

TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
PLANNING COMMISSION MEETING
15 N. Oakwood Road, Oshkosh, WI 54904
Wednesday, August 14, 2024 at 6:00 pm.

AGENDA

The Commission may discuss and act on the following:

1. **Call to Order.**
2. **Roll Call.**
3. **Discussion and possible action re:** Minutes from July 10, 2024.
4. **Discussion and possible action re:** Certified Survey Map by petitioner Darryl Lehman, Martinson & Eisele, on behalf of Robert K. Balda to combine parcels 002001310 and 002001301 into one parcel.
5. **Adjourn.**

It is possible that members of other governmental bodies of the municipality may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Town Hall Office at 920-235-3789.

Posted: August 9, 2024

Posted at: Town of Algoma Hall, www.townofalgoma.org, and Service Oil Co., Inc.

**TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
PLANNING COMMISSION MINUTES**

July 10, 2024

Algoma Town Hall, 15 N. Oakwood Road, Oshkosh, WI 54904

The Planning Commission meeting was called to order by Chairman Martin at 6:00 p.m.

The following members were present: Mark Thompson, Dan Martin, Bill Van Aacken, Linda Kollman, Mike Skoglind, and Kyle Kehoe.

The following member was excused: Ethan Firgens.

The following staff member was present: Administrator Maggie Mahoney.

On a motion by Commissioner Kehoe and seconded by Commissioner Van Aacken, passed on a unanimous voice vote, the minutes from the April 10, 2024 meeting were approved.

Administrator Mahoney provided an overview of agenda Item 4, the rezoning parcels of 002-0022, 002-0020, 002-0025, 002-0027, and 002-0027-01 west of Leonard Point Road from A-2 General Agriculture District to R-2 Suburban Residential District by petitioner Springhetti Real Estate LLC. Administrator Mahoney noted there is a public hearing for this matter on July 30 at the county and the rezoning is contingent upon conveyance of ownership from the current property owner, P&Q Oshkosh LLC, P&Q Holdings, to the petitioner, Springhetti Reals Estate LLC. Representatives for the petitioner were in attendance.

Jeff Somers, 1556 Milton Circle, stated there was no sign up from the County at the property site noticing the rezoning and asked about density and lot size. Chairman Martin stated that the issue at hand is rezoning and other details and questions about a subdivision would be the subject of future meetings should the process move forward. Commissioner Thompson stated he also did not see a sign posted and questioned if neighbors had been notified by the Town. Administrator Mahoney confirmed that the neighbors were noticed by the county of the Winnebago County's Planning and Zoning Committee Public Hearing on July 30, but not for this Town meeting as this was not a public hearing. She did not know if the sign had been posted by the County. Chairman Martin requested follow-up clarification from Mahoney on the notification process and stated that it the role of the Plan Commission is to provide a recommendation on this matter to the Town Board for the County to consider at their July 30 public hearing.

The Commission had further discussion on the difference between the R-1 and R-2 zoning districts and posting meeting materials on the Town website to ensure transparency. Joe Cefalu, 1895 Leonard Point Road, asked how residents could ask questions and find information. Chairman Martin said to contact Administrator Mahoney by phone or email at Town Hall. There was no further discussion.

A motion was made by Commissioner Kehoe and second by Commissioner Kollman, for the Planning Commission to recommend approval by the Town Board for the proposed rezoning of parcels 002-0022, 002-0020, 002-0025, 002-0027, and 002-0027-01 west of Leonard Point Road from A-2 General Agriculture District to R-2 Suburban Residential District. A roll-call vote was taken: Kehoe – aye, Kollman – aye, Martin – aye, Van-Aacken – aye, Thompson – nay, Skoglund – aye. Motion passed 5-1.

On a motion by Commissioner Thompson and seconded by Commissioner Van Aacken, passed on a unanimous voice vote, the Planning Commission adjourned at 6:31 p.m.

