



WINNEBAGO COUNTY COURTHOUSE

November 6, 1986

Mr. Leo Muza
2330 White Swan Drive
Oshkosh, WI 54901

Mr. Stewart C. Strey
5710 Hwy. 21
Omro, WI 54963

RE: Preliminary Plat of Oak Grove

Dear Sirs:

The purpose of this letter is to inform you that the Winnebago County Planning and Zoning Committee met on November 5, 1986 and denied the above referenced plat by a vote of 3 to 2.

The finding for disapproval was that the preliminary plat does not meet the requirements of Section 17.24(4)(c) Air-3 Airport Overlay Zoning of the Winnebago County Town/County Zoning Ordinance; in that it substantially increases residential use within the General Airport Zone, and therefore, is incompatible with the operations of Wittman Field Airport.

Sincerely,


Leonard Leverence
Principal Planner

LL/hc

cc: Steve Chronis
Aero-metric Engineering, Inc.

Jeanne Storm
Department of Development

TO: Planning and Zoning Committee

FROM: Planning and Zoning Department Staff

RE: Staff Report - Revision of Preliminary Plat of Oak Grove Park - 1st Addition

LOCATION: NE-1/4 of the SW-1/4, Section 34, T18N, R16E, Town of Algoma, Winnebago County

ACRES: 8.42 acres, more or less

NUMBER OF LOTS: 24

OWNERS: Leo A. Muza, Elaine J. Muza, Stuart C. Strey, Joyce M. Strey, and Gerald P. Berndt

ZONING: City of Oshkosh - R-1B Single-Family Residential Winnebago County - Air 3 Overlay Airport Zoning District Area

BACKGROUND INFORMATION:

The subject property was annexed to the City of Oshkosh on October 17, 1985. In addition, the applicants had submitted and received preliminary plat approval for 27 lots from the City of Oshkosh. The preliminary plat containing 32 lots had been previously submitted for review to the Planning and Zoning Committee on October 7, 1985. The Planning and Zoning Committee objected to approval of the plat because the proposed development would have substantially increased the residential density within the Airport Overlay district and would conflict with the operations of the Airport.

EXPLANATION:

The revised preliminary plat dated August 6, 1986 contains 24 lots. The revision eliminates five lots which were partially located in the Town of Algoma, and three additional lots within the plat were eliminated to reduce the overall density of the plat.

Prior to annexation the County standards for development in the Rural Residential district required a minimum lot size of 12,000 sq. ft. for sewered development. The City of Oshkosh R-1B standard is 7,200 sq. ft. The development is proposing lots of approximately 10,642 - 14,960 sq. ft. (2.8 dwelling units/A). Existing surrounding lot development averages approximately 26,136 sq. ft. (1.7 dwelling units/A) in area.

The Planning and Zoning Committee's primary objective in review of this plat is to determine whether or not the proposed density with an aviation easement would be compatible with the operations of the airport.

FINDINGS OF FACT:

1. Winnebago County retains jurisdictional platting authority as an objecting authority in municipalities located within Winnebago County. Chapter 236.12(3), State Stats, states that in no instance can a plat be approved until all objections have been satisfied.
2. Section 17.24(4)(c) Air-3 Airport Overlay Zone of the Winnebago County Town/County Zoning Ordinance specifies that the "zoning shall reflect a consideration that the establishment of a substantial number of residential uses within this zone would be inconsistent with operations of an airport in general and incompatible with the business/industrial development, traffic flow and other nonresidential development patterns that will be generated by both the specific operations and presence of Wittman Field itself".
3. The developer has expressed a willingness to provide Winnebago County an aviation easement.

ADVISORY RECOMMENDATIONS:

1. For approval - The proposed development meets the intent of Section 17.24(4)(c) of the Winnebago County Town/County Zoning Ordinance in that the development is compatible with the operations of the airport in that the proposed development is surrounded and buffered by existing residential development of similar density.

Conditions:

- A. Final plat contains restriction identifying aviation easement to Winnebago County.



WINNEBAGO COUNTY COURTHOUSE

November 6, 1986

Mr. Leo Muza
2330 White Swan Drive
Oshkosh, WI 54901

Mr. Stewart C. Strey
5710 Hwy. 21
Omro, WI 54963

RE: Preliminary Plat of Oak Grove

Dear Sirs:

The purpose of this letter is to inform you that the Winnebago County Planning and Zoning Committee met on November 5, 1986 and denied the above referenced plat by a vote of 3 to 2.

