



**MANITOWOC COUNTY**  
**COUNTY BOARD OF SUPERVISORS**  
**MEETING NOTICE**

DATE: May 21<sup>st</sup>, 2024

TIME: 6:00 PM

PLACE: The Heritage Center, County Board Meeting Room  
1701 Michigan Ave, Manitowoc, WI 54220

To live stream the meeting: <https://www.youtube.com/channel/UCcBZSVQYYfhgv5LHxT-fkwQ?reload=9>

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. Call to order by County Board Chair**
- II. Invocation by Supervisor Schiesl**
- III. Pledge of Allegiance**
- IV. Roll Call**
- V. Approve Agenda**

**VI. REPORTS**

- A. County Executive Bob Ziegelbauer – Addressing the HSD Deficit
- B. Planning and Park Petitions:
  - 1. Gregg Samz – Town of Mishicot
  - 2. Glenn R. Christel Revocable Trust – Town of Eaton
  - 3. Vraj Vihar Inc. – Town of Manitowoc Rapids
  - 4. James Kunst – Town of Schleswig

**VII. PROCLAMATIONS**

- A. County Executive Ziegelbauer and Chairman Martell–Proclamation Commemorating the Life and Service of Todd Holschbach.

**VIII. PUBLIC COMMENT**

Members of the public will be allowed three (3) minutes to speak on matters pertaining to County Board business.

**IX. CONSENT AGENDA (Any routine or non-controversial items)**

- A. Approve April 16, 2024 County Board Minutes
- B. Appointments by County Executive
  - 1. Human Services Board  
Appoint one member to fill a vacancy for a term expiring April 2025.
    - a. Nicholas Muench
  - 2. Joint Dispatch Board  
Appoint three members to succeed Joseph Jeanty, Benjamin Meinnert and Josh Stradal for a two-year term expiring June 2026.
    - a. Joseph Jeanty
    - b. Benjamin Meinnert
    - c. Dennis Rabas

C. Ordinances and Resolutions

1. Finance Committee

a. Resolution 2024/2025-23 Approving Claim

2. Planning & Park Commission

a. Ordinance 2024/2025-24 Amending Zoning Map (Todd & Kathleen Babiash)

b. Ordinance 2024/2025-25 Amending Zoning Map (Paul G. Bertler Irrevocable Trust)

c. Ordinance 2024/2025-26 Amending Zoning Map (Bruce & Kelly Hansen)

**X. COMMITTEE REPORTS, RESOLUTIONS, AND ORDINANCES**

A. Aging & Disability Board

B. Board of Health

C. Criminal Justice Coordinating Council

D. Executive Committee

E. Expo-Ice Center Board

F. Finance Committee

G. Highway Committee

H. Human Service Board

I. Land Conservation Committee/UW-Extension Education and Agriculture Committee

1. Resolution 2024/2025-27 Authorizing Wisconsin Department of Natural Resources Runoff Management Grant

J. Personnel Committee

K. Planning & Park Commission

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

**XI. ANNOUNCEMENTS**

**XII. ADJOURNMENT**

Tyler Martell, Chairman

Prepared by Melissa Tennant, Deputy County Clerk

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

**RESOLUTION APPROVING CLAIM**  
(Daniel Hahn)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Daniel Hahn filed a claim with Manitowoc County on April 19, 2024 seeking  
2 reimbursement of \$15,569.50 purportedly caused due to an oversight in timely processing his  
3 claim for VA Service Connection Disability; and  
4

5 WHEREAS, Manitowoc County has reviewed the information provided, investigated the  
6 facts, and determined that Manitowoc County should approve the claim; and  
7

8 WHEREAS, after careful consideration and review, the Corporation Counsel and the  
9 Finance Committee recommend that the county approved the claim as submitted;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors  
12 that the claim by Daniel Hahn is approved as presented and that the Corporation Counsel, Finance  
13 Director, and County Clerk are directed to provide such notice of the approval and process the  
14 claim, as may be required.

Dated this 21th day of May 2024.

Respectfully submitted by the  
Finance Committee

\_\_\_\_\_  
Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. \_\_\_\_\_

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. \_\_\_\_\_



APPROVED:

\_\_\_\_\_  
Bob Ziegelbauer, County Executive

\_\_\_\_\_  
Date

**ORDINANCE AMENDING ZONING MAP**  
(Todd and Kathleen Babiash)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on April 29, 2024; and  
3

4           WHEREAS, the Planning and Park Commission, after a careful consideration of testimony  
5 and an examination of the facts, recommends that the petition be approved for the reasons stated  
6 in the attached report;  
7

8           NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does  
9 ordain as follows:  
10

11           A parcel of land located in part of the Northeast 1/4 of the Northeast 1/4 of Section 7,  
12 Township 21 North, Range 23 East, Town of Gibson, Manitowoc County, Wisconsin, more  
13 particularly described as follows:  
14

15           Beginning at the Northeast corner of said Section 7; thence South 00°17'42" West  
16 along the east line of said Northeast 1/4, 507.76 feet; thence North 73°37'14" West  
17 156.44 feet; thence North 61°40'37" West 62.43 feet; thence North 39°44'24" West  
18 248.16 feet; thence North 32°12'53" West 215.27 feet to the south right-of-way  
19 line of Zander Road; thence North 00°17'42" East 55.82 feet to the north line of  
20 said Northeast 1/4; thence North 89°22'31" East along said north line, 480.81 feet  
21 to the point of beginning, said parcel containing approximately 168,134 sq. ft. (3.86  
22 acres) of land  
23

24 is hereby rezoned from Exclusive Agriculture (EA) District to Small Estate Residential (SE)  
25 District.

Dated this 21st day of May 2024.

Respectfully submitted by the  
Planning and Park Commission

\_\_\_\_\_  
James Falkowski, Chair

FISCAL IMPACT:   None.

FISCAL NOTE:     Reviewed and approved by Finance Director.   \_\_\_\_\_

LEGAL NOTE:     Reviewed and approved as to form by Corporation Counsel. \_\_\_\_\_



COUNTERSIGNED: \_\_\_\_\_ Date  
Tyler Martell, County Board Chair

APPROVED: \_\_\_\_\_ Date  
Bob Ziegelbauer, County Executive

|            |   |
|------------|---|
| REPORT TO: | THE MANITOWOC COUNTY BOARD OF SUPERVISORS MAY 21, 2024. |
| FROM:      | THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION       |
| RE:        | TODD AND KATHLEEN BABIASH ZONING MAP AMENDMENT REQUEST  |

This report, recommendation, Ordinance, proof of publication, attached map, and the fact sheet are hereby presented in accordance with Section 59.69(5)(e)4 Wisconsin Statutes.

Todd and Kathleen Babiash, on March 28, 2024, petitioned the Manitowoc County Board of Supervisors to rezone approximately 5.0 acres of land located in the NE1/4, NE1/4, Section 7, T21N-R23E, Town of Gibson, from EA, Exclusive Agriculture to LE, Large Estate.

The Town of Gibson adopted the Manitowoc County Zoning Ordinance on December 5, 2011. The uses permitted in the LE, Large Estate zoning provides areas for single-family residential and planned residential developments on large lots while allowing for agricultural activity in mostly rural areas of the county with a minimum lot size of 5.0 acres.

1. Action taken to date on this request includes:

- a. Todd and Kathleen Babiash petitioned for a zoning map amendment on March 28, 2024.
- b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
- c. The public hearing notices were published in the Herald-Times-Reporter on April 16, 2024 and on April 22, 2024.
- d. The County Planning and Park Commission held a public hearing on this amendment request on April 29, 2024.
- e. The Commission at their April 29, 2024 meeting recommended approval of a modified request to rezone approximately 3.6 acres of land located in the NE1/4, NE1/4, Section 7, T21N-R23E, Town of Gibson, from EA, Exclusive Agriculture to SE, Small Estate.

2. Existing conditions relating to land use, zoning, and natural resources are summarized on the accompanying zone change fact sheet.

3. Testimony at the hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.
- b. Mr. Dylan Mancoske, applicant, spoke in favor of the rezone.

The County Planning and Park Commission made the following findings from testimony at the hearing, the rezoning fact sheet, staff analysis, and discussions at the public hearing and meeting.

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the EA, Exclusive Agriculture District.
2. The Gibson Town Board supports the proposed zone change to LE, Large Estate.
3. Rezoning will allow for a single family home to be built.

4. The area to be rezoned contains a minimal amount of farmland and is isolated by a drainage ditch from the remaining farmland.

#### RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the zone change fact sheets and maps, and from the staff analysis, that the public health, safety and general welfare would be safeguarded and substantial justice done, if the modified request of Todd and Kathleen Babiash to rezone approximately 3.6 acres of land from EA, Exclusive Agriculture to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its April 29, 2024 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 3.6 acres of land located in the NE1/4, NE1/4, Section 7, T21N-R23E, Town of Gibson, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from EA, Exclusive Agriculture to SE, Small Estate.



# Manitowoc County Planning and Park Commission

\$531.00

|                      |                                     |
|----------------------|-------------------------------------|
| Fee (\$505) Received | <input checked="" type="checkbox"/> |
| Receipt #            | 41154                               |

## ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY RECEIVED

MAR 28 2024

Date of Application:

OWNER / APPLICANT/ AGENT

PLANNING & PARK COMMISSION

Owner Todd + Kathleen Babiarsh

Applicant/Agent Dylan C. Marceles

Address (1) 17711 Old CC

Address (1) 15238 Fairhills rd

Address (2) \_\_\_\_\_

Address (2) \_\_\_\_\_

City/State/Zip Denmark, WI 54208

City/State/Zip Maribel, WI, 54227

Phone 930-619-6353

Phone 920-530-9640

### PROPERTY LEGAL DESCRIPTION

NE 1/4, NE 1/4, S 7 T 21 N R 23 E Town of Gibson

House /Fire # \_\_\_\_\_ Tax Number 006-007-001-000.00

✓ LOT 1 OF PROPOSED CERTIFIED SURVEY MAP ATTACHED

### PROPERTY INFORMATION

Existing Zoning District EA

Proposed Zoning district LE

Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:

See attached

Proposed use: (Reason for change)

See attached

Return to:  
Manitowoc County  
Planning and Park Commission  
4319 Expo Drive, PO Box 935  
Manitowoc, WI 54220-0935  
(920) 683-4185

Dylan Marceles 3/28/24  
Signature (applicant, owner, agent) Date

Kathleen Babiarsh 11 APR 24  
Signature (applicant, owner, agent) Date



It is my dream to build my home for myself and my family in the countryside that I love and that is the reason for requesting this rezoning permission. I was born and raised in this neighborhood, learned from my parents to appreciate and value the countryside where I hope to live and raise my family. In my job, I work to make Wisconsin highways beautiful. When I visit the place I yearn to make my home, its beauty shines. I have spent the last eight years searching for this spot to call home.

The landowner of the property I wish to live on has agreed to work with me to achieve my dream and yet maintain the integrity of the overall property. There is a natural ditch that divides the 5 acres and splits current farmland. Which would make it ideal for a rezone since it's not continuous farmland.

Further to the south is the woods which the Babiashs will still own and protect. To the west of my five-acre parcel remains more farmland. To the east is another farmland with partial coverage with wooded acreage. It has a small portion also zoned as a large estate currently. Across the road is the home of another family.

My goal is to live on this property called home and build a barndominium. I want to protect the landscape that becomes part of our life. My home will give honor due to the countryside preserving the looks of the neighborhood and sharing in the space we can call home. I want to preserve the climate advantages of the existing neighborhood while looking toward energy efficiency in my home. This rezoning plea supports what is best about the landscape we want to continue to call home.



# COUNTY OF MANITOWOC COUNTY CLERK

1010 South 8<sup>th</sup> St., Ste. 115  
Manitowoc, WI 54220

**Jessica Backus**  
Manitowoc County Clerk

Telephone: (920) 683-4004  
Email: [jessicabackus@manitowoccountymi.gov](mailto:jessicabackus@manitowoccountymi.gov)

April 8<sup>th</sup>, 2024

Tim Ryan, Director  
Planning & Park Commission  
4319 Expo Dr., P.O. Box 935  
Manitowoc, WI 54220-0935

and

Manitowoc County Supervisor James Falkowski  
Supervisory District 19

ATTN: Tim Ryan and Supervisor Falkowski

We enclose a copy of the following petition for an amendment to Manitowoc County's Zoning Ordinance Use Regulations as filed in this office:

**Name of Owner:**

Todd and Kathleen Babiash  
17711 Old CC  
Denmark, WI 54208

**Township:**

Gibson

**Applicant/Agent**

Dylan C. Mancoske  
15238 Fairchills Rd  
Maribel, WI 54227

This notice is made in compliance with Section 59.69(5)(e)(1) of the Wisconsin Statutes.  
A report of the above petition will be made to the County Board at its next succeeding meeting.