Respectfully submitted,
Maggie Mahoney, Administrator



AGENDA MEMORANDUM

To: Planning Commission Chairperson and Members

From: Maggie Mahoney, Administrator

Date: August 14, 2024

RE: **ITEM 4: Discussion and Possible Action re:** Approval of Certified Survey Map by petitioner Darryl Lehman, Martinsen & Eisele, on behalf of Robert K. Balda to combine parcels 002001310 and 002001301 into one parcel.

GENERAL INFORMATION:

Petitioner: Darryl Lehman
Martinsen & Eisele, Inc
101 West Main Street
Omro, WI 54963

Owner: Robert K. Balda
4007 Leonard Point Road
Oshkosh, WI 54904

Past Planning Discussion(s): None

Action Requested: Petitioner is requesting approval of the Certified Survey Map on behalf of the property owner to combine two parcels, 002001310 and 002001301, into one parcel.

Property Location and Type:

The subject properties are adjacent, owned by the same property owner, and are both zoned R-2 Suburban Residential. Both lots currently meet the dimensional and access requirements for lots in this zoning district. The property owner wants to combine the two parcels to construct a new home on the one, newly created parcel.

These parcels are not in an area of Town where a boundary agreement is currently in effect.

ANALYSIS:

The proposed zoning change, as stated above, would combine two existing adjacent parcels into one parcel. Both parcels are currently zoned R-2 Suburban Residential Zoning District and subject to, and meet, the dimensional standards defined for that district in Chapter 23: Town/County Zoning of the Winnebago County Municipal Code, Exhibit 8-2 as follows:

Exhibit 8-2 Dimensional standards by zoning district - continued

R-2 Suburban residential district (subdivided)			
	<u>Single-family</u>	<u>Garage Lot</u>	<u>Nonresidential</u>
Lot size, minimum [3]:	20,000 sq. ft. for an unsewered lot; 9,000 sq. ft. for a sewered lot and nonshoreland; 10,000 sq. ft. for a sewered lot and shoreland	2,480 sq. ft.	43,000 sq. ft.
Lot size, maximum:	none	no limitation	no limitation
Lot width, minimum:	100 ft. for an unsewered lot; 65 ft. for a sewered lot	44 ft.	200 ft.
Road frontage, minimum:	33 ft.	35 ft.	200 ft. for an unsewered lot; 33 ft. for a sewered lot
Separation between detached buildings, minimum:	10 ft.	10 ft.	10 ft.
Yard setback: [6,7]			
Street yard, minimum:	30 ft.	30 ft.	30 ft.
Side yard, minimum: [5]	7 ft. on one side and 10 ft. on the other for a principal building; 3 ft. for a detached accessory building	3 ft.	7 ft. on one side and 10 ft. on the other for a principal building; 3 ft. for a detached accessory building
Rear yard, minimum:	25 ft. for a principal building; 3 ft. for a detached accessory building or 5 ft. to an alley	3 ft.	25 ft. for a principal building; 3 ft. for a detached accessory building

There are no lot maximum size restrictions.
The proposed lot meets these dimensional requirements.