The finding for disapproval was that the preliminary plat does not meet the requirements of Section 17.24(4)(c) Air-3 Airport Overlay Zoning of the Winnebago County Town/County Zoning Ordinance; in that it substantially increases residential use within the General Airport Zone, and therefore, is incompatible with the operations of Wittman Field Airport.

Sincerely,


Leonard Leverage
Principal Planner

LL/hc

pc: Steve Chronis
Aero-metric Engineering, Inc.

Jeanne Storm
Department of Development

TO: Planning and Zoning Committee

FROM: Planning and Zoning Department Staff

RE: Staff Report - Revision of Preliminary Plat of Oak Grove Park - 1st Addition

LOCATION: NE-1/4 of the SW-1/4, Section 34, T18N, R16E, Town of Algoma, Winnebago County

ACRES: 8.42 acres, more or less

NUMBER OF LOTS: 24

OWNERS: Leo A. Muza, Elaine J. Muza, Stuart C. Strey, Joyce M. Strey, and Gerald P. Berndt

ZONING: City of Oshkosh - R-1B Single-Family Residential Winnebago County - Air 3 Overlay Airport Zoning District Area

BACKGROUND INFORMATION:

The subject property was annexed to the City of Oshkosh on October 17, 1985. In addition, the applicants had submitted and received preliminary plat approval for 27 lots from the City of Oshkosh. The preliminary plat containing 32 lots had been previously submitted for review to the Planning and Zoning Committee on October 7, 1985. The Planning and Zoning Committee objected to approval of the plat because the proposed development would have substantially increased the residential density within the Airport Overlay district and would conflict with the operations of the Airport.

EXPLANATION:

The revised preliminary plat dated August 6, 1986 contains 24 lots. The revision eliminates five lots which were partially located in the Town of Algoma, and three additional lots within the plat were eliminated to reduce the overall density of the plat.

Prior to annexation the County standards for development in the Rural Residential district required a minimum lot size of 12,000 sq. ft. for sewer development. The City of Oshkosh R-1B standard is 7,200 sq. ft. The development is proposing lots of approximately 10,642 - 14,960 sq. ft. (2.8 dwelling units/A). Existing surrounding lot development averages approximately 26,136 sq. ft. (1.7 dwelling units/A) in area.

The Planning and Zoning Committee's primary objective in review of this plat is to determine whether or not the proposed density with an aviation easement would be compatible with the operations of the airport.

FINDINGS OF FACT:

1. Winnebago County retains jurisdictional platting authority as an objecting authority in municipalities located within Winnebago County. Chapter 236.12(3), State Stats, states that in no instance can a plat be approved until all objections have been satisfied.
2. Section 17.24(4)(c) Air-3 Airport Overlay Zone of the Winnebago County Town/County Zoning Ordinance specifies that the "zoning shall reflect a consideration that the establishment of a substantial number of residential uses within this zone would be inconsistent with operations of an airport in general and incompatible with the business/industrial development, traffic flow and other nonresidential development patterns that will be generated by both the specific operations and presence of Wittman Field itself".
3. The developer has expressed a willingness to provide Winnebago County an aviation easement.

ADVISORY RECOMMENDATIONS:

1. For approval - The proposed development meets the intent of Section 17.24(4)(c) of the Winnebago County Town/County Zoning Ordinance in that the development is compatible with the operations of the airport in that the proposed development is surrounded and buffered by existing residential development of similar density.

Conditions:

- A. Final plat contains restriction identifying aviation easement to Winnebago County.
2. For disapproval - The preliminary plat as presented does not meet the requirements of Section 17.24(4)(c) Air-3 Airport Overlay Zoning of the Winnebago County Town/County Zoning Ordinance; in that it substantially increases residential uses within the General Airport Zone and therefore, is incompatible with the operations of Wittman Field Airport.