Sincerely,

*Jessica Backus*

Jessica Backus  
Manitowoc County Clerk

# MANITOWOC COUNTY ZONING MAP AMENDMENT CHECKLIST

## GENERAL ZONING PRINCIPLES

- IS THE PROPOSED ZONING MAP AMENDMENT CONSISTENT WITH AND IN ACCORDANCE WITH THE COUNTY'S:
  - 1. LAND USE PLAN?
  - 2. FARMLAND PRESERVATION PLAN?
  - 3. OTHER LOCAL UNITS PLANS?
- HAS THERE BEEN A SUBSTANTIAL CHANGE IN CONDITIONS SINCE THE LAND WAS ORIGINALLY ZONED TO WARRANT THE PROPOSED AMENDMENT?
- WAS THE SUBJECT PROPERTY INCORRECTLY ZONED INITIALLY?
- DOES THE DECISION TO RECOMMEND APPROVAL OR DENIAL REPRESENT THE COMMISSION'S COMMISSIONER'S WILL OR DOES IT REPRESENT ITS JUDGMENT?
- IS THE PROPOSED AMENDMENT IN THE BEST INTEREST OF THE COMMUNITY PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE?
- WILL THE PROPOSED REZONING BE COMPATIBLE WITH NEIGHBORHOOD PROPERTIES AND WILL IT NOT ADVERSELY AFFECT THE VALUE OF SUCH ADJACENT LAND?
- IS THE SUBJECT PROPERTY ECONOMICALLY FEASIBLE TO DEVELOP OR USE UNDER THE CURRENT ZONING?
- ARE THERE ADEQUATE SITES ELSEWHERE THAT ARE ZONED APPROPRIATELY FOR THE PROPOSED USE?
- DOES THE PROPOSED ZONING MAP AMENDMENT CONSTITUTE SPOT ZONING?
- HAVE ALL USES THAT ARE PERMITTED UNDER THE PROPOSED ZONING DISTRICT BEEN CONSIDERED RATHER THAN JUST THE USE THAT IS BEING PROPOSED BY THE APPLICANT?
- DOES THE PROPOSED AMENDMENT (IF OUT OF EA, EXCLUSIVE AGRICULTURE) MEET THE STATUTORY AND COMMISSION POLICY FINDINGS?
- OBJECTIONS FROM TOWN OR OTHER INTERESTED PARTIES?
- CITIZEN SUPPORT/OBJECTION?

## SHORELAND FLOODPLAIN ZONING ORDINANCE PRINCIPLES

- IS THE PROPOSED LOCATION FOR THE PROPOSED USE WITHIN THE AREAS IDENTIFIED AS:
  - FLOODPLAIN
  - WETLAND
  - FLOODWAY
  - SHORELAND
- DOES THE PROPOSED CONSTRUCTION MEET THE STATE'S AND COUNTY'S STANDARDS:
  - PERMITTED ACCESSORY OR CONDITIONAL USE
  - SHORELINE VEGETATION REMOVAL
  - MINIMUM SETBACK FROM WATERWAY
  - MINIMUM LOT SIZE AND WIDTH
  - STANDARDS FOR FILLING, GRADING & EXCAVATION

# MANITOWOC COUNTY

## ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Gibson from EA to LE)

### PETITIONER

**Name:** Todd & Kathleen Babiash  
**Address:** 17711 Old CC  
Denmark WI 54208  
**Town:** Gibson

### PARCEL

**Location:** NE1/4, NE1/4, Section 7, T21N-R23E  
**Tax#:** 006-007-001-000.00  
**Area:** 5.0 acres

### ACTION TO DATE

**Petition Submitted:** 3/28/2024  
**Town Action:** Approved February 5, 2024  
**Hearing Notice Published:** 4/16/2024 & 4/22/2024  
**Advisory:** 4/29/2024  
**Hearing:** 4/29/2024

### ADJACENT USES & ZONING

| Direction: | District: | Use:                   |
|------------|-----------|------------------------|
| North      | EA & RR   | Farmland & Residential |
| South      | EA        | Woodland               |
| East       | LE & EA   | Farmland & Trees       |
| West       | EA        | Farmland               |

### PARCEL USES & ZONING

**Existing Zoning District:** EA, Exclusive Agriculture  
**Existing Land Use:** Farmland  
**Proposed Zoning District:** LE, Large Estate  
**Proposed Use:** Build a home

### MAP INFORMATION

**Farmland Preservation Designation:**  
Farmland Preservation  
**Soil Type:** Bu, HrC2, and SyA  
**Air Photo Date:** 04/2023

### OTHER CONSIDERATIONS

**Drainage:** Well – poorly drained  
**Soil Limitations:** Moderate – Severe  
**Sewage Disposal:** Private Onsite Wastewater Treatment  
**Road Access:** W Zander Rd

**Soil Test:** N/A  
**Terrain:** 0 to <12 Percent Slopes  
**Vegetative Cover:** Farmland

**Town Future Land Use Designation:** Agricultural

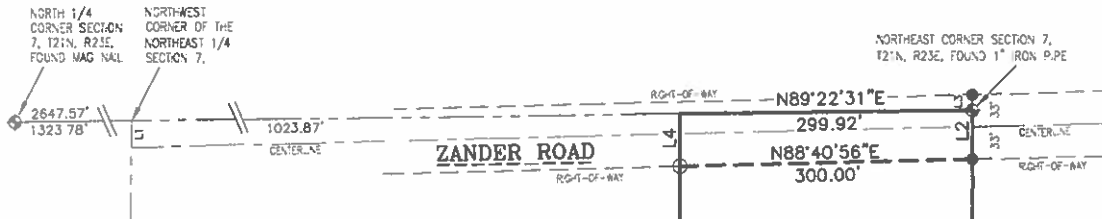
Encouraging the preservation of agricultural lands within the Town of Gibson. Any new development techniques and programs should preserve as much farmland as possible. Decisions to allow residential development in areas identified for agricultural uses should be based on sound land use planning criteria. If residential development is permitted, single family residences are recommended at densities that preserve natural areas, view sheds, open spaces, and areas deemed important for the town to keep preserved.

**County Future Land Use Designation:** Agricultural

Provide for the continued viability of farming and agricultural uses, the raising of livestock, the Conservation of agricultural land, and to maintain and promote the rural character of these farmlands into the future.

**CERTIFIED SURVEY MAP** SHEET 1 OF 3

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4  
OF SECTION 7, TOWNSHIP 21 NORTH, RANGE 23 EAST,  
TOWN OF GIBSON, MANITOWOC COUNTY, WISCONSIN.



**SURVEY FOR:**

TODD BABIASH  
KATHLEEN BABIASH  
17711 OLD CC  
DENMARK, WI 54208

NE 1/4-NE 1/4

UNPLATTED LANDS  
PARCEL 006-007-001-000.00  
VOL. 1898 PG. 496

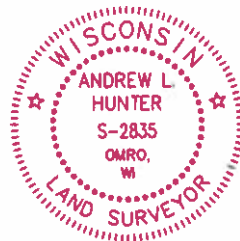
**NOTES**

ALL DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.  
BEARINGS ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM (MANITOWOC COUNTY) HAD 83(91), WHERE THE EAST LINE OF THE N.E. 1/4 OF SECTION 7, T21N, R23E IS RECORDED TO BEAR S00°17'42"W.

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | S00°16'11"W | 33.00'   |
| L2   | S00°17'42"W | 50.00'   |
| L3   | S00°17'42"W | 16.02'   |
| L4   | N00°17'42"E | 53.63'   |

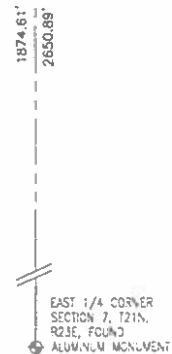
**LEGEND**

- ⊕ DENOTES SECTION OR 1/4 SECTION CORNER AS DESCRIBED
- DENOTES 1.25" OUTSIDE DIAMETER IRON PIPE 18" LONG SET, WEIGHING NOT LESS THAN 1.13 LBS PER LINEAL FOOT.
- DENOTES 1" IRON PIPE FOUND



11/7/2023  
PROJECT 5911A  
SHEET 1 OF 3  
3552 CLEN OAKS PASS GREEN BAY, WI 54311  
www.wisconsinlandsurveying.com (920)410-7744

**WISCONSIN**  
LAND SURVEYING INC.  
*Professional Service You Can Trust*



**CERTIFIED SURVEY MAP NO. \_\_\_\_\_ Sheet 2 of 3**

**PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 21 NORTH, RANGE 23 EAST, TOWN OF GIBSON, MANITOWOC COUNTY, WISCONSIN**

**SURVEYORS CERTIFICATE  
STATE OF WISCONSIN**

I, ANDREW HUNTER, WISCONSIN PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY;

THAT I HAVE SURVEYED, DIVIDED AND MAPPED PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 21 NORTH, RANGE 23 EAST, TOWN OF GIBSON, MANITOWOC COUNTY, WISCONSIN, WHICH IS BOUND AND DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE SOUTH 00°17'42" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4, 776.29 FEET; THENCE SOUTH 88°40'56" WEST 300.00 FEET; THENCE NORTH 00°17'42" EAST 779.92 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4; THENCE NORTH 89°22'31" EAST ALONG SAID NORTH LINE, 299.92 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 233338 SQ. FT. (5.36 ACRES) AND IS SUBJECT TO ALL EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE THIS SURVEY BY THE DIRECTION OF TODD BABIASH AND KATHLEEN BABIASH, OWNERS 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 THIS CERTIFIED SURVEY MAP IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENT(S): VOL. 1898, PG. 496 AS DOC. NO. 949642

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE TOWN OF GIBSON AND MANITOWOC COUNTY SUBDIVISION ORDINANCES.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Andrew Hunter, Professional  
Wisconsin Land Surveyor S-2835-008

**OWNERS CERTIFICATE**

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREIN.

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
TODD BABIASH

\_\_\_\_\_  
KATHLEEN BABIASH

**STATE OF WISCONSIN)**  
:SS  
\_\_\_\_\_  
COUNTY)

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_ THE AFOREMENTIONED TODD BABIASH AND KATHLEEN BABIASH TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

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

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

CERTIFIED SURVEY MAP NO. \_\_\_\_\_ Sheet 3 of 3

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 21 NORTH, RANGE 23 EAST, TOWN OF GIBSON, MANITOWOC COUNTY, WISCONSIN

COUNTY TREASURERS CERTIFICATE

I, BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER FOR MANITOWOC COUNTY, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR DELINQUENT SPECIAL ASSESSMENTS ON ANY LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP AS OF:

DATE \_\_\_\_\_ TREASURER \_\_\_\_\_

TOWN TREASURERS CERTIFICATE

I, BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER FOR TOWN OF GIBSON DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR DELINQUENT SPECIAL ASSESSMENTS ON ANY LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP AS OF:

Date \_\_\_\_\_ Treasurer \_\_\_\_\_

CERTIFICATE OF MANITOWOC COUNTY PLANNING AND PARK COMMISSION

THIS CERTIFIED SURVEY MAP HAS BEEN SUBMITTED TO AND APPROVED BY THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION AS COMPLYING WITH THE SUBDIVISION REGULATIONS FOR MANITOWOC COUNTY AND WISCONSIN STATUTE CHAPER 236.

\_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_

CERTIFICATE OF TOWN OF GIBSON BOARD APPROVAL

WE HEREBY CERTIFY THAT THE TOWN OF GIBSON BOARD OF SUPERVISORS APPROVE OF THIS CERTIFIED SURVEY MAP

\_\_\_\_\_ Date \_\_\_\_\_ Town Clerk \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_ Town Chairperson \_\_\_\_\_

8:06

90



3D

6631-6899 W  
Zander Rd

38°  
AQI 17

Search Maps





7:48

93



3D

HEISER RD

W ZANDER RD

38°  
AQI 20

Search Maps



**Michelle Haupt**

---

**From:** Town of Gibson <townofgibson@gmail.com>  
**Sent:** Wednesday, February 7, 2024 1:38 PM  
**To:** Michelle Haupt  
**Subject:** Babiash Rezone - Gibson  
**Attachments:** Babiash Resolution(1).pdf

**MANITOWOC COUNTY  
RECEIVED  
FEB 07 2024  
PLANNING & PARK  
COMMISSION**

**WARNING:** This message originated from outside of Manitowoc County's email system. Any attachments or links should be carefully considered before proceeding. Think before you click!

Good afternoon Michelle,

Attached is the town's Resolution No. 2024-4 Approving Rezoning Request of Todd & Kathleen Babiash (Parcel No. 006-007-001-000.00). Here is the excerpt from the draft copy of the February minutes.