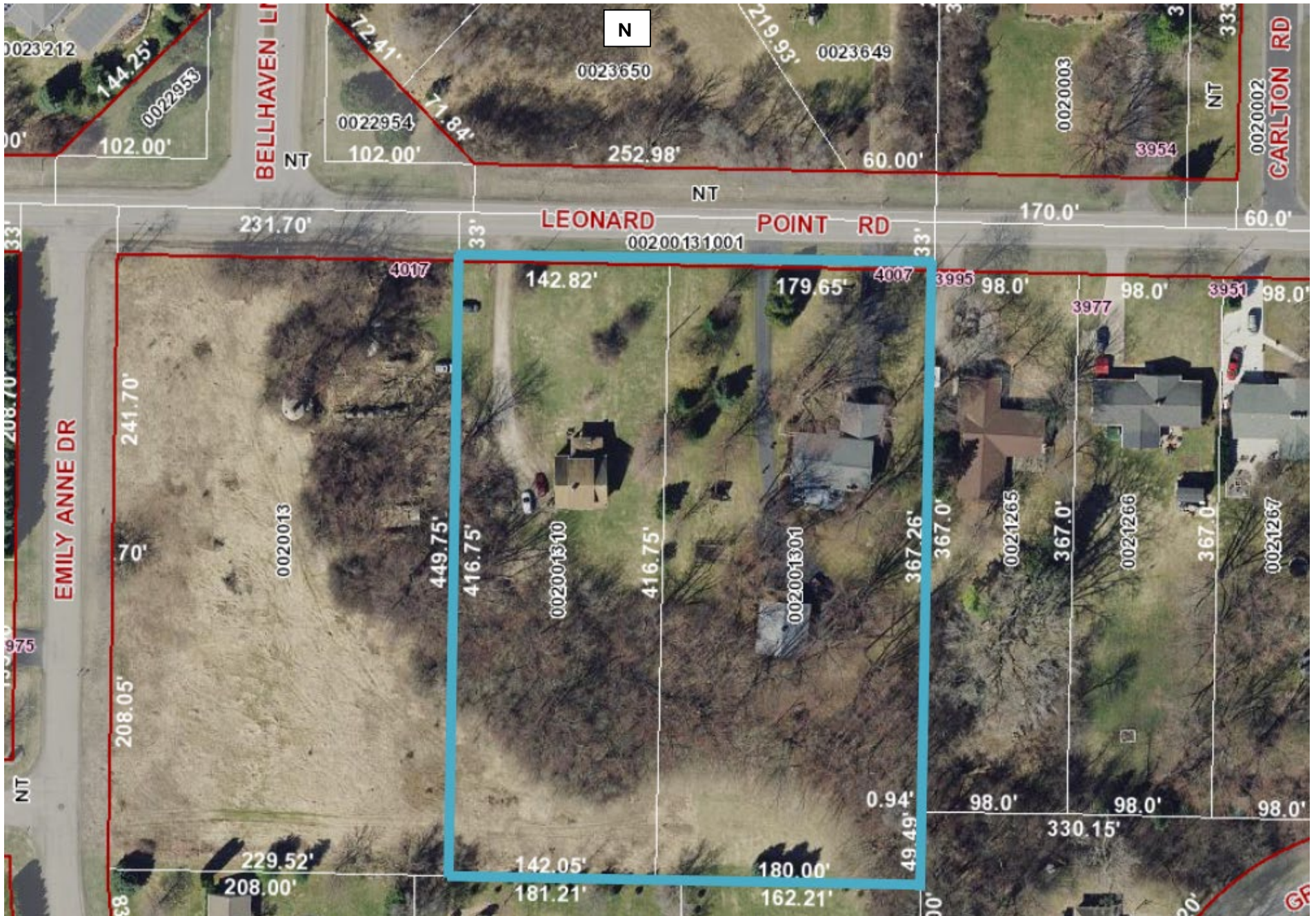
RECOMMENDED ACTION:

Staff recommends approval of the Certified Survey Map by petitioner Darryl Lehman, Martinson & Eisele, on behalf of Robert K. Balda, to combine parcels 002001310 and 002001301 into one parcel as presented.

ATTACHMENTS:

1. GIS map of parcels
2. Town Application
3. Certified Survey Map of proposed lot

8/14/2024 Planning Commission Exhibit: Approval of Certified Survey Map by petitioner Darryl Lehman, Martinson & Eisele, on behalf of Robert Balda to combine parcels 002001310 and 002001301.



