

Date: December 19, 2024
To: Town of Mukwonago Plan Commission and Town Board
From: Ben Greenberg, Town Planner
Subject: Certified Survey Map - Revision Date: December 10, 2024; Kyle Schmit, applicant
Location: NE ¼ of Section 34 (MUKT 2005.963)
Application: 2024-18; <https://s.zoninghub.com/K87B5RRA1X>
Meeting: January 8, 2025, Plan Commission and Town Board meeting

Description Kyle Schmit owns the subject parcel located at W303S10521 Sandy Beach Rd and has submitted a certified survey map to consolidate several substandard lots and eliminate several interior lot lines.



Zoning Jurisdiction The property is subject to Waukesha County Shoreland Zoning.

Review procedure The Plan Commission makes a recommendation, and the Town Board makes the final decision.

Notice requirements Aside from being shown on the meeting agenda, no other public notice is required.

Other information Waukesha County approved the Certified Survey Map on December 10, 2024, see enclosed correspondence.

Possible Motion for Plan Commission: Motion to recommend to the Town Board the approval of the one-lot certified survey map, subject to the conditions listed below.

General conditions:

1. **Per s. 34.101(35)** All certified survey maps shall contain a statement that the parcel is located within a "state designated groundwater management area."
2. **Staff and Governmental Approval.** Prior to the Town signing the CSM, the commencement of any construction of any improvement, whether public or private, or any site development, the developer shall satisfy all comments, conditions and concerns of the Town Engineer (if applicable), the Town Planner and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Administration per ch. 236, Wisconsin Statutes and ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per ch. 236, Wisconsin Statutes; and Waukesha County Parks and Land Use Department.
3. **Professional Fees.** Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
4. **Payment of Charges.** Any unpaid bills owed to the Town by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.
5. **Surveyor's responsibility.** Although the Town of Mukwonago has reviewed the certified survey map, the surveyor is entirely responsible for the thoroughness and accuracy of the survey and related matters and compliance with all state and local codes, ordinances, and procedures. Modifications to the survey may be required should errors or changed conditions be found at a future date.

Possible Motion for Town Board: Motion to approve the certified survey map as recommended by the Plan Commission

Attachments:

1. Certified survey map, revision date of December 10, 2024
2. Waukesha County approval dated December 10, 2024

CERTIFIED SURVEY MAP NO. _____

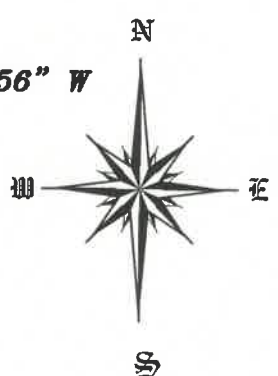
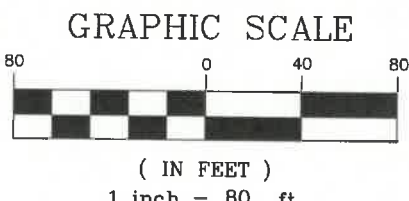
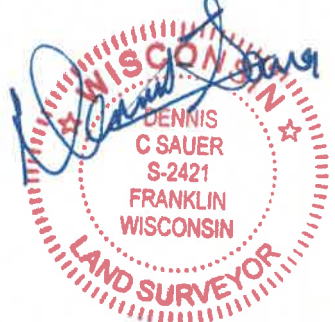
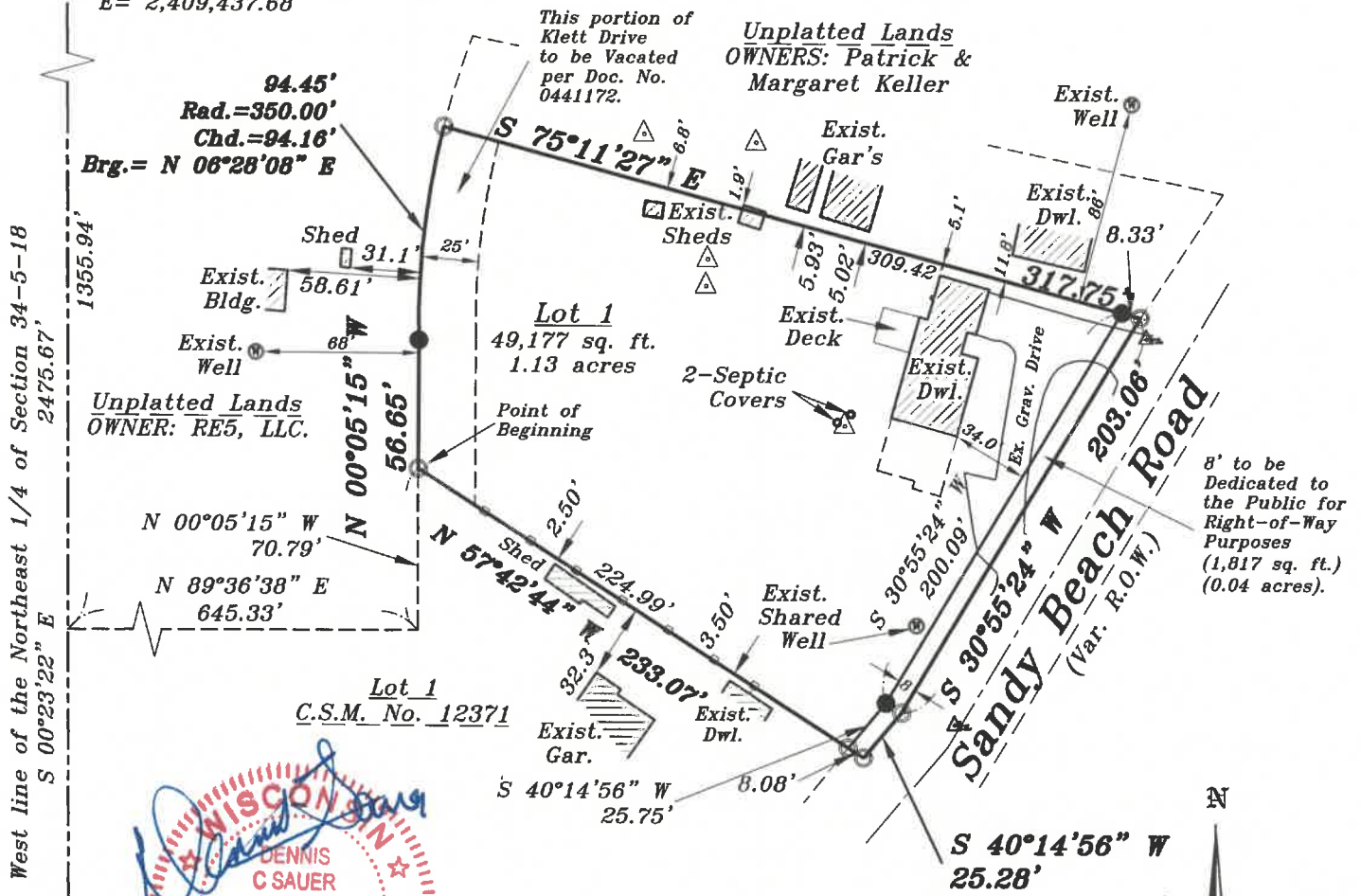
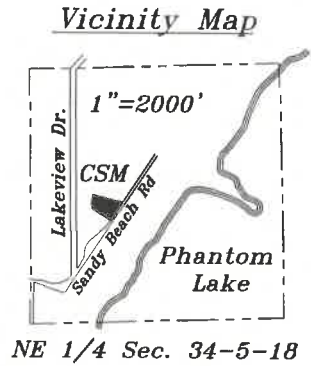
Being a combination of part of Lots 1-6, all of Lot 7, part of Lots 8-10 and the East 1/2 of Vacated Klett Drive in Block 14 in the Third Addition to Phantom Beach Park, being a part of the Northeast 1/4 of Section 34, Township 5 North, Range 18 East, Town of Mukwonago, Waukesha County, Wisconsin

NW Cor.
NE 1/4
Sec. 34-5-18
(Corner location falls in a marsh at Lower Phantom Lake)
N= 316,808.08
E= 2,409,436.73

Witness Corner for the NW Cor.
NE 1/4
Sec. 34-5-18
(Conc. Monu. w/Brass Cap)
N= 316,667.09
E= 2,409,437.68

- Notes:**
- - Denotes iron pipe found and accepted.
 - - Denotes 1"x24" iron pipe set, weighing 1.13 lbs/lin. ft. min.
 - △ - Septic Vent

Map bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone (NAD-83), with the West line of the NE 1/4 of Section 34, T5N, R18E having an assumed bearing of S 0°23'22" E.