**Motion by Rahmlow, second by Rabitz, to adopt Resolution No. 2024-4 Approving Rezoning Request of Todd & Kathleen Babiash (Parcel No. 006-007-001-000.00). All voting aye, motion carried. Resolution rezones 5 acres of referenced parcel from Exclusive Agriculture to Large Estate Residential and the balance of the parcel will remain zoned as Exclusive Agriculture.**

Let me know if you need anything else. Thank you.

--

Linda S. Herman  
Clerk/Treasurer  
Town of Gibson  
2211 Rockledge Road  
Mishicot, WI 54228  
**920-973-2212**

MANITOWOC COUNTY  
RECEIVED  
FEB 07 2024  
PLANNING & PARK  
COMMISSION

STATE OF WISCONSIN  
TOWN OF GIBSON  
MANITOWOC COUNTY

No. 2024- 4


**RESOLUTION APPROVING REZONING REQUEST  
TODD & KATHLEEN BABIASH  
PARCEL NO. 006-007-001-000.00**

WHEREAS, the Town Board of the Town of Gibson of Manitowoc County, Wisconsin, by this resolution, adopted by a majority vote of 3 to 0 of the town board on a roll call vote with a quorum present at a meeting on February 5, 2024, at the Gibson Town Hall, 14920 County Trunk Highway Q, Mishicot, Wisconsin; and voting and proper notice having been given; resolves and orders as follows:

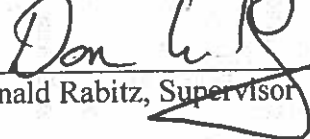
The request of Todd and Kathleen Babiash to rezone approximately 5 acres of land located in the NE 1/4, NE 1/4, Section 7, T21, R23E, Town of Gibson (Parcel No. 006-007-001-000.00) from Exclusive Agricultural (~~EA~~) to Large Estate Residential (LE) with the balance of this parcel remaining zoned as Exclusive Agricultural was approved by a vote of 3 to 0 of the Gibson Town Board on February 5, 2024.

The town clerk shall properly post or publish this resolution as required under s. 60.80, Wis. Stats.

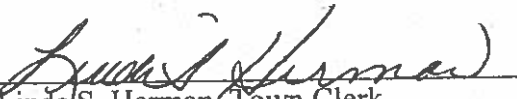
Adopted this 5th day of February, 2024.

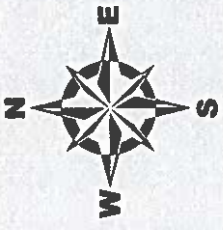
  
Richard Wegner, Chairman

  
Steven Rahmlow, Supervisor

  
Donald Rabitz, Supervisor

Attest:

  
Linda S. Herman, Town Clerk



Todd & Kathleen Babiash  
 NE 1/4, NE 1/4  
 Section 7, T21N-R23E  
 Town of Gibson  
 From: EA To: LE  
 Approximately 5.00 acre(s)  
**-87.746, 44.312**

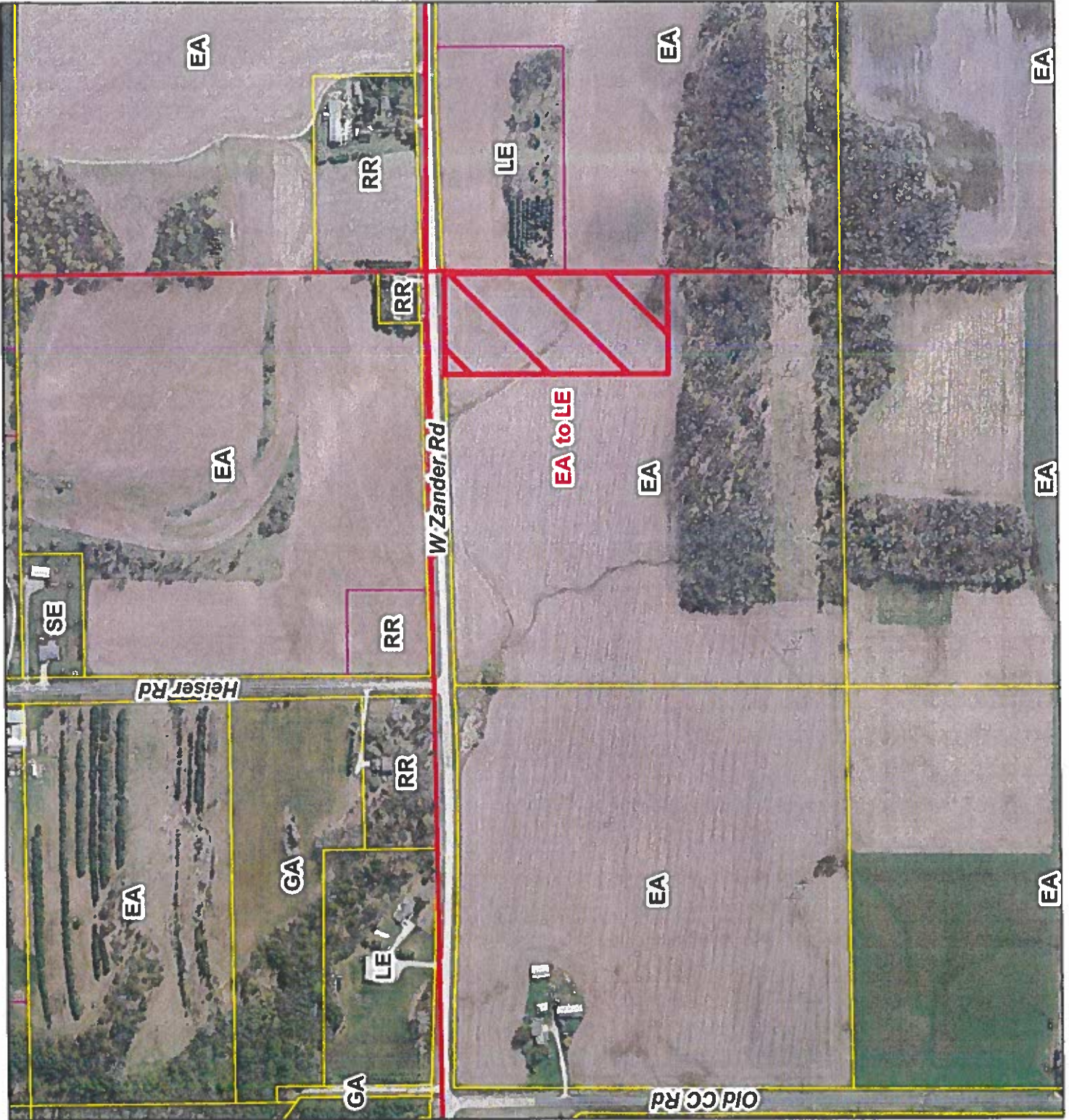
Map Overview

| Gibson |    |    |    |    |    |
|--------|----|----|----|----|----|
| 6      | 5  | 4  | 3  | 2  | 1  |
| 8      | 9  | 10 | 11 | 12 |    |
| 18     | 17 | 16 | 15 | 14 | 13 |
| 19     | 20 | 21 | 22 | 23 | 24 |
| 30     | 29 | 28 | 27 | 26 | 25 |
| 31     | 32 | 33 | 34 | 35 |    |



**Legend**

- Proposed Zone Change
- Zoning Line
- Section Line
- Lot Line
- Water Way



**RESOLUTION AUTHORIZING WISCONSIN DEPARTMENT OF  
NATURAL RESOURCES RUNOFF MANAGEMENT GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, the approved Manitowoc County Land and Water Resource Management  
2 Plan identifies concerns that Manitowoc County has with the impact of non-point pollution on  
3 county surface water and groundwater resources; and  
4

5           WHEREAS, the Soil and Water Conservation Department mitigates the impacts of non-  
6 point pollution through the administration of ordinances, provision of technical assistance and  
7 educational programs, and distribution of cost-share funds; and  
8

9           WHEREAS, the Soil and Water Conservation Department (SWCD) partners with federal,  
10 state, and local governments, as well as non-profit organizations to secure funding opportunities  
11 to bring cost-share dollars into Manitowoc County to address environmental concerns and provide  
12 conservation-based programing and solutions for its citizens; and  
13

14           WHEREAS, mismanaged nutrient applications and agricultural runoff from sites can be  
15 significant sources of pollution impacting Manitowoc County surface water, groundwater, and  
16 watersheds draining to the Lake Michigan ecosystem; and  
17

18           WHEREAS, agricultural producers have the ability to control runoff and reduce impacts  
19 to watersheds when they install best management practices (bmp's); and  
20

21           WHEREAS, the SWCD desires to apply for and receive up to \$492,000 in grant funds for  
22 a Runoff Management Grant from the Wisconsin Department of Natural Resources (WDNR)  
23 pursuant to Wis. Stat. § 281.65 or 281.66 and Wis. Admin. Code §§ NR 151, 153 and 154; and  
24

25           WHEREAS, the Manitowoc County SWCD has staff and resources available to develop  
26 plans, install bmp's, and administer Runoff Management Grant funds with no impact on the county  
27 levy; and  
28

29           WHEREAS, after careful consideration and review, the Land Conservation Committee  
30 recommends the SWCD pursue and accept a Runoff Management Grant to facilitate and improve  
31 non-point source pollution management in the county;  
32

33           NOW THEREFORE, BE IT RESOLVED, that the county board of supervisors of the  
34 county of Manitowoc authorizes the Soil and Water Conservation Department Director, or his  
35 designee, to apply for and accept a Runoff Management Grant from the Wisconsin Department of  
36 Natural Resources in an amount up to \$492,000; and  
37

38           BE IT FURTHER RESOLVED, that the state of Wisconsin will reimburse Manitowoc  
39 County for funds administered in meeting the intent of the approved grant in full; and

40  
41 BE IT FURTHER RESOLVED the SWCD will meet the financial obligations and verify,  
42 report, and submit reimbursements necessary to fully and satisfactorily complete the deliverables  
43 as outlined in the grant application and any agreements entered into pursuant thereto; and  
44

45 BE IT FURTHER RESOLVED that the Manitowoc County SWCD Director, or his  
46 designee, is hereby authorized and empowered to sign documents and take actions necessary to  
47 undertake, direct, and complete the grant processes including, but not limited to:  
48

- 49 • signing and submitting an application to WDNR for financial aid that may be  
50 available;
- 51 • signing a grant agreement between Manitowoc County and WDNR;
- 52 • entering into cost-share agreements with landowners/operators to install best  
53 management practices;
- 54 • making cost-share payments to landowners/operators after payment is requested,  
55 evidence of contractor payment by a landowner/operator has been received, and  
56 Manitowoc County has verified proper bmp installation;
- 57 • signing and submitting reimbursement claims, along with necessary supporting  
58 documentation, to WDNR;
- 59 • signing and submitting interim and final reports and other documentation as  
60 required by the grant agreement;
- 61 • signing and submitting and Environmental Hazards Assessment form, if required;
- 62 • taking any other action necessary to undertake, direct, and complete an approved  
63 project;

64  
65 and

66  
67 BE IT FURTHER RESOLVED that revenues and expenses in the Soil and Water  
68 Conservation Department budget are amended by the amount of any grant award, and the Finance  
69 Director is directed to record such information in the official books of the county for year ending  
70 December 31, 2024 with carryover to 2025 as may be required.

Dated this 21st day of May 2024.

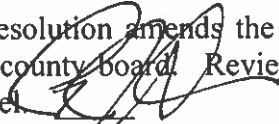
Respectfully submitted by the  
Land Conservation Committee

\_\_\_\_\_  
Ryan Phipps, Chair

FISCAL IMPACT: No tax levy impact. Appropriate revenue and expense accounts in the Soil and Water Conservation Department budget will be increased by the amount of any grant amount authorized.

FISCAL NOTE: Reviewed and approved by Finance Director. \_\_\_\_\_

LEGAL NOTE:

This resolution amends the budget and requires a two-thirds vote of the entire county board. Reviewed and approved as to form by Corporation Counsel 

APPROVED:

\_\_\_\_\_ Date  
Bob Ziegelbauer, County Executive

**ORDINANCE AMENDING ZONING MAP**  
(Bruce and Kelly Hansen)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on April 29, 2024; and  
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony  
5 and an examination of the facts, recommends that the petition be approved for the reasons stated  
6 in the attached report;  
7

8 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does  
9 ordain as follows:  
10

11 A parcel of land located in a part of the East Half (E1/2) of the West Half (W1/2) of the  
12 Northeast Quarter (NE1/4) of Section 13, Township 17 North, Range 21 East, Town of Schleswig,  
13 Manitowoc County, Wisconsin, more particularly described as follows:  
14

15 Commencing at the Northeast Corner of said Section 13; thence S89°-59'-53"W  
16 along the North line of the NE1/4 of said Section 13, a distance of 1317.22 feet to  
17 the East line of W1/2 of the NE1/4 of said Section 13 and the point of beginning;  
18 thence S00°-16'-47"W along said East line 1614.27 feet; thence S85°-18'-21"W  
19 40.15 feet; thence N00°-16'-47"E 1017.03 feet; thence N83°-55'-13"W 169.41  
20 feet; thence N00°-16'-47"E 582.57 feet to the North line of the NE1/4 of said  
21 Section 13; thence N89°-59'-53"E along said North line 208.55 feet to the point of  
22 beginning, said parcel containing approximately 164,339 square feet (3.77 acres)  
23 of land  
24

25 is hereby rezoned from General Agriculture (GA) District to Small Estate Residential (SE) District.