SITE PLAN REVIEW/PLAN COMMISSION APPLICATION

PURPOSE: THE INTENT OF THIS DOCUMENT IS TO PROVIDE A USER-FRIENDLY GUIDE TOWARD NEW DEVELOPMENT STANDARDS AND PRACTICES IN THE TOWN OF ALGOMA. THE TOWN OF ALGOMA ADMINISTERS LAND USE STANDARDS AND RELIES ON CHAPTER 23 TOWN AND COUNTY ZONING STANDARDS THROUGH WINNEBAGO COUNTY.

CONTACTS: **TOWN OF ALGOMA**
 (920) 235-3789
 15 N. OAKWOOD ROAD
 OSHKOSH, WI 54904
 WWW.TOWNOFALGOMA.ORG

WINNEBAGO COUNTY PLANNING/ZONING
 (920) 232-3344
 112 OTTER AVENUE
 OSHKOSH, WI 54901
 WWW.CO.WINNEBAGO.WI.US

WORK IN THE RIGHT-OF-WAY: VACANT (920) 235-3789
BUILDING INSPECTIONS: DAVE FRANK - (920) 233-1999

REGULATIONS: **TOWN OF ALGOMA MUNICIPAL CODE: CHAPTER 225 LAND USE**
[HTTP://TOWNOFALGOMA.ORG/RESIDENT-INFO/TOWN-ORDINANCES/](http://townofalgoma.org/resident-info/town-ordinances/)
WINNEBAGO COUNTY CHAPTER 23 TOWN/COUNTY ZONING CODES
[HTTPS://WWW.CO.WINNEBAGO.WI.US/GENERALCODE](https://www.co.winnebago.wi.us/generalcode)

FEE STRUCTURE

SITE PLAN REQUIREMENTS

REVIEW TYPE	FEE
Certified Survey Map (CSM) Review	200.00
Preliminary Plat Review	TBD*
Final Plat Review	500.00
Condominium Review	350.00
Replat and Assessor's Plat Review	TBD*
Conditional Use Permit Review	350.00
Rezone Review	350.00
Comprehensive Plan Amendment	800.00
Planned Development District Review	1,000.00**
Site Plan Review	2,000.00**

* Fee will be part of the Developer's Agreement. Total fee charged will be based on actual cost of services rendered by the town and town agents required to review the application and plat.

** Minimum fee due at time of application submittal. Additional fee charges may occur based on the actual cost of services rendered by the town and town agents required to review the application.

General Requirements: A site plan shall be submitted prior to an application for a building permit. For conditional uses under the Winnebago County Zoning Ordinance, a site plan shall be submitted and reviewed by the Town Planning Commission and Town Board prior to the hearing before the County Planning and Zoning Committee. Any Town of Algoma conditions regarding the conditional use permit would become part of the County's conditional use permit (in non-shoreland areas).

Required Information, A site plan will contain the following:

- Location Map, which must be legible to indemnify the location within the town
- Names of adjacent or surrounding streets
- A survey of the property, drawn to scale of sufficient size to show boundaries (lot lines) of the parcel, include dimensions
- Location and dimensions of structures and yards
- The location and dimensions of all parking/loading areas/driveways/intersections
- Internal traffic patterns, lighting patterns, landscaping patterns, internal signage
- Location of public and private easements
- Location of public and private utilities
- Other relevant information to show compliance with Town of Algoma Municipal Code and Winnebago County Zoning Ordinance



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15 N. Oakwood Road
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Visit us at www.townofalgoma.org
M-Th 9:00-5:00 F 9:00-1:00

Site Plan Review/Plan Commission General Application

APPLICANT INFORMATION

Petitioner: Martenson & Eisele, Inc DARRYL LEHMAN Date: 7-25-24
Petitioner's Address: 101 W. MAIN STREET City: OMRO State: WI Zip: 54963
Telephone #: (920) 685-6240 Fax: () _____ Other Contact # or Email: darryl@martenson-eisele.com
Status of Petitioner (Please Check): Owner Representative Tenant Prospective Buyer
Petitioner's Signature (required): [Signature] Date: 7-25-24

OWNER INFORMATION

Owner(s): Robert Balda Date: 7-23-24
Owner(s) Information: 4007 Leonard Pt Road City: Oshkosh State: WI Zip: 54904
Telephone #: (920) 420-5453 Fax: () _____ Other Contact # or Email: _____
Ownership Status (Please Check): Individual Trust Partnership Corporation
Property Owner Consent (required)

By signature hereon, I/We acknowledge that Town officials and/or employees may, in the performance of their functions, enter upon the property to inspect or garner other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Town of Algoma for incomplete submissions or other administrative reasons.