October 20, 2024
Rev. December 10 2024

SW Cor.
NE 1/4
Sec. 34-5-18
(conc. mon. w/brass cap)
N= 314,181.73
E=2,440,991.81

Prepared for:
Kyle Schmit
W303 S10521 Sandy Beach Road
Mukwonago, WI 53149

Prepared by:
Dennis C. Sauer PLS 2421
Metropolitan Survey Service, Inc.
8482 South 76th Street
Franklin, WI 53132
(414) 529-5380

- NOTES:**
1. This entire property is within the jurisdiction of the Waukesha County Shoreland Protection Ordinance.
 2. No documents found of easements, existing or proposed on the Subject Property.
 3. No wells were found within 50 feet of the property lines of Lot 1.

CERTIFIED SURVEY MAP NO. _____

Being a combination of part of Lots 1-6, all of Lot 7, part of Lots 8-10 and the East 1/2 of Vacated Klett Drive in Block 14 in the Third Addition to Phantom Beach Park, being a part of the Northeast 1/4 of Section 34, Township 5 North, Range 18 East, Town of Mukwonago, Waukesha County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:

That I have surveyed, combined, dedicated and mapped a combination of part of Lots 1-6, all of Lot 7, part of Lots 8-10 and the East 1/2 of Vacated Klett Drive in Block 14 in the Third Addition to Phantom Beach Park, being a part of the Northeast 1/4 of Section 34, Township 5 North, Range 18 East, Town of Mukwonago, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the witness corner for the Northwest corner of the Northeast 1/4 of Section 34, Town 5 North, Range 18 East; thence S 00°23'22" E along the West line of said Northeast 1/4, 1355.94 feet; thence N 89°36'38" E, 645.33 feet; thence N 00°05'15" W, 70.79 feet to the point of beginning of the lands to be described; thence continuing N 00°05'15" W, 56.65 feet; thence 94.45 feet along the arc of a curve to the northeast, whose center lies to the southeast, whose radius is 350.00 feet, whose chord bears N 06°28'08" E, 94.16 feet; thence S 75°11'27" E, 317.75 feet to a point on the northwesterly right-of-way line of Sandy Beach Road; thence S 30°55'24" W along said northwesterly right-of-way line, 203.06 feet; thence S 40°14'56" W along said northwesterly right-of-way line, 25.28 feet; thence N 57°42'44" W, 233.07 feet to the point of beginning.

Said lands containing 50,994 sq. ft (1.17 acres) including lands to be dedicated to the public for right-of-way purposes.

That I have made such survey, land combination, dedication and map by the direction of Kyle Schmit, owner of said land.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes, and the ordinances of Waukesha County, Town of Mukwonago and the Village of Mukwonago, in surveying, dividing and mapping the same.

October 20, 2024
Date
December 10, 2024



Dennis C. Sauer
Dennis C. Sauer
Professional Land Surveyor S-2421

PREPARED FOR:
Kyle Schmit
W303 S10521 Sandy Beach Road
Mukwonago, WI 53149

PREPARED BY:
Metropolitan Survey Service, Inc.
8482 South 76th Street
Franklin, WI 53132

CERTIFIED SURVEY MAP NO. _____

Being a combination of part of Lots 1-6, all of Lot 7, part of Lots 8-10 and the East 1/2 of Vacated Klett Drive in Block 14 in the Third Addition to Phantom Beach Park, being a part of the Northeast 1/4 of Section 34, Township 5 North, Range 18 East, Town of Mukwonago, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE:

Kyle Schmit, as owner, does hereby certify that he has caused the lands described on this map to be surveyed, combined, dedicated and mapped as represented on this map in accordance with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the ordinances of Waukesha County, the Village of Mukwonago and the Town of Mukwonago.

IN WITNESS WHEREOF, the said Kyle Schmit, has caused these presents to be signed at _____, Wisconsin, this _____ day of _____, 20__.