Dated this 21st day of May 2024.

Respectfully submitted by the  
Planning and Park Commission

\_\_\_\_\_  
James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. \_\_\_\_\_

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. 



COUNTERSIGNED: \_\_\_\_\_  
Tyler Martell, County Board Chair Date

APPROVED: \_\_\_\_\_  
Bob Ziegelbauer, County Executive Date

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS MAY 21, 2024.  
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
RE: BRUCE AND KELLY HANSEN ZONING MAP AMENDMENT REQUEST

This report, recommendation, Ordinance, proof of publication, attached map, and the fact sheet are hereby presented in accordance with Section 59.69(5)(e)4 Wisconsin Statutes.

Bruce and Kelly Hansen, on March 7, 2024, petitioned the Manitowoc County Board of Supervisors to rezone approximately 3.71 acres of land located in the SW1/4, NE1/4, and the NW1/4, NE1/4, Section 13, T17N-R21E, Town of Schleswig, from GA, General Agriculture to SE, Small Estate.

The Town of Schleswig adopted the Manitowoc County Zoning Ordinance on October 11, 2012. The uses permitted in the SE, Small Estate zoning provides for mixed residential and agriculture activity with a minimum lot size of two acres.

1. Action taken to date on this request includes:

- a. Bruce and Kelly Hansen petitioned for a zoning map amendment on March 7, 2024.
- b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
- c. The public hearing notices were published in the Herald-Times-Reporter on April 16, 2024 and on April 22, 2024.
- d. The County Planning and Park Commission held a public hearing on this amendment request on April 29, 2024.
- e. The Commission at their April 29, 2024 meeting recommended approval of a requested rezoning of approximately 3.71 acres of land located in the SW1/4, NE1/4, and the NW1/4, NE1/4, Section 13, T17N-R21E, Town of Schleswig, from GA, General Agriculture to SE, Small Estate.

2. Existing conditions relating to land use, zoning, and natural resources are summarized on the accompanying zone change fact sheet.

3. Testimony at the hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.

The County Planning and Park Commission made the following findings from testimony at the hearing, the rezoning fact sheet, staff analysis, and discussions at the public hearing and meeting.

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the GA, General Agriculture District.
2. The Schleswig Town Board and the Town Plan Commission support the proposed zone change to SE, Small Estate.
3. The area to be rezoned is adjacent to a residential zoned parcel.
4. The rezoning will allow for the parcel to be divided, permitting the conveyance of the woodland portion to a relative.
5. No farmland will be affected by the proposed rezoning.

## RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the zone change fact sheets and maps, and from the staff analysis, that the public health, safety and general welfare would be safeguarded and substantial justice done, if the request of Bruce and Kelly Hansen to rezone approximately 3.71 acres of land from GA, General Agriculture to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its April 29, 2024 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 3.71 acres of land located in the SW1/4, NE1/4, and the NW1/4, NE1/4, Section 13, T17N-R21E, Town of Schleswig, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from GA, General Agriculture to SE, Small Estate.



# Manitowoc County Planning and Park Commission

\$ 531

Fee (\$505) Received

Receipt # 41093

## ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY  
RECEIVED

Date of Application: 3/5/2024

OWNER / APPLICANT/ AGENT

MAR 07 2024

PLANNING & PARK  
COMMISSION

Owner Bruce & Kelly Hansen

Applicant/Agent Anthony P Lulloff

Address (1) 17723 C.T.H. "X"

Address (1) AP Lulloff Land Survey LLC

Address (2) \_\_\_\_\_

Address (2) 17625 Matznick Rd

City/State/Zip Kiel, WI 53042

City/State/Zip Kiel, WI 53042

Phone 920.894.1546

Phone 920.894.2151

bhhansen57@gmail.com

aplulloff@gmail.com

SW 1/4 NE 1/4 PROPERTY LEGAL DESCRIPTION

NW 1/4, NE 1/4, S 13 T 17 N R 21 E Town of Schleswig

House /Fire # 17723 CTH X

Tax Number 016-013-002-001.00

### PROPERTY INFORMATION

Existing Zoning District GA

Proposed Zoning district SE

Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:

The Hansen's are conveying the south 13.71 acres to their daughter & son in law, who are also acquiring the east adjacent property. See the attached Certified Survey Map and legal description.

Proposed use: (Reason for change)

Bruce & Kelly Hansen will remain owning the remnant of 3.77 acres. SE zoning was recommended by County Planning.

Return to:  
Manitowoc County  
Planning and Park Commission  
4319 Expo Drive, PO Box 935  
Manitowoc, WI 54220-0935  
(920) 683-4185

Anthony P. Lulloff 3/5/2024  
Signature (applicant, owner, agent) Date

\_\_\_\_\_  
Signature (applicant, owner, agent) Date



# COUNTY OF MANITOWOC COUNTY CLERK

1010 South 8<sup>th</sup> St., Ste. 115  
Manitowoc, WI 54220

**Jessica Backus**  
Manitowoc County Clerk

Telephone: (920) 683-4004  
Email: [jessicabackus@manitowoccountywi.gov](mailto:jessicabackus@manitowoccountywi.gov)

April 8<sup>th</sup>, 2024

Tim Ryan, Director  
Planning & Park Commission  
4319 Expo Dr., P.O. Box 935  
Manitowoc, WI 54220-0935

and

Manitowoc County Supervisor Jonathan Neils  
Supervisory District 13

ATTN: Tim Ryan and Supervisor Neils

We enclose a copy of the following petition for an amendment to Manitowoc County's Zoning Ordinance Use Regulations as filed in this office:

**Name of Owner:**

Bruce and Kelly Hansen  
17723 CTH X  
Kiel, WI 53042

**Township:**

Schleswig

**Applicant/Agent**

Anthony P. Luloff  
AP Luloff Land Survey LL C  
17625 Matznick Rd  
Kiel, WI 53042

This notice is made in compliance with Section 59.69(5)(e)(1) of the Wisconsin Statutes.  
A report of the above petition will be made to the County Board at its next succeeding meeting.

Sincerely,

*Jessica Backus*

Jessica Backus  
Manitowoc County Clerk

# MANITOWOC COUNTY ZONING MAP AMENDMENT CHECKLIST

## GENERAL ZONING PRINCIPLES

- IS THE PROPOSED ZONING MAP AMENDMENT CONSISTENT WITH AND IN ACCORDANCE WITH THE COUNTY'S:
  - 1. LAND USE PLAN?
  - 2. FARMLAND PRESERVATION PLAN?
  - 3. OTHER LOCAL UNITS PLANS?
  
- HAS THERE BEEN A SUBSTANTIAL CHANGE IN CONDITIONS SINCE THE LAND WAS ORIGINALLY ZONED TO WARRANT THE PROPOSED AMENDMENT?
  
- WAS THE SUBJECT PROPERTY INCORRECTLY ZONED INITIALLY?
  
- DOES THE DECISION TO RECOMMEND APPROVAL OR DENIAL REPRESENT THE COMMISSION'S COMMISSIONER'S WILL OR DOES IT REPRESENT ITS JUDGMENT?
  
- IS THE PROPOSED AMENDMENT IN THE BEST INTEREST OF THE COMMUNITY PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE?
  
- WILL THE PROPOSED REZONING BE COMPATIBLE WITH NEIGHBORHOOD PROPERTIES AND WILL IT NOT ADVERSELY AFFECT THE VALUE OF SUCH ADJACENT LAND?
  
- IS THE SUBJECT PROPERTY ECONOMICALLY FEASIBLE TO DEVELOP OR USE UNDER THE CURRENT ZONING?
  
- ARE THERE ADEQUATE SITES ELSEWHERE THAT ARE ZONED APPROPRIATELY FOR THE PROPOSED USE?
  
- DOES THE PROPOSED ZONING MAP AMENDMENT CONSTITUTE SPOT ZONING?
  
- HAVE ALL USES THAT ARE PERMITTED UNDER THE PROPOSED ZONING DISTRICT BEEN CONSIDERED RATHER THAN JUST THE USE THAT IS BEING PROPOSED BY THE APPLICANT?
  
- DOES THE PROPOSED AMENDMENT (IF OUT OF EA, EXCLUSIVE AGRICULTURE) MEET THE STATUTORY AND COMMISSION POLICY FINDINGS?
  
- OBJECTIONS FROM TOWN OR OTHER INTERESTED PARTIES?
  
- CITIZEN SUPPORT OBJECTION?

## SHORELAND FLOODPLAIN ZONING ORDINANCE PRINCIPLES

- IS THE PROPOSED LOCATION FOR THE PROPOSED USE WITHIN THE AREAS IDENTIFIED AS:
  - FLOODPLAIN
  - WETLAND
  - FLOODWAY
  - SHORELAND
  
- DOES THE PROPOSED CONSTRUCTION MEET THE STATE'S AND COUNTY'S STANDARDS:
  - PERMITTED ACCESSORY OR CONDITIONAL USE
  - SHORELINE VEGETATION REMOVAL
  - MINIMUM SETBACK FROM WATERWAY
  - MINIMUM LOT SIZE AND WIDTH
  - STANDARDS FOR FILLING, GRADING & EXCAVATION

# MANITOWOC COUNTY

## ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Schleswig from GA to SE)

### PETITIONER

**Name:** Bruce & Kelly Hansen  
**Address:** 17723 CTH X  
Kiel WI 53042  
**Town:** Schleswig

### PARCEL

**Location:** NW ¼, NE ¼, Section 13, T17N-R21E  
SW ¼, NE ¼, Section 13, T17N-R21E  
**Tax#:** 016-013-002-001.00  
**Area:** 3.71 acre(s)

### ACTION TO DATE

**Petition Submitted:** 03/07/2024  
**Town Action:** Approved March 14, 2024  
**Hearing Notice Published:** 4/16/24 & 4/22/24  
**Advisory:** 04/29/24  
**Hearing:** 04/29/24

### ADJACENT USES & ZONING

| Direction: | District: | Use:                   |
|------------|-----------|------------------------|
| North      | GA        | Grassland & Farmland   |
| South      | GA        | Farmland & Woodland    |
| East       | GA & SE   | Farmland & Residential |
| West       | GA        | Farmland               |

### PARCEL USES & ZONING

**Existing Zoning District:** GA, General Agriculture  
**Existing Land Use:** Residential  
**Proposed Zoning District:** SE, Small Estate  
**Proposed Use:** Conveying pond and woods to daughter.

### MAP INFORMATION

**Farmland Preservation Designation:**  
Farmland Preservation Area  
**Soil Type:** HmB, SyA  
**Air Photo Date:** 04/2023

### OTHER CONSIDERATIONS

**Drainage:** Well – somewhat poorly drained  
**Soil Limitations:** Moderate - Severe  
**Sewage Disposal:** Private Onsite Wastewater Treatment  
**Road Access:** CTH X  
**Soil Test:** May 1, 2000  
**Terrain:** 0 – 12+ Percent Slopes  
**Vegetative Cover:** Grassland/Trees/

**Town Land Use Designation:** Agricultural

Preserve the agricultural resources of the town. Anticipated Land Use trends to include division of land in the town into smaller parcels. New residential development types shall conform to surrounding land uses. Preserve as much of the rural landscape and woodlands and other natural features as possible. Encourage design techniques (such as conservation and cluster subdivision) that strike a creative balance between open space and development.