Property Owner's Signature: [Signature] Date: 7-23-24

SITE INFORMATION

Address/Location of Proposed Project: 4007 LEONARD POINT ROAD
Current Use of Property: Single Family Residence Zoning: R-2
Land Uses Surrounding Your Site:
North: Single Family Residence
South: Single Family Residence
East: Single Family Residence
West: VACANT

Projected Timeline: Start ASAP on new home construction

Project Description: Combine tax parcels 002001310 & 002001301
into one tax parcel to allow placement of new home

Note: The Town of Algoma or a duly appointed official maintain the right to cancel this agreement if the applicant has been deemed in violation of this agreement or Town of Algoma Municipal Code. No refund will be provided.



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Visit us at www.townofalgoma.org
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Site Plan Review/Plan Commission General Application Continued

SITE INFORMATION CONTINUED

Development Characteristics Gross Acreage/ Square Feet: 134,124 SQ.FT / 3.079 Ac.

Development Area and Percentage: N/A

of Employees/#of Residential Units: 1 Residential Unit

of Proposed Parking Space: N/A

Traffic Count Projections (attach documentation): Same as existing

Percent Impervious (attach documentation): N/A

Description of Required Landscaping (attach landscape plan): N/A

Additional Information: See Attached Certified Survey Map

OFFICE USE ONLY

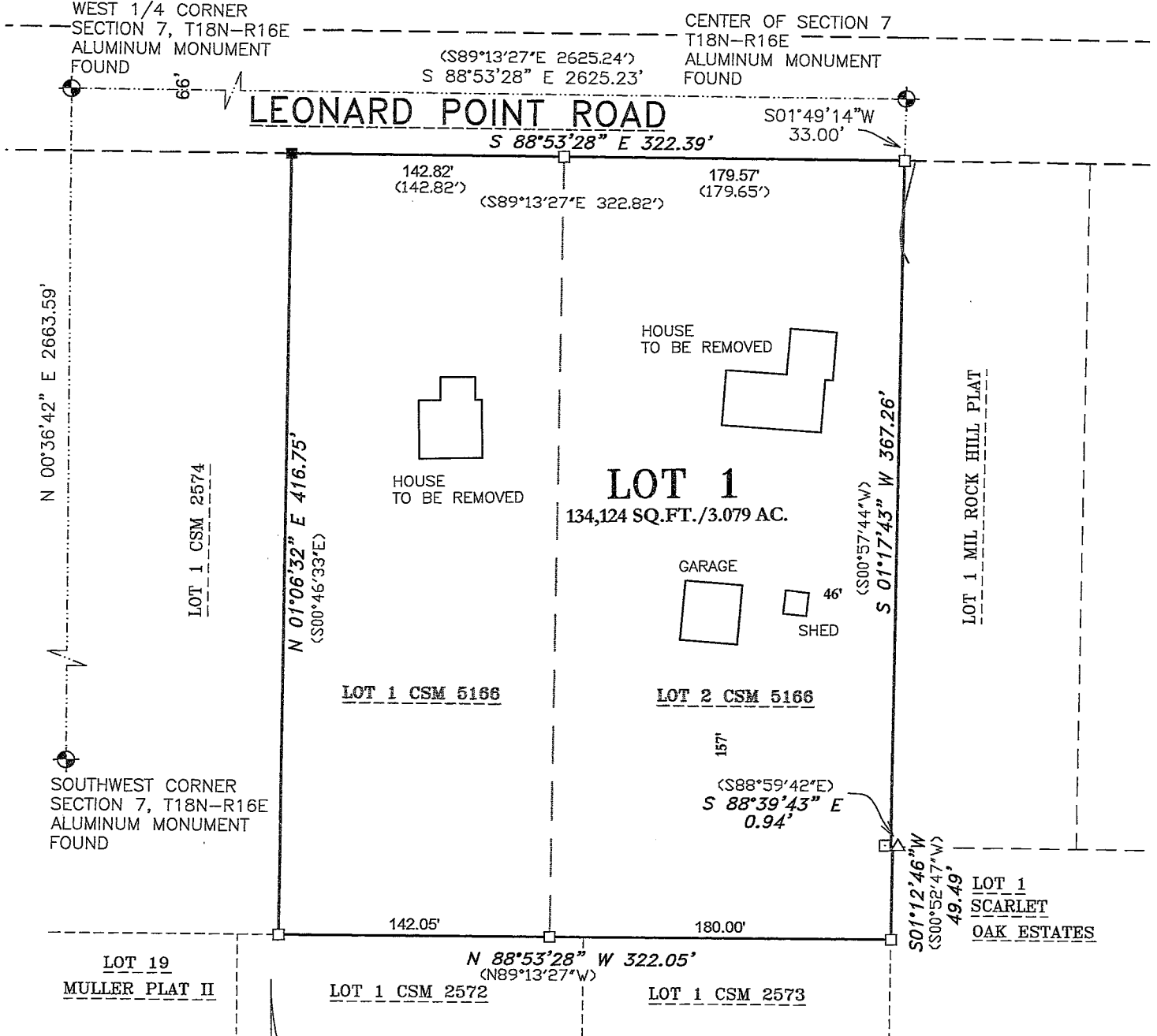
Received By: _____ Date: _____ Fee: _____ Paid: Yes No

