47" W, along said west line, 1109.38 feet, to the intersection of the north line of said NW 1/4; thence N 88°15'52" E, along said north line of the NW 1/4, 655.41 feet, to the point of beginning.

Containing 57.4420 acres (2,502,173 square feet) more or less.

Washington County Certified Survey Map

Sheet 2 of 4

Part of the NE 1/4 and SE 1/4 of the NW 1/4 of Section 16, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Parcel 2
CSM No. 3478

unplatted lands
Doc. 1376219

unplatted lands
Doc. 1524471

unplatted lands
Doc. 1540238

2" iron pipe found

(r.a. S 89°20' E)
north line of the SE 1/4 of the NW 1/4

4.20'

monumented north line of the SE 1/4 of the NW 1/4

N 89°04'33" E 521.51'

unplatted lands

20.0'

west line of the SE 1/4 of the NW 1/4

existing old fence remnants
20' tree vegetation easement see other Document

N 01°51'03" W 1127.96'

20.0'

9.25'

9.21'

S 88°49'55" W

unplatted lands
Doc. 1154306

west line of the SE 1/4 of the NW 1/4

N 01°56'52" W 198.00'

S 88°49'55" W 1289.74'

Lot 2

Lovers Lane

1309.50'

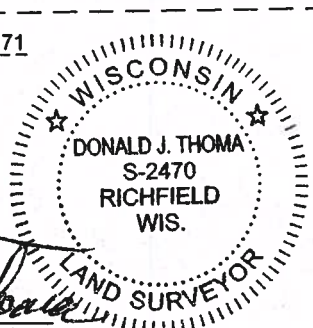
1329.20'

S 88°49'55" W 2619.00'

S 88°49'55" W 1289.82'

unplatted lands

CSM No. 71



Donald J. Thoma, S-2470
Dated this 1st day of March, 2022.

Fond Du Lac Ave.
S.T.H. "145"

S.T.H. "145"

304.00'

1" iron pipe found bent NE, reset

N 87°06'40" E 140.90'

S 55°57'43" E 163.22'

S 34°09'05" W 384.21' (r.a. S 36°36'15" W 388.00')

CSM No. 3381

S 87°04'19" E 386.02' (r.a. S 84°16'51.25" E 385.876')

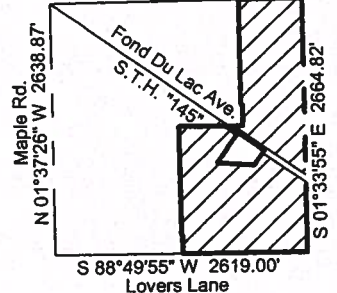
Location Sketch

NW 1/4 Section 16-9-20

Scale: 1" = 2000'

Holy Hill Rd.

S 88°15'52" W 2621.65'



Washington County Certified Survey Map

Sheet 3 of 4

Part of the NE 1/4 and SE 1/4 of the NW 1/4 of Section 16, Township
9 North, Range 20 East, Village of Germantown, Washington County,
Wisconsin.

Surveyor's Certificate:

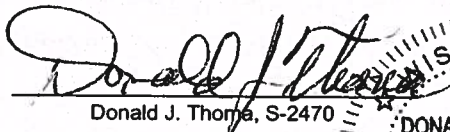
I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Todd Wetterau, I have surveyed, divided, mapped and dedicated the land shown and described hereon, being part of the NE 1/4 and SE 1/4 of the NW 1/4 of Section 16, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