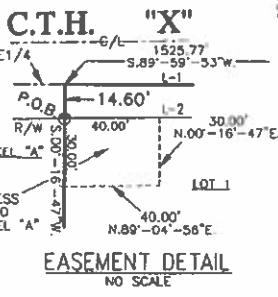
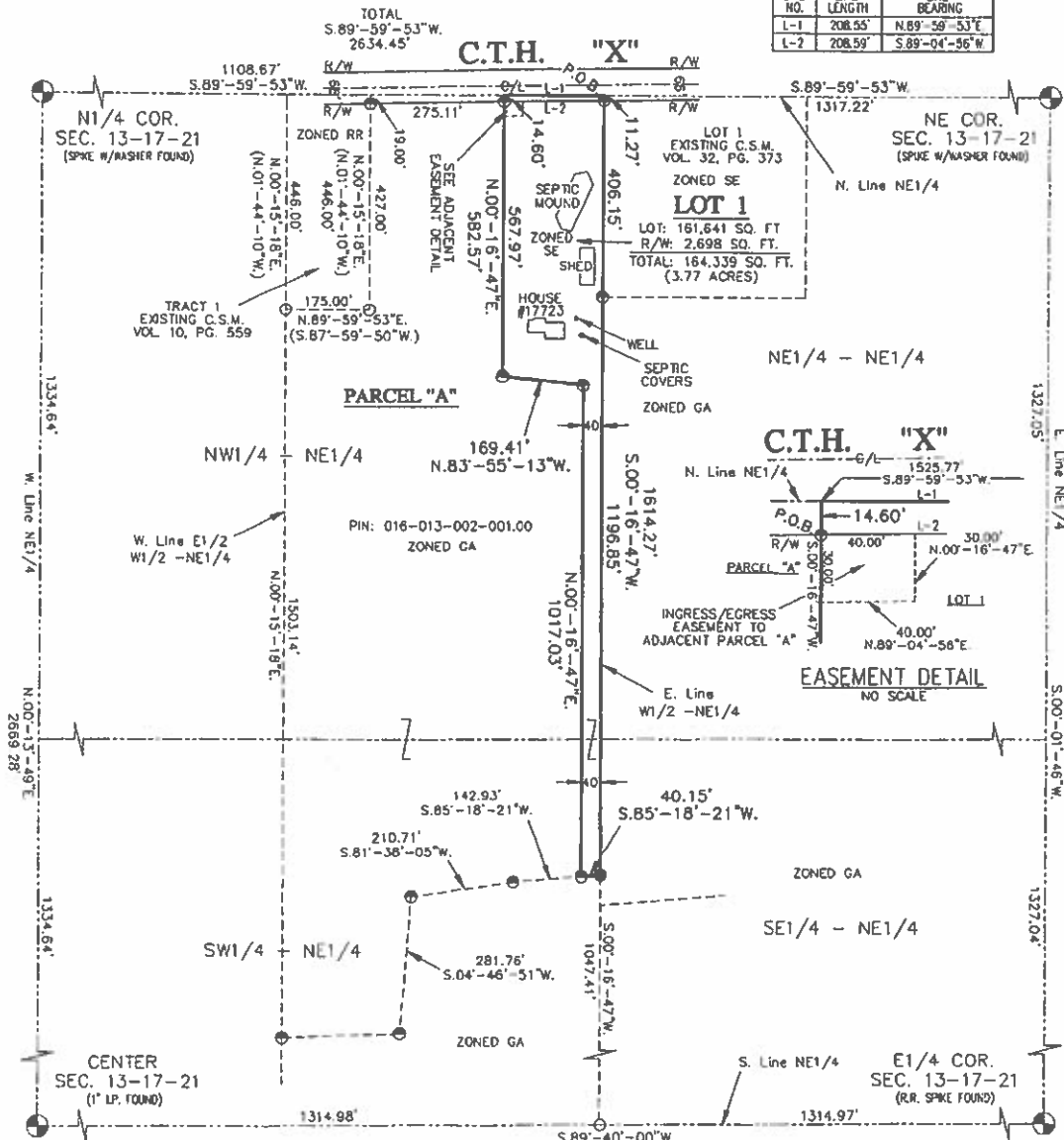
**County Future Land Use Designation:** Agricultural

Provide for the continued viability of farming and agricultural uses, the raising of livestock, the Conservation of agricultural land, and to maintain and promote the rural character of these farmlands into the future.

# CERTIFIED SURVEY MAP

A PART OF THE E1/2 OF THE W1/2 OF THE NE1/4 OF SECTION 13, T. 17 N., R. 21 E., TOWN OF SCHLESWIG, MANITOWOC COUNTY, WISCONSIN.

| LINE TABLE |             |                |
|------------|-------------|----------------|
| LINE NO.   | LINE LENGTH | LINE BEARING   |
| L-1        | 208.55'     | N.89°-59'-53"E |
| L-2        | 208.59'     | S.89°-04'-56"W |



**PROPERTY ZONED SE**

**SETBACKS**

60 FOOT FRONT SETBACK FROM THE CENTERLINE OF THE TOWN ROAD

25 FOOT PROPERTY LINE SETBACK FOR PRINCIPAL AND CONDITIONAL USE STRUCTURES

10 FOOT PROPERTY LINE SETBACK FOR ACCESSORY STRUCTURES

BEARINGS REFERENCED TO MANITOWOC COUNTY COORDINATE SYSTEM NORTH LINE OF NE1/4 SECTION 13 ASSIGNED S.89°-59'-53"W.

SCALE: 1" = 300'



- LEGEND**
- = 3/4" x 18" Iron Rebar Set Weighing 1.15 lbs./ft.
  - = 3/4" Iron Rebar Found
  - = 1" Iron Pipe Found
  - ( ) = Recorded As Data
  - ⊕ = Manitowoc County Monument



**AP Lulloff LAND SURVEY, LLC**

Anthony Lulloff PLS, SP  
AP Lulloff Land Survey, LLC  
17625 Matznick Road  
Kiel, WI 53042  
aplulloff@gmail.com  
920.894.2151

Prepared For:  
Bruce & Kelly Hengen  
17725 C.T.H. "X"  
Kiel, WI 53042

|   |         |         |
|---|---------|---------|
| 1 | 2-24-24 | PRELIM. |
| 2 | 3-6-24  | FINAL   |

DRAWING FILE: HANSON S.1  
PROJECT NUMBER: 2221203.01  
DRAWN BY: KCM CHECKED BY: APL  
NOTEBOOK: MAN-5 PAGE: 31  
SHEET 1 OF 2 MAP NO. L-14022



STATE OF WISCONSIN) SS  
MANITOWOC COUNTY)

CERTIFIED SURVEY MAP

Sheet 2 of 2

SURVEYOR'S CERTIFICATE:

I, Anthony P. Lulloff, Wisconsin Professional Land Surveyor of AP Lulloff Land Survey LLC certify that I have surveyed, divided and mapped under the direction of Bruce Hansen, a part of the East Half (E1/2) of the West Half (W1/2) of the Northeast Quarter (NE1/4) of Section 13, Township 17 North, Range 21 East, Town of Schleswig, Manitowoc County, Wisconsin containing 164,339 square feet (3.77 acres) of land and being described by:

Commencing at the Northeast Corner of said Section 13; thence S89°-59'-53"W along the North line of the NE1/4 of said Section 13, a distance of 1317.22 feet to the East line of W1/2 of the NE1/4 of said Section 13 and the point of beginning; thence S00°-16'-47"W along said East line 1614.27 feet; thence S85°-18'-21"W 40.15 feet; thence N00°-16'-47"E 1017.03 feet; thence N83°-55'-13"W 169.41 feet; thence N00°-16'-47"E 582.57 feet to the North line of the NE1/4 of said Section 13; thence N89°-59'-53"E along said North line 208.55 feet to the point of beginning.

Subject to an easement for the purpose of ingress and egress granted to the west adjoining property and being described by: Commencing at the Northeast Corner of said Section 13; thence S89°-59'-53"W along the North line of the NE1/4 of said Section 13, a distance of 1525.77 feet; thence S00°-16'-47"W 14.60 feet to the South line of C.T.H. "X" and being the point of beginning; thence continuing S00°-16'-47"W 30.00 feet; thence N89°-04'-56"E 40.00 feet; thence N00°-16'-47"E 30.00 feet to the South line of said C.T.H. "X"; thence S89°-04'-56"W along said South line 40.00 feet to the point of beginning.

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 Wisconsin Statutes, Section 12.07 of the Manitowoc County Subdivision Regulations and the Town of Schleswig in surveying, dividing and mapping the same.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Wisconsin Professional Land Surveyor  
Anthony P. Lulloff, S-1655

OWNER'S CERTIFICATE:

As owner, I hereby certify that I caused the land described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this map.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

In the presence of:

\_\_\_\_\_

\_\_\_\_\_  
Bruce Hansen

\_\_\_\_\_

\_\_\_\_\_  
Kelly Hansen

MANITOWOC COUNTY  
RECEIVED  
MAR 18 2024  
PLANNING & PARK  
COMMISSION

TOWN OF SCHLESWIG  
Regular Monthly Town Board Meeting  
March 14th, 2024  
MINUTES  
**UNAPPROVED DRAFT**

Meeting called to order by Supervisor Schwantes at 7:00 P.M. at the Schleswig Town Hall. Meeting notices were posted at designated sites on March 10, 2024, and the media was notified. Town officials present for the meeting were Chairman Glomski, Supervisor Hoerth, Supervisor Schwantes, Clerk Pieper, Deputy Clerk Meyer, Treasurer Krebsbach, Deputy Treasurer Vondrachek and Road Superintendent Hartmann.

**Motion – Hoerth/Schwantes** to approve the agenda as presented; motion carried.

**Motion – Hoerth/Schwantes** to approve Regular Board meeting minutes of 2/8/2024; motion carried.

Treasurer's report: Checkbook balance \$39,212.84; mobile home account \$4,387.15; tax account \$516,954.04; capital outlay account \$77,461.73; equipment account \$93,411.26. Receipts since previous meeting were \$2,564.00.

Clerk's report: **Hoerth/Schwantes** to approve payments of the EFT for US Treasury and checks #17070 to #17118 totaling \$1,578,169.37; motion carried.

Board Member's Report:

Chairman Glomski reported on the District Meeting and a discussion on agricultural road funding. He is looking into potential roads in the township that would qualify. Glomski will be meeting with the City of Kiel Clerk of Courts. Tree removal will begin on Rockville Road over the next two weeks. The road will be closed intermittently during this time. One of the board members may attend a Road School training session that takes place from April 29 to May 1 and is hosted by the Wisconsin Towns Association.

Assessor's report: None

Constable's report: Constable Schuler reported on the monthly calls and provided an update on ongoing issues in the township.

Visitors' input: Cindy Leitner requested that ordinances and resolutions be made public before the meeting where they will be discussed. Chairman Glomski reviewed posting requirements. Randy Leonard, Cedar Lake resident, brought up concerns with the boat launch and dead ash trees in the township, specifically those on private property that could fall on power lines if they came down. Scott Otterson brought up the missing road sign at the intersection of Rokilio and Klemme Roads.

Building permits:

|                 |                        |
|-----------------|------------------------|
| Matt Willsey    | REMODEL                |
| JUDITH BADURA   | REMODEL                |
| JIM MOSER       | CELL TOWER ALTERATIONS |
| JUDITH BADURA   | ADDED SHOWER           |
| SANDRA BUCHHOLZ | SHED                   |

Regular Town Board Meeting 3/14/2024

\*All motions recorded in these minutes as carried are carried unanimously unless otherwise noted.

## Old & new business

### A. Cedar Lake Ordinance for slow no wake operation of watercraft during high water period

Glomski discussed the Cedar Lake Sanitary District Slow No Wake Ordinance 2024-02 which amends Ordinance 2009-02. This Ordinance will be submitted to the Wisconsin Department of Natural Resources for review. Once the WI DNR accepts the ordinance it will come back to the Town Board for approval. **Motion Hoerth/Schwantes** to submit Cedar Lake Sanitary District Slow No Wake Ordinance 2024-02 to the Wisconsin Department of Natural Resources; motion carried.

### B. Planning Commission Recommendations:

1. Request by Bruce and Kelly Hansen to rezone 3.77-acres from GA to SE  
Supervisor Hoerth reviewed the rezone request for Bruce and Kelly Hansen and the Planning Commission recommendation to approve. **Motion Schwantes/Hoerth** to approve the rezone; motion carried.
  
2. Request by Charles Hoefner via Matt Grohskopf for a variance on landscape work at Cedar Lake  
Supervisor Hoerth reviewed the rezone request for Charles Hoefner and the work that will be done. Hoerth reviewed the Planning Commission discussion and recommendation to approve. **Motion Glomski/Schwantes** to approve the rezone; motion carried.

### C. Budget Adjustment

The board reviewed the 2023 town budget and looked at areas that needed adjustment. The clerks will continue this review and the board will meet at a later date.

### D. Small bridge/culvert request

Chairman Glomski informed that he signed the agreement with Manitowoc County to have them locate and inventory the small bridges and culverts in the township.

### E. Road Work

Chairman Glomski and Road Superintendent Hartmann led a discussion on future road work. They will continue working on compiling a list.

### F. Update on Recycling Center

Supervisor Hoerth gave an update on the recycling center and recommends we put out a request for proposal to area contractors for services for the recycling center. The RFP will be advertised in the paper and Town website. After discussion it was decided that two RFP's will be done. One for the recycling center and the other for private collection. **Motion Glomski/Schwantes** to advertise the two requests for proposal; motion carried.