Note: The Town of Algoma or a duly appointed official maintain the right to cancel this agreement if the applicant has been deemed in violation of this agreement or Town of Algoma Municipal Code. No refund will be provided.

CERTIFIED SURVEY MAP NO. _____

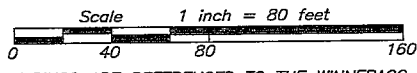
ALL OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY
 MAP 5166, BEING PART OF THE NORTHEAST 1/4
 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP
 18 NORTH, RANGE 16 EAST, TOWN OF ALGOMA,
 WINNEBAGO COUNTY, WISCONSIN.

SURVEY FOR:
 ROBERT BALDA
 4007 LEONARD POINT ROAD
 OSHKOSH, WI 54904

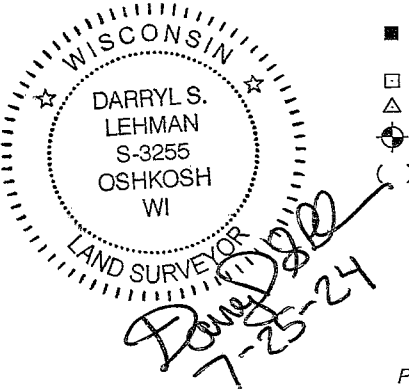


LEGEND

- 1-1/4" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
- 1-1/4" O.D. IRON PIPE FOUND
- △ 1-1/4" REBAR FOUND
- ⊙ GOVERNMENT CORNER FOUND
- () RECORDED AS



BEARINGS ARE REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM OF 1983(1991) IN WHICH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 07, BEARS S88°53'28"E



Martenson & Eisele, Inc.