Kyle Schmit, Owner

STATE OF WISCONSIN)
_____ COUNTY) SS

PERSONALLY, came before me this _____ day of _____, 20__, Kyle Schmit, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Signature

Print Name: _____
Notary Public-State of Wisconsin
My Commission Expires: _____

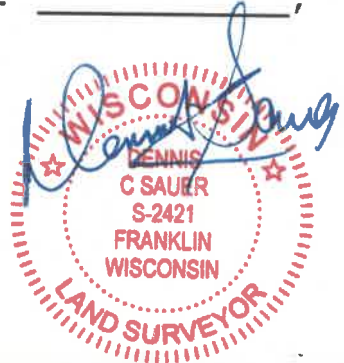
STATE OF WISCONSIN)
_____ COUNTY) SS

CONSENT OF MORTGAGEE

WAUKESHA STATE BANK, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above-described land, does hereby consent to the surveying, combining, mapping and dedication of the land described on this map and does hereby consent to the above certification of owner.

IN WITNESS WHEREOF, the said Waukesha State Bank, has caused these presents to be signed by Liz Lijewski, Assistant Vice President and Bank Manager, at the Village of Mukwonago, Wisconsin, this _____ day of _____, 20__.

Liz Lijewski
Assistant Vice President
Bank Manager
Waukesha State Bank



CERTIFIED SURVEY MAP NO. _____

Being a combination of part of Lots 1-6, all of Lot 7, part of Lots 8-10 and the East 1/2 of Vacated Klett Drive in Block 14 in the Third Addition to Phantom Beach Park, being a part of the Northeast 1/4 of Section 34, Township 5 North, Range 18 East, Town of Mukwonago, Waukesha County, Wisconsin.

CONSENT OF MORTGAGEE CONTINUED

STATE OF WISCONSIN)
_____ COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20____, Liz Lijewski, Assistant Vice President and Bank Manager of Waukesha State Bank, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

Notary Public
State of Wisconsin
My Commission Expires _____

TOWN BOARD APPROVAL:

APPROVED by the Town Board of the Town of Mukwonago, Wisconsin, this _____ day of _____, 20_____.

Peter Topczewski, Chairman

Kathy Karalewitz, Clerk/Treasurer

VILLAGE OF MUKWONAGO APPROVAL:

APPROVED by the Village Board of the Village of Mukwonago, Wisconsin, this _____ day of _____, 20_____.

Fred Winchowsky, President

Diana Dykstra, Clerk-Treasurer

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE:

The above, which has been filed for approval as required by Chapter 236.34 of the Wisconsin State Statutes, is hereby approved on this _____ day of _____, 20_____.

Dale R. Shaver, Director



October 20, 2024
Rev. December 10, 2024

THIS INSTRUMENT WAS DRAFTED BY:
Dennis C. Sauer, P.L.S. S-2482

From: [gprcompany \(null\)](#)
To: [Ben Greenberg](#)
Subject: Fwd: Waukesha County Conditional Approval of Certified Survey Map No., SCS-1530, T/Mukwonago-review of revised CSM dated 12/10/24
Date: Tuesday, December 10, 2024 4:21:34 PM
Attachments: [image001.png](#)
[CSM revised 12 10 24 ready to sign.pdf](#)

Sent from my iPhone

Begin forwarded message:

From: Sandra Scherer <SScherer@waukeshacounty.gov>
Date: December 10, 2024 at 5:14:57 PM EST
To: "gprcompany (null)" <gprcompany@aol.com>
Cc: ddykstra@villageofmukwonago.gov, survey survey <survey@metropolitansurvey.com>, Kathy Karalewitz <kkaralewitz@townofmukwonago.us>
Subject: FW: Waukesha County Conditional Approval of Certified Survey Map No., SCS-1530, T/Mukwonago-review of revised CSM dated 12/10/24

All,

The attached CSM dated 12/10/24 has been approved.

Please contact the County Planning and Zoning Division Office and **schedule an appointment** for the County signature on an **original** copy of the Final Certified Survey Map as **prepared and provided by your surveyor** to the recording requirements stated in Chapter 236 of the **State Statutes**.

Best,



Sandy Scherer
Senior Planner
Department of Parks and Land Use
Planning and Zoning Division
Phone 262.548.7790
www.waukeshacounty.gov/planningandzoning

County Planner of the Day Customer Service Hours: Monday 12:30-4:30 pm, Tuesday-Friday 8:00 am-4:30 pm. We do business remotely-call, email pod@waukeshacounty.gov, or set up a virtual appt.

We value your feedback. Please visit the [Customer Satisfaction Survey](#) to tell us how we did.