## Miscellaneous Reports

### A. Board of Review April 23rd

The Board of Review is set for April 23<sup>rd</sup> from 4pm-6pm.

### B. Open Book

The assessor will set the open book date 7-10 days before the Board of Review. Once this date is set it will be posted on the Town website and Town Hall.

C. Annual Meeting April 16<sup>th</sup>

The Annual Meeting is set for April 16<sup>th</sup> at 7pm.

**Motion Hoerth/Schwantes** to adjourn; motion carried. The meeting adjourned at 9:51 pm.

Lindsay Meyer, Deputy Clerk  
March 16<sup>th</sup>, 2024

Minutes  
Schleswig Town Planning Commission  
Monday, March 11, 2024 at 2:00 pm  
Schleswig Town Hall

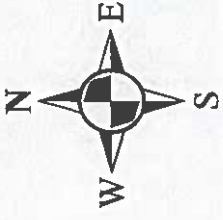
MANITOWOC COUNTY  
RECEIVED  
MAR 18 2024  
PLANNING & PARK  
COMMISSION

1. Rich Hoerth called the meeting to order at 2:02 pm.
2. In attendance was Ted Zuberbier, Jerry Truttschel, Richard Jens (via phone), and Bruce Hansen.
3. Pledge of Allegiance was said.
4. Ted made a motion to approve the February 1, 2023 meeting minutes second by Jerry and motion carried.
5. Item #1

Request from Bruce and Kelly Hansen to rezone 3.77-acres from GA (General Agriculture) to SE (Small Estate).

- a. Bruce Hansen presented the request and explained the need for it.
  - b. Discussion and questions followed along with review of the survey map and the aerial photo provided.
  - c. Recommendation to approve the rezone of 3.77-acres from GA to SE was made by Jerry and seconded by Dick and motion carried.
6. Item# 2  
Request from Charles Hoefner for a variance on the landscaping on a new home at 14132 Rokilio Road to include two patio areas of 20' x 15' and 15' x 15' located between the home and the lakeshore. The patio area closest to the lake includes a fire pit.
    - a. Because of a miscommunication between Matt Grohskoph, Owner of Pigeon River Landscaping, and Rich Hoerth, Committee Chair, Mr. Grohskoph was not present for the meeting.
    - b. The committee reviewed the variance request and the site plan provided.
    - c. A recommendation to disapprove the variance request was made by Dick and seconded by Ted and motion carried.
  7. With no other business the motion to adjourn was made by Jerry and seconded by Ted and motion carried.
  8. Adjourned at 2:43 pm.

Minutes submitted by Rich Hoerth



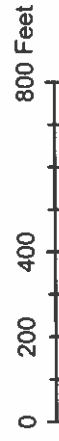
**Bruce & Kelly Hansen**  
**NW 1/4, NE 1/4 and**  
**SW 1/4, NE 1/4**  
**Section 13, T17N-R21E**  
**Town of Schleswig**

**From: GA To: SE**  
**Approximatel 3.71 acre(s)**  
**-87.928, 43.949**





Map Overview

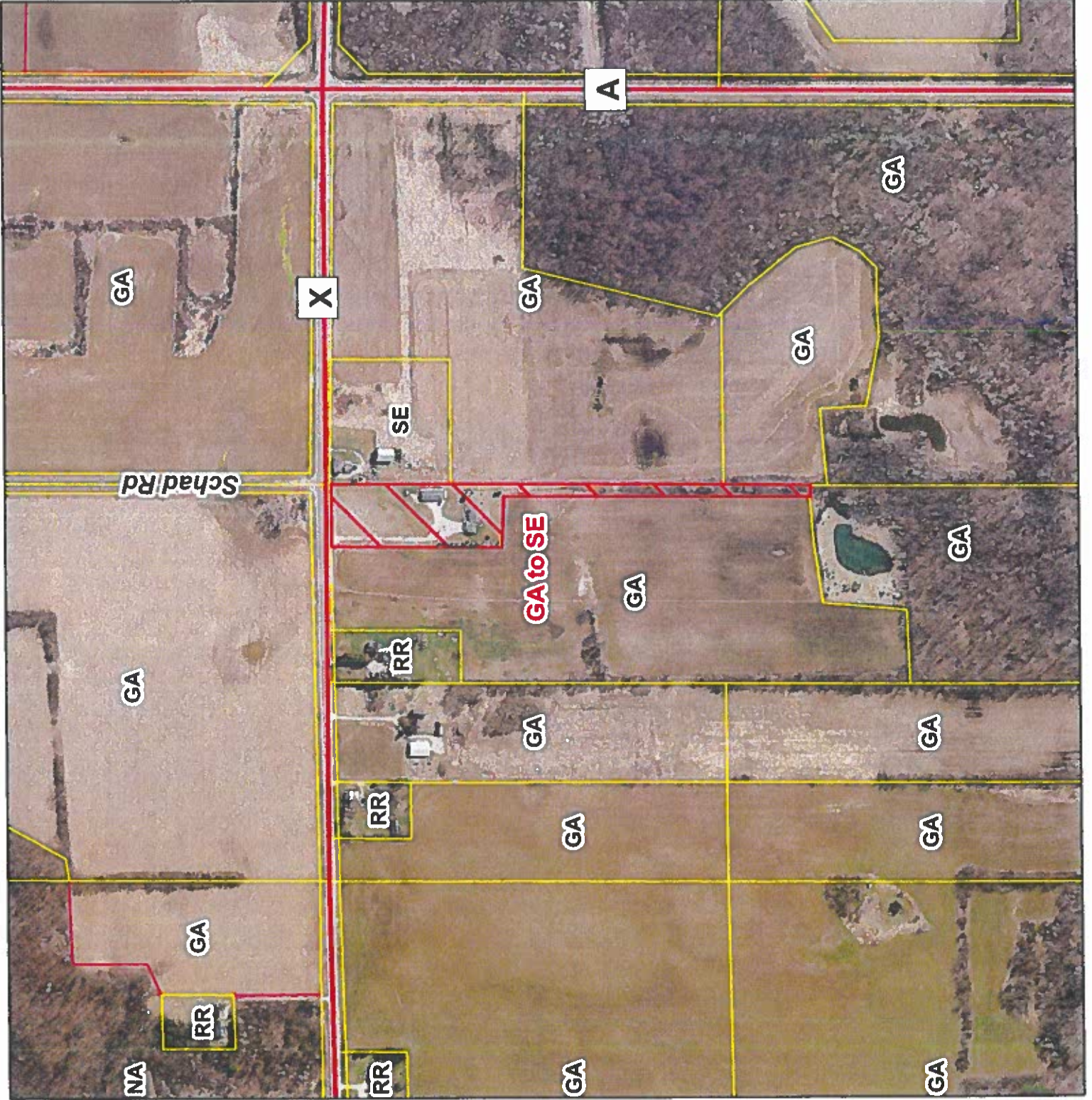
**Schleswig**

|    |    |    |    |    |    |
|----|----|----|----|----|----|
| 6  | 5  | 4  | 3  | 2  | 1  |
| 7  | 8  | 9  | 10 | 11 | 12 |
| 18 | 17 | 16 | 15 | 14 | 13 |
| 19 | 20 | 21 | 22 | 23 | 24 |
| 30 | 29 | 28 | 27 | 26 | 25 |
| 31 | 32 | 33 | 34 | 35 | 36 |



**Legend**

-  Proposed Zone Change
-  Parcel Line
-  Water Way
-  Zoning Line



**ORDINANCE AMENDING ZONING MAP**  
(Paul G Bertler Irrevocable Trust)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on April 29, 2024; and  
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony  
5 and an examination of the facts, recommends that the petition be approved for the reasons stated  
6 in the attached report;  
7

8 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does  
9 ordain as follows:  
10

11 A parcel of land located in part of the Northwest 1/4 of the Northwest 1/4 and Southwest  
12 1/4 of the Northwest 1/4 of Section 15, T.20 N. - R. 24 E., Town of Mishicot, Manitowoc County,  
13 Wisconsin, more particularly described as follows:  
14

15 Commencing at the West 1/4 corner of Section 15; thence along the westerly line  
16 of the NW 1/4 North 0°17'12" West 1,406.47 feet to the point of beginning; thence  
17 continuing along said line North 0°17'12" West 289.85 feet to the southerly line of  
18 Tract 2 of Certified Survey Map Volume 7 Page 625; then South 76°34'10" East  
19 134.45 feet; thence continuing South 53°38'10" East 123.75 feet; thence continuing  
20 South 11°16'15" East 140.46 feet; thence continuing South 41°14'10" East 131.77  
21 feet to the westerly line of STH. "147"; thence along said line South 10°19'37" West  
22 69.81 feet; thence continuing South 0°59'00" East 50.99 feet; thence continuing  
23 South 10°19'37" West 30.00 feet to a point "A"; thence North 79°40'24" West 50.00  
24 feet; thence North 10°19'37" East 85.00 feet; thence North 72°58'10" West 77.68  
25 feet; thence North 18°53'20" West 57.76 feet; thence North 81°13'20" West 201.70  
26 feet to the point of beginning, said parcel containing approximately 1.87 acres of  
27 land  
28

29 is hereby rezoned from General Agriculture (GA) District to Rural Residential (RR) District.


Dated this 21st day of May 2024.

Respectfully submitted by the  
Planning and Park Commission

\_\_\_\_\_  
James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. \_\_\_\_\_

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. 

COUNTERSIGNED: \_\_\_\_\_  
Tyler Martell, County Board Chair Date

APPROVED: \_\_\_\_\_  
Bob Ziegelbauer, County Executive Date



REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS MAY 21, 2024.  
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
RE: PAUL G BERTLER IRREVOCABLE TRUST ZONING MAP AMENDMENT  
REQUEST

This report, recommendation, Ordinance, proof of publication, attached map, and the fact sheet are hereby presented in accordance with Section 59.69(5)(e)4 Wisconsin Statutes.

The Paul G Bertler Irrevocable Trust, on March 25, 2024, petitioned the Manitowoc County Board of Supervisors to rezone approximately 1.87 acres of land located in the SW1/4, NW1/4, and the NW1/4, NW1/4, Section 15, T20N-R24E, Town of Mishicot, from GA, General Agriculture to RR, Rural Residential.

The Town of Mishicot adopted the Manitowoc County Zoning Ordinance on January 2, 2012. The uses permitted in the RR, Rural Residential zoning provides for mixed residential and low impact non-residential development on relatively small lots with a minimum lot size of one acre.

1. Action taken to date on this request includes:

- a. The Paul G Bertler Irrevocable Trust petitioned for a zoning map amendment on March 25, 2024.
- b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
- c. The public hearing notices were published in the Herald-Times-Reporter on April 16, 2024 and on April 22, 2024.
- d. The County Planning and Park Commission held a public hearing on this amendment request on April 29, 2024.
- e. The Commission at their April 29, 2024 meeting recommended approval of a requested rezoning of approximately 1.87 acres of land located in the SW1/4, NW1/4, and the NW1/4, NW1/4, Section 15, T20N-R24E, Town of Mishicot, from GA, General Agriculture to RR, Rural Residential.

2. Existing conditions relating to land use, zoning, and natural resources are summarized on the accompanying zone change fact sheet.

3. Testimony at the hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.
- b. Mr. Ryan Van Driel & Mrs. Sara Van Driel, applicants, spoke in favor of the request.

The County Planning and Park Commission made the following findings from testimony at the hearing, the rezoning fact sheet, staff analysis, and discussions at the public hearing and meeting.

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the GA, General Agriculture District.
  2. The Mishicot Town Board supports the proposed zone change to RR, Rural Residential.
  3. The area to be rezoned is adjacent to a residential zoned parcel.
  4. The rezoning will allow for the construction of a single family home next to a relative.
-

5. A minimal amount of farmland will be affected by the proposed rezoning.

#### RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the zone change fact sheets and maps, and from the staff analysis, that the public health, safety and general welfare would be safeguarded and substantial justice done, if the request of Paul G Bertler Irrevocable Trust to rezone approximately 1.87 acres of land from GA, General Agriculture to RR, Rural Residential were approved.

The Manitowoc County Planning and Park Commission, at its April 29, 2024 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 1.87 acres of land located in the SW1/4, NW1/4, and the NW1/4, NW1/4, Section 15, T20N-R24E, Town of Mishicot, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from GA, General Agriculture to RR, Rural Residential.