101 West Main Street
 Omro, WI 54963
 www.martenson-eisele.com
 P 920.685.6240

Planning
 Environmental
 Surveying
 Engineering
 Architecture

PROJECT NO. 0-2937-001
 FILE 2937001CSM SHEET 1 OF 3
 This instrument was drafted by: DSL

Certified Survey Map

ALL OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP 5166, BEING PART OF THE
NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 18 NORTH,
RANGE 16 EAST, TOWN OF ALGOMA, WINNEBAGO COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, Darryl S. Lehman, Professional Land Surveyor, do hereby certify:

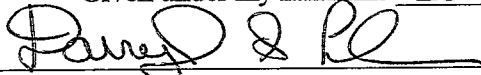
That I have surveyed, divided and mapped, at the direction of Robert Balda, all of Lot 1 of Certified Survey Map 5166, being part of the Northeast 1/4 of the Southwest 1/4 of Section 7, Township 18 North, Range 16 East, Town of Algoma, Winnebago County, Wisconsin, described as follows:

Commencing at the West 1/4 corner of said Section 7; thence South 88 degrees 53 minutes 28 seconds East 2625.23 feet, along the North line of the said Southwest 1/4; thence South 01 degree 49 minutes 14 seconds West 33.00 feet, to the point of beginning; thence South 01 degree 17 minutes 43 seconds West 367.26 feet, along the East line of said Lot 2 of Certified Survey Map 5166; thence South 88 degrees 39 minutes 43 seconds East 0.94 feet, along the said East line; thence South 01 degree 12 minutes 46 seconds West 49.49 feet, along the said East line; thence North 88 degrees 53 minutes 28 seconds West 322.05 feet, along the South line of said Lot 1 and Lot 2 of Certified Survey Map 5166; thence North 01 degree 06 minutes 32 seconds East 416.75 feet, along the West line of said Lot 1 of Certified Survey Map 5166; thence South 88 degrees 53 minutes 28 seconds East 322.39 feet, along the South right-of-way line of Leonard Point Road, to the point of beginning.

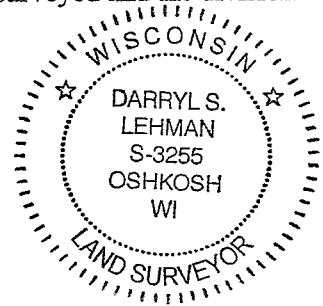
That I have fully complied with Chapter 236.34 of the Wisconsin Statutes in surveying, dividing, and mapping the same and the Town of Algoma, and Winnebago County Subdivision Ordinances.

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

Given under my hand this 25th day of July, 2024.



Darryl S. Lehman, PLS-3255



Winnebago County Planning and Zoning Committee Certificate:

Pursuant to the Land Subdivision Regulations of the County of Winnebago, Wisconsin, all the requirements for approval have been fulfilled. This Minor Subdivision was approved by the Winnebago County Planning and Zoning Committee on _____ day of _____, 2024.

Chairman, Planning and Zoning Committee

This CSM is contained wholly within the property described in the following recorded instruments:

<u>Owner(s) of record</u>	<u>Document(s)</u>	<u>Parcel Number(s)</u>
Robert K. Balda	1433225	002001301
Robert K. Balda	1925453	002001310

Certified Survey Map

ALL OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP 5166, BEING PART OF THE
NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 18 NORTH,
RANGE 16 EAST, TOWN OF ALGOMA, WINNEBAGO COUNTY, WISCONSIN.

OWNERS CERTIFICATE:

As owner, I the undersigned, hereby certify that I caused the land above described to be surveyed, divided, and mapped all as shown and represented on this map.

Robert K. Balda Date

State of Wisconsin)
)SS
Winnebago County)

Personally came before me on the _____ day of _____, 2024, the above owners to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____ My Commission Expires _____

Treasurer's Certificate:

I hereby certify that there are no unpaid taxes or unpaid special assessments on any of the lands shown hereon.

Town Treasurer Date County Treasurer Date

Print Name Print Name

Town Board Approval:

We hereby certify that the Town of Algoma has reviewed and approved this certified survey map.

Town Chairman Date Town Clerk Date

Print Name Print Name