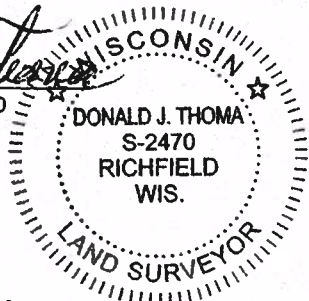
Beginning at the North Quarter corner of said Section 16; thence S 01°33'55" E, along the east line of said NW 1/4, 2664.82 feet, to a concrete monument with a brass cap marking the Center of said Section 16; thence S 88°49'55" W, along the south line of said NW 1/4, 1289.82 feet, to the southwest corner of lands described in Document No. 1154306, recorded in the Washington County Registry; thence N 01°56'52" W, along the east line of said Document No. 1154306, 198.00 feet, to a 1.3 inch od iron pipe found; thence S 88°49'55" W, along the northerly line of said Document No. 1154306, 9.21 feet; thence N 01°51'03" W, on a line agreed to by the two owners, 1127.96 feet, to the intersection on the monumented north line of said SE 1/4 of the NW 1/4; thence N 89°04'33" E, along said monumented north line of the SE 1/4 of the NW 1/4, being the south line of lands described in Document No. 1376219 and 1524471 as recorded in the Washington County Registry, 521.51 feet, to the centerline of Fond du Lac Ave. / S.T.H. "145", formerly STH 155; thence S 55°57'43" E, along said centerline, 116.10 feet, to the intersection of the monumented northwesterly line of Certified Survey Map No. 3381, as recorded in the Washington County Registry in Volume 20 of Certified Survey Maps on pages 166-169 as Document No. 542687; thence S 34°09'05" W, along said monumented northwesterly line, 384.21 feet, to a 1.3 inch od iron pipe found; thence S 87°04'19" E, along the monumented south line of said Certified Survey Map No. 3381, 386.02 feet, to a 1.3 inch od iron pipe found; thence N 34°07'23" E, along the monumented southeasterly line of said Certified Survey Map No. 3381, 184.76 feet, to said centerline of Fond du Lac Ave.; thence N 55°57'43" W, along said centerline, 441.77 feet, to the intersection of the south line of monumented south line of lands described in Document No. 1540238 as recorded in the Washington County Registry; thence N 87°06'40" E, along said south line, 140.90 feet, to a 1 1/4 inch iron pipe found; thence N 01°18'31" W, along the monumented east line of said Document No. 1540238, 223.94 feet, to a 1 1/4 inch iron pipe found; thence S 87°23'23" W, along the north line of said Document No. 1540238, 16.06 feet, to the intersection of the west line of the E 1/2 of said NE 1/4 of the NW 1/4; thence N 01°34'47" W, along said west line, 1109.38 feet, to the intersection of the north line of said NW 1/4; thence N 88°15'52" E, along said north line of the NW 1/4, 655.41 feet, to the point of beginning.

Containing 57.4420 acres (2,502,173 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Village of Germantown Ordinance in surveying, dividing, and mapping said lands, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 11th day of March, 2022.


Donald J. Thoma, S-2470



Owner's Certificate:

As owners of Lot 1 and 2, we hereby dedicate that part of Holy Hill Road and Lovers Lane to the Village of Germantown for public road purposes as represented on Sheet 1 and 2 of 4 of this Certified Survey Map.

As owners of Lot 1 and 2, we hereby certify that we caused the land shown and described herein to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required to be submitted to the following for approval:

Village of Germantown Plan Commission

Village of Germantown Village Board

Todd Wetterau - Owner

Cindy Wetterau - Owner

Kyle Wurster - Owner

STATE OF WISCONSIN)
WASHINGTON COUNTY)s.s

Personally came before me this _____ day of _____, 20____, the above named owners are to me known to be the same persons who executed the foregoing instrument and acknowledge the same.

(Notary Seal) _____, Notary Public, _____, Wisconsin.

My commission expires _____

Washington County Certified Survey Map

Sheet 4 of 4

Part of the NE 1/4 and SE 1/4 of the NW 1/4 of Section 16, Township
9 North, Range 20 East, Village of Germantown, Washington County,
Wisconsin.

Village of Germantown Plan Commission Approval:

This Certified Survey Map is hereby approved by the Planning Commission of the Village
of Germantown on this ____ day of _____, 20__.

Dean Wolter - Chairperson

Laura A. Johnson - Secretary

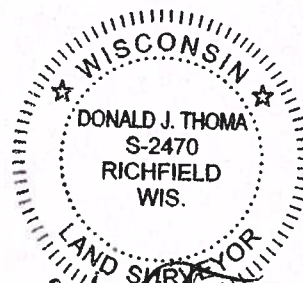
Village of Germantown, Village Board Approval:

This Certified Survey Map, Part of the NE 1/4 and SE 1/4 of the NW 1/4 of Section 16, Township 9
North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved
by the Planning Commission being the same, is hereby approved and (the dedication of that part of
Holy Hill Road and Lovers Lane for public road purposes as shown on Sheet 1 and 2 of 4 is hereby)
accepted by the Village Board of Trustees of the Village of Germantown on

this ____ day of _____, 20__.

Dean Wolter - Village President

Deanna Braunschweig - Village Clerk



Donald J. Thoma
Donald J. Thoma, S-2470

Dated this 1st day of March, 2022.