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# Manitowoc County Planning and Park Commission

Fee (\$531) Received

Receipt # 41145

## ZONING MAP AMENDMENT APPLICATION

MAR 25 2024

PLANNING  
COMMISSION

Date of Application: \_\_\_\_\_ OWNER / APPLICANT/ AGENT \_\_\_\_\_

Owner PAUL G. Bertler Applicant/Agent \_\_\_\_\_

Address (1) Irrevocable Trust Address (1) \_\_\_\_\_

Address (2) 9120 State Hwy 147 Address (2) \_\_\_\_\_

City/State/Zip Two Rivers, WI City/State/Zip \_\_\_\_\_

Phone 54241 Phone \_\_\_\_\_

PROPERTY LEGAL DESCRIPTION

NW SW 1/4, NW NW 1/4, S 15 T 20 N R 24 E Town of Mishicot

House /Fire # \_\_\_\_\_ Tax Number ALL OF 013-015-006-001.00  
PART OF 013-015-007-001.00

PROPERTY INFORMATION

Existing Zoning District GA Proposed Zoning district RR

Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:

See ATTACHED Survey MAP.

Proposed use: (Reason for change)

We intend to create a Building Parcel for A Family Member

Return to:  
Manitowoc County  
Planning and Park Commission  
4319 Expo Drive, PO Box 935  
Manitowoc, WI 54220-0935  
(920) 683-4185

Jan Berneck Sula VanDine  
Signature (applicant, owner, agent) Date 3/20/21

\_\_\_\_\_  
Signature (applicant, owner, agent) Date



# COUNTY OF MANITOWOC COUNTY CLERK

1010 South 8<sup>th</sup> St., Ste. 115  
Manitowoc, WI 54220

**Jessica Backus**  
Manitowoc County Clerk

Telephone: (920) 683-4004  
Email: [jessicabackus@manitowoccountywi.gov](mailto:jessicabackus@manitowoccountywi.gov)

April 8<sup>th</sup>, 2024

Tim Ryan, Director  
Planning & Park Commission  
4319 Expo Dr., P.O. Box 935  
Manitowoc, WI 54220-0935

and

Manitowoc County Supervisor Lee Engelbrecht  
Supervisory District 20

ATTN: Tim Ryan and Supervisor Engelbrecht

We enclose a copy of the following petition for an amendment to Manitowoc County's Zoning Ordinance Use Regulations as filed in this office:

**Name of Owner:**

Paul G. Bertler  
Irrevoc Trust  
9120 State Hwy 147  
Two Rivers, WI 54241

**Township:**

Mishicot

This notice is made in compliance with Section 59.69(5)(e)(1) of the Wisconsin Statutes.  
A report of the above petition will be made to the County Board at its next succeeding meeting.

Sincerely,

*Jessica Backus*

Jessica Backus  
Manitowoc County Clerk

# MANITOWOC COUNTY ZONING MAP AMENDMENT CHECKLIST

## GENERAL ZONING PRINCIPLES

- IS THE PROPOSED ZONING MAP AMENDMENT CONSISTENT WITH AND IN ACCORDANCE WITH THE COUNTY'S:
  - 1. LAND USE PLAN?
  - 2. FARMLAND PRESERVATION PLAN?
  - 3. OTHER LOCAL UNITS PLANS?
- HAS THERE BEEN A SUBSTANTIAL CHANGE IN CONDITIONS SINCE THE LAND WAS ORIGINALLY ZONED TO WARRANT THE PROPOSED AMENDMENT?
- WAS THE SUBJECT PROPERTY INCORRECTLY ZONED INITIALLY?
- DOES THE DECISION TO RECOMMEND APPROVAL OR DENIAL REPRESENT THE COMMISSION'S/COMMISSIONER'S WILL OR DOES IT REPRESENT HIS JUDGMENT?
- IS THE PROPOSED AMENDMENT IN THE BEST INTEREST OF THE COMMUNITY PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE?
- WILL THE PROPOSED REZONING BE COMPATIBLE WITH NEIGHBORHOOD PROPERTIES AND WILL IT NOT ADVERSELY AFFECT THE VALUE OF SUCH ADJACENT LAND?
- IS THE SUBJECT PROPERTY ECONOMICALLY FEASIBLE TO DEVELOP OR USE UNDER THE CURRENT ZONING?
- ARE THERE ADEQUATE SITES ELSEWHERE THAT ARE ZONED APPROPRIATELY FOR THE PROPOSED USE?
- DOES THE PROPOSED ZONING MAP AMENDMENT CONSTITUTE SPOT ZONING?
- HAVE ALL USES THAT ARE PERMITTED UNDER THE PROPOSED ZONING DISTRICT BEEN CONSIDERED RATHER THAN JUST THE USE THAT IS BEING PROPOSED BY THE APPLICANT?
- DOES THE PROPOSED AMENDMENT (IF OUT OF EA, EXCLUSIVE AGRICULTURE) MEET THE STATUTORY AND COMMISSION POLICY FINDINGS?
- OBJECTIONS FROM TOWN OR OTHER INTERESTED PARTIES?
- CITIZEN SUPPORT/OBJECTION?

## SHORELAND FLOODPLAIN ZONING ORDINANCE PRINCIPLES

- IS THE PROPOSED LOCATION FOR THE PROPOSED USE WITHIN THE AREAS IDENTIFIED AS:
  - FLOODPLAIN
  - WETLAND
  - FLOODWAY
  - SHORELAND
- DOES THE PROPOSED CONSTRUCTION MEET THE STATE'S AND COUNTY'S STANDARDS:
  - PERMITTED ACCESSORY OR CONDITIONAL USE
  - SHORELINE VEGETATION REMOVAL
  - MINIMUM SETBACK FROM WATERWAY
  - MINIMUM LOT SIZE AND WIDTH
  - STANDARDS FOR FILLING, GRADING & EXCAVATION

# MANITOWOC COUNTY ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Mishicot from GA to RR)

## PETITIONER

**Name:** Paul G Bertler Irrevocable Trust

**Address:** 9120 STH 147  
Two Rivers WI 54241

**Town:** Mishicot

## PARCEL

**Location:** NW1/4, NW1/4, Section 15, T20N-R24E  
SW1/4, NW1/4, Section 15, T20N-R24E

**Tax#:** 013-015-006-001.00  
013-015-007-001.00

**Area:** 1.87 acres

## ACTION TO DATE

**Petition Submitted:** 3/25/2024

**Town Action:** Approved February 5, 2024

**Hearing Notice Published:** 4/16/2024 & 4/22/2024

**Advisory:** 4/29/2024

**Hearing:** 4/29/2024

## ADJACENT USES & ZONING

| Direction: | District: | Use:                   |
|------------|-----------|------------------------|
| North      | RR        | Residential            |
| South      | GA        | Farmland & Residential |
| East       | RR & GA   | Woods & Residential    |
| West       | GA        | Woods                  |

## PARCEL USES & ZONING

**Existing Zoning District:** GA, General Agriculture

**Existing Land Use:** Farmland & Woods

**Proposed Zoning District:** RR, Rural Residential

**Proposed Use:** Build a house on a smaller lot

## MAP INFORMATION

**Farmland Preservation Designation:**

Non-Farmland Preservation

**Soil Type:** BrB, ShA

**Air Photo Date:** 04/2023

## OTHER CONSIDERATIONS

**Drainage:** Well - poorly drained, rapidly permeable soils

**Soil Limitations:** Slight - Severe

**Sewage Disposal:** Private Onsite Wastewater Treatment

**Road Access:** STH 147

**Town Future Land Use Designation:** Other Agricultural Area

General agricultural areas that are not designated as agricultural preservation areas or transition areas. These areas include lands that are currently being used as farmland, but these owners will not qualify for the farmland preservation tax credits.

**County Future Land Use Designation:** Agricultural

Provide for the continued viability of farming and agricultural uses, the raising of livestock, the conservation of agricultural land, and to maintain and promote the rural character of these farmlands into the future.

**Soil Test:** N/A

**Terrain:** 0 to >12 Percent Slopes

**Vegetative Cover:** Farmland & Woods

# PLAT OF SURVEY

Part of the NW 1/4 of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 15, T.20 N. - R. 24 E., Town of Mishicot, Manitowoc County, Wisconsin

For: Paul G. Bertler Irrevocable Trust

## SURVEYORS CERTIFICATE:

I, Steven E. Zeitler, Professional Land Surveyor, do hereby certify;  
That I have surveyed the hereon described property and the map  
hereon is a true representation thereof to the best of my  
knowledge and belief.

*Steven E. Zeitler* 3/12/24  
Steven E. Zeitler PLS # 1749 Date



## Legend

- 1" X 18" iron pipe (set) min. wt. 1.13 lb./lin.ft.
  - 1" iron pipe found
- Bearings referenced to the westerly line of the NW 1/4 recorded N0°17'12"W

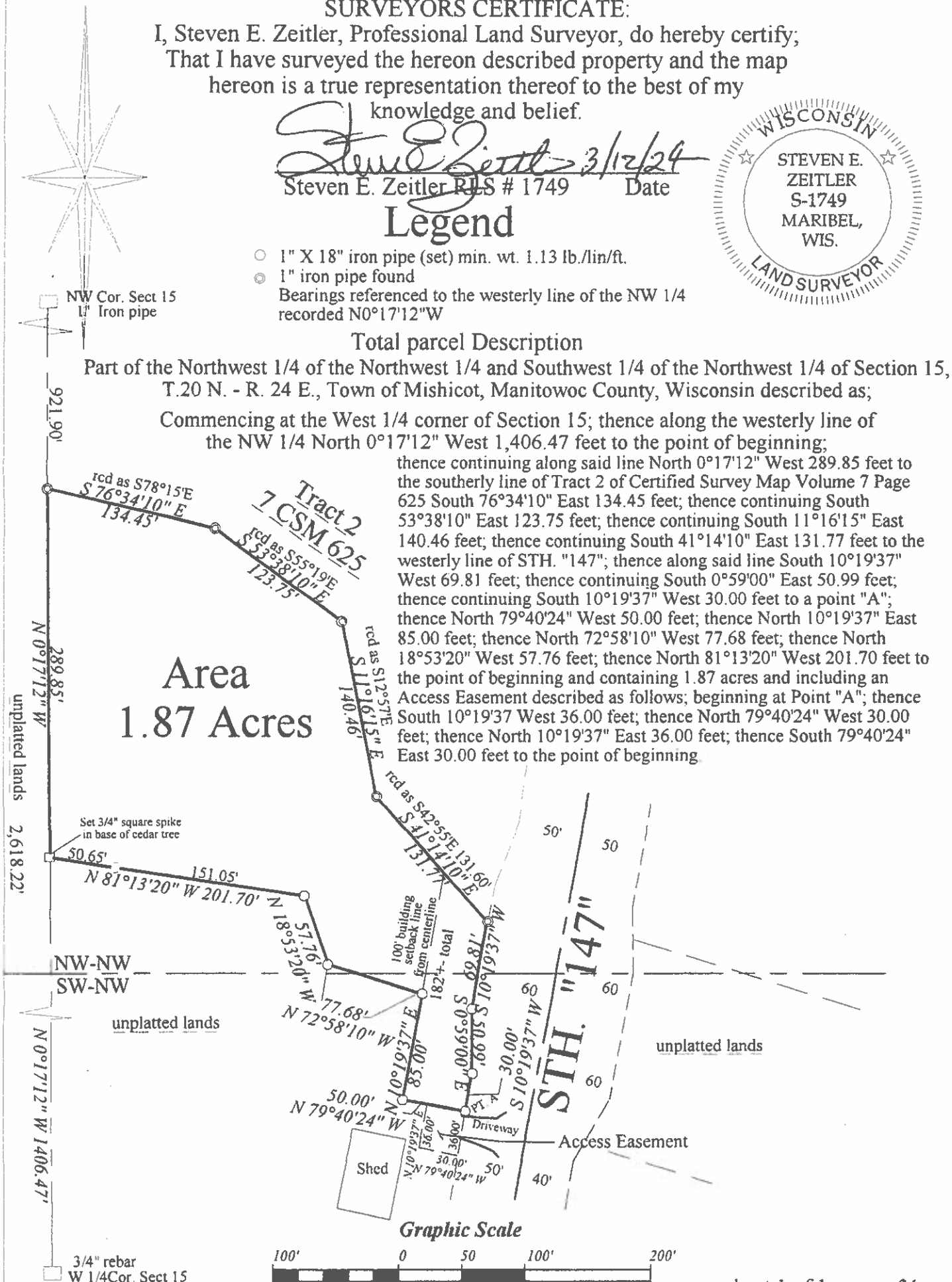
## Total parcel Description

Part of the Northwest 1/4 of the Northwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 15, T.20 N. - R. 24 E., Town of Mishicot, Manitowoc County, Wisconsin described as;

Commencing at the West 1/4 corner of Section 15; thence along the westerly line of the NW 1/4 North 0°17'12" West 1,406.47 feet to the point of beginning;

thence continuing along said line North 0°17'12" West 289.85 feet to the southerly line of Tract 2 of Certified Survey Map Volume 7 Page 625 South 76°34'10" East 134.45 feet; thence continuing South 53°38'10" East 123.75 feet; thence continuing South 11°16'15" East 140.46 feet; thence continuing South 41°14'10" East 131.77 feet to the westerly line of STH. "147"; thence along said line South 10°19'37" West 69.81 feet; thence continuing South 0°59'00" East 50.99 feet; thence continuing South 10°19'37" West 30.00 feet to a point "A"; thence North 79°40'24" West 50.00 feet; thence North 10°19'37" East 85.00 feet; thence North 72°58'10" West 77.68 feet; thence North 18°53'20" West 57.76 feet; thence North 81°13'20" West 201.70 feet to the point of beginning and containing 1.87 acres and including an Access Easement described as follows; beginning at Point "A"; thence South 10°19'37" West 36.00 feet; thence North 79°40'24" West 30.00 feet; thence North 10°19'37" East 36.00 feet; thence South 79°40'24" East 30.00 feet to the point of beginning.

Area  
1.87 Acres

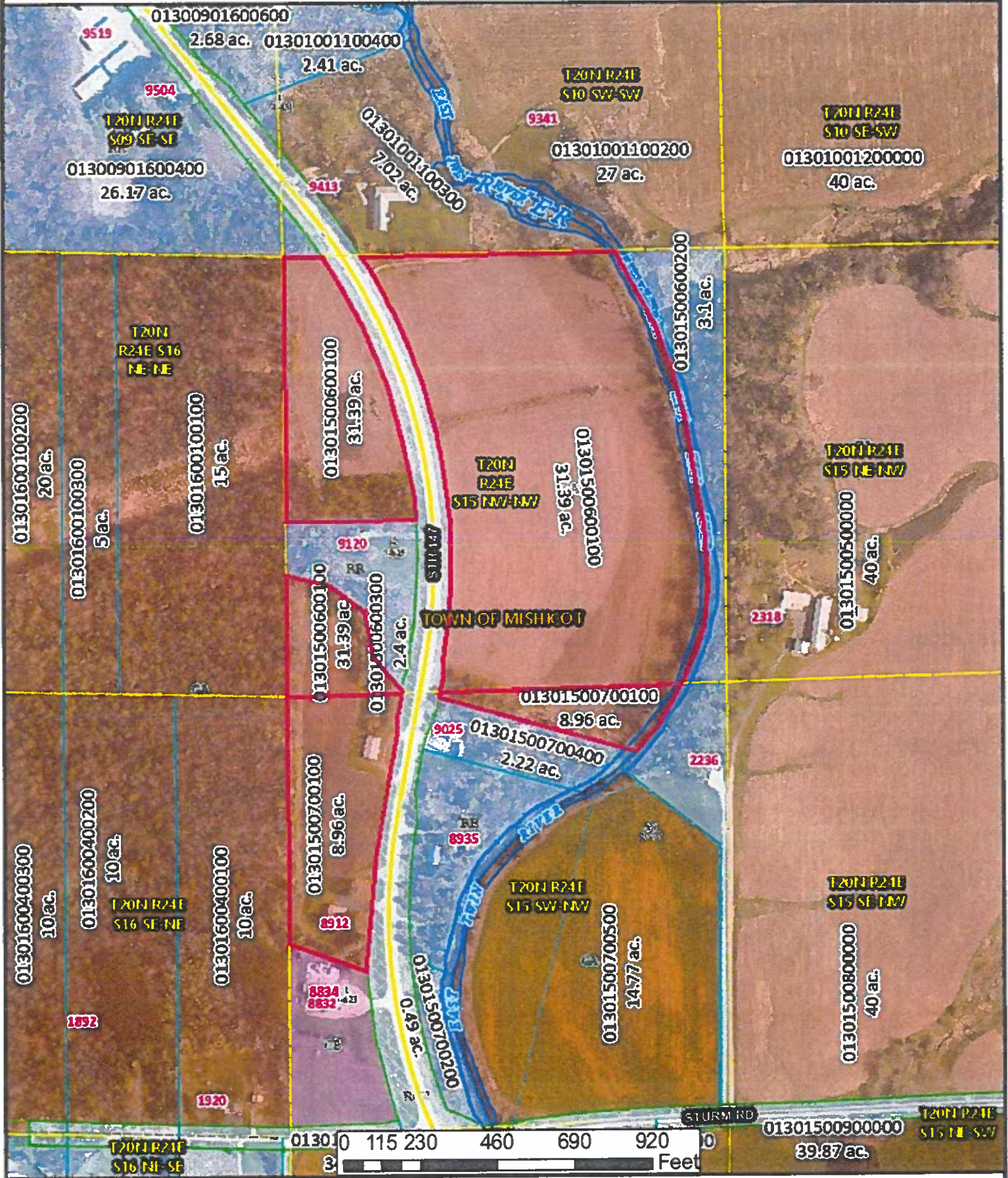


## Graphic Scale



1" = 100'

# Manitowoc County Parcel Viewer



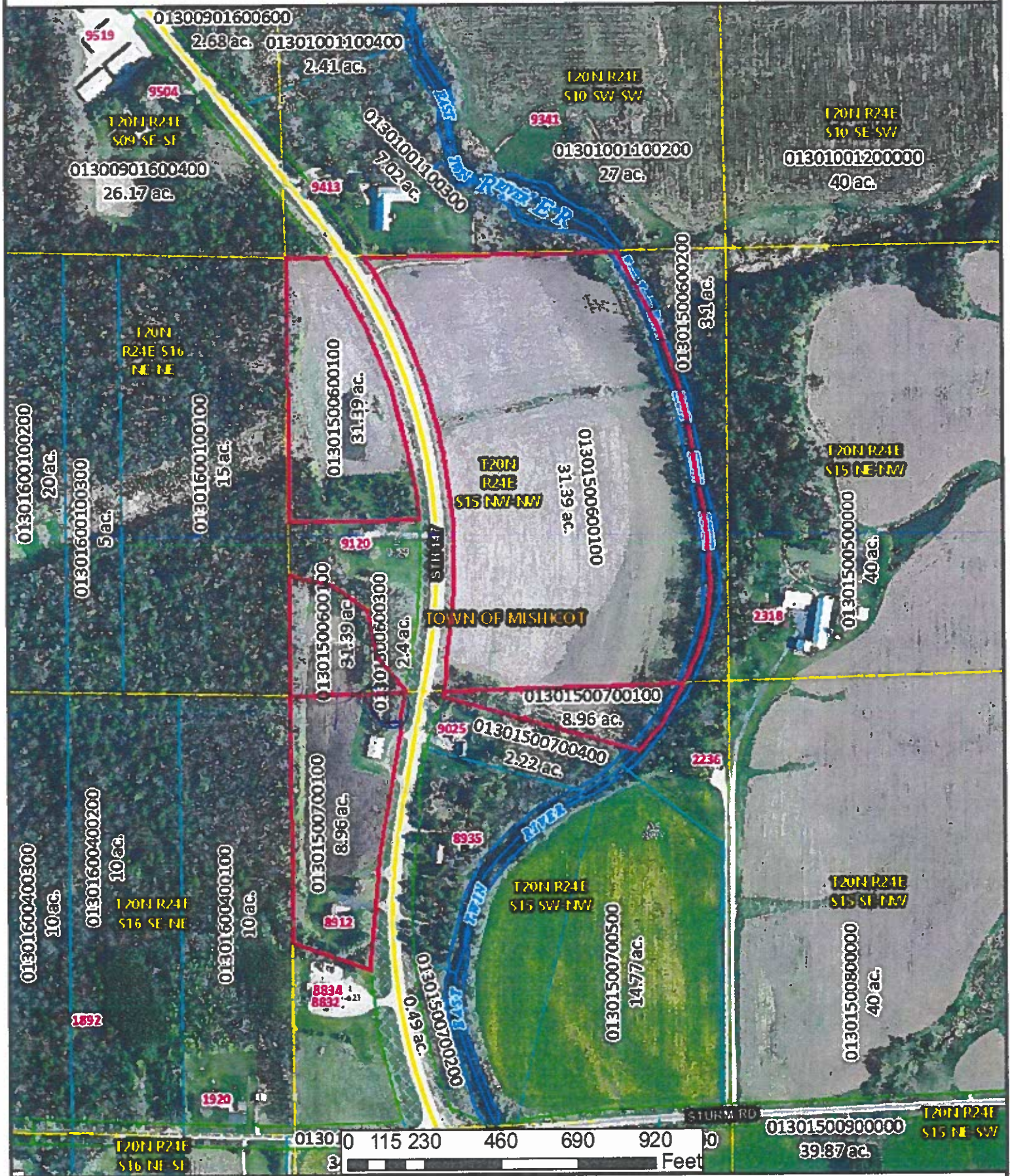
Author: Public  
Date Printed: 4/4/2024



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# Manitowoc County Parcel Viewer



Author: Public  
Date Printed: 4/4/2024



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# TOWN OF MISHICOT

Office of Town Clerk

MANITOWOC COUNTY  
RECEIVED  
FEB 09 2024  
PLANNING & PARK  
COMMISSION

Lee Stefaniak, Chairperson  
10534 Division Drive  
Two Rivers, WI 54241  
(920) 755-4263

Dean Anhalt, Supervisor  
P.O. Box 272  
Mishicot, WI 54228-0272  
(920) 755-4128

Robert DesJarlais, Supervisor  
17624 Kasmer Road  
Mishicot, WI 54228  
(920) 776-2150

Tammy Thielbar, Treasurer  
3029 E. Church Street  
Two Rivers, WI 54241  
(920) 323-3529

Connie Tesarik, Clerk  
618 Tisch Mills Road  
Mishicot, WI 54228  
920-776-1597  
clerk@tn.mishicot.wi.gov

February 5, 2024

Mr. Tim Ryan  
Manitowoc County Planning & Park Dept.  
4319 Expo Drive  
P. O. Box 935  
Manitowoc, WI 54221-0935

Dear Tim:

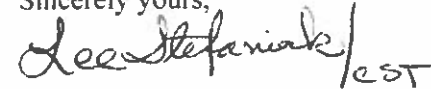
RE: VAN DRIEL REZONING REQUEST – STH 147

Ryan and Sara Van Driel came before the Mishicot Town Board at its monthly meeting last evening, February 5. Mr. and Mrs. Van Driel wish to build a house of an approximately 2-acre portion of Parcel No. 013-015-006-001.00, on the southwest side of STH 147. The parcel is currently zoned General Ag. They are requesting a rezoning of this approximately 2-acre portion to either Rural Residential or Small Estate as appropriate, to allow construction of a new home. This portion is part of a 31.39-acre parcel. No rezoning is being requested for the remainder of the parcel at this time.

The Mishicot Town Board made the following motion at their February 5, 2024, Town Board Meeting: **Supervisor Anhalt moved that the town board recommend allowing the Van Driel rezoning request of approximately two acres of land from the existing 31.39-acre Parcel No. 013-015-006-001.00 for the building of a new home. The zone recommended would be Rural Residential or Small Estate as approved by Manitowoc County Planning and Zoning. Motion seconded by Supervisor DesJarlais. All votes in favor. Motion carried.**

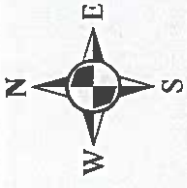
Mr. and Mrs. Van Driel have been in contact with land surveyor Steve Zeitler. The surveyor will provide the exact size of the parcel. The Van Driel's continue to work with WisDOT regarding the culvert and driveway entrance. A successful perc test has already been completed.

Sincerely yours,



Lee Stefaniak  
Chairman - Town of Mishicot

cc: Sara Van Driel  
svandriel81@yahoo.com

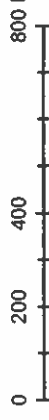


Paul G Bertler  
 Irrevocable Trust  
 NW 1/4, NW 1/4 and  
 SW 1/4, NW 1/4  
 Section 15, T20N-R24E  
 Town of Mishicot  
 From: GA To: RR  
 Approximately 1.87 acre(s)  
**-87.620 44.208**

Map Overview

Mishicot

|    |    |    |    |    |    |
|----|----|----|----|----|----|
| 6  | 5  | 4  |    |    |    |
| 7  | 8  | 9  |    |    |    |
| 18 | 17 | 16 |    |    |    |
| 19 | 20 | 21 |    |    |    |
| 30 | 29 | 28 |    |    |    |
| 36 | 31 | 32 | 33 |    |    |
| 6  | 5  | 4  | 3  |    |    |
| 7  | 8  | 9  | 10 |    |    |
|    |    |    |    | 17 | 15 |



**Legend**

- Proposed Zone Change
- Section line
- Lot Line
- Water Way