Department of Development

123 West Washington Avenue
Post Office Box 7970
Madison, Wisconsin 53707
608/266-3200

Anthony S. Earl
Governor
James T. Flynn
Lieutenant Governor

September 5, 1985

Mr. Ronald A. Dercks
AERO-METRIC ENGINEERING, INC.
539 North Madison Street
Chilton, Wisconsin 53014

PERMANENT FILE NO. 1552

Subject: FIRST ADDITION TO OAK GROVE PARK
SW 1/4 S 34 T18N R16E
Town of Algoma & City of Oshkosh
Winnebago County

Dear Mr. Dercks:

The Department of Development certifies this preliminary plat as nonobjectionable. The Department of Transportation, Division of Highways and Transportation Services will review the plat if it is an "abutting plat" as defined by s. Hy 33.03 (3), Wis. Admin. Code. The Department of Industry, Labor and Human Relations will review the plat, if unsewered, in accordance with Chapter ILHR 85, Wis. Admin. Code. On the final plat, the Winnebago County Planning Agency will also be an objecting agency.

Local government units, during their review of the plat, will resolve, when applicable, that the plat:

- complies with local master plans, official map or subdivision control ordinances;
- conforms with areawide water quality management plans, if sewerage;
- complies with Wisconsin shoreland management regulations;
- resolves possible problems with storm water runoff;
- fits the design to the topography;
- displays well designed lot and street layout;
- includes service or is serviceable by necessary utilities.

COMMENTS FROM PRELIMINARY PLAT REVIEW:

- s. 236.16 (1) The lots have the minimum width and area required by this section. However, when public sewer is not available, lot sizes are also determined by soil tests completed in accordance with Chapter ILHR 85, Wis. Admin. Code (Rules of the Department of Industry, Labor and Human Relations).
- s. 236.16 (2) The streets meet the minimum width required by this section.
- s. 236.21 (2) (a) When the final plat of the subdivision is received in this office, either the Department of Industry, Labor and Human Relations must be listed in the Owner's Certificate as a reviewing agency or we must receive the clerk's certification regarding sewerage facilities.

Mr. Ronald A. Dereks
FIRST ADDITION TO OAK GROVE PARK
September 5, 1985

If there are any questions concerning this review or preparation and submittal of the final plat, please contact our office.

Sincerely,

Jeanne A. Storm

Jeanne A. Storm, Supervisor
Plat Review Unit
Telephone: 608/266-3200

JAS:mas

Enc: Original

cc: Clerk, Town of Algoma
Winnebago County Planning Agency (w/print)
Clerk, City of Oshkosh
Mr. Stuart Strey, Owner

ORIGINAL DRAWING RECEIVED FROM SURVEYOR ON 8/26/85; REVIEWED BY DOD ON 9/5/85.



Winnebago County

PLANNING AND ZONING DEPARTMENT

David E. Schmidt, Director
Leonard Leverage, Principle Planner • James Mabry, Zoning Administrator

MEMORANDUM

TO: Dave Schmidt, Files
FROM: Len Leverage L.F.L.
DATE: September 9, 1986
SUBJECT: Oak Grove Preliminary Plat

Not

11-5-86
P42 DENIED
VOTE 3-2

The purpose of this memo is to acknowledge receipt of the above referenced plat on August 11, 1986. Both Statutory and County Ordinance requirements require final action within 90 days of submittal.

Therefore, final action on this plat by Planning and Zoning Committee shall be completed by November 8, 1986.

SEE REVISION #4
8-22-86

TO: Planning and Zoning Committee
FROM: Planning and Zoning Department Staff
RE: Staff Report - Revision of Preliminary Plat of Oak Grove Park - 1st Addition
LOCATION: NE-1/4 of the SW-1/4, Section 34, T18N, R16E, Town of Algoma, Winnebago County
ACRES: 8.42 acres, more or less
NUMBER OF LOTS: 24
OWNERS: Leo A. Muza, Elaine J. Muza, Stuart C. Strey, Joyce M. Strey, and Gerald P. Berndt
ZONING: City of Oshkosh - R-1B Single-Family Residential Winnebago County - Air 3 Overlay Airport Zoning District Area

BACKGROUND INFORMATION:

The subject property was annexed to the City of Oshkosh on October 17, 1985. In addition, the applicants had submitted and received preliminary plat approval for 27 lots from the City of Oshkosh. The preliminary plat containing 32 lots had been previously submitted for review to the Planning and Zoning Committee on October 7, 1985. The Planning and Zoning Committee objected to approval of the plat because the proposed development would have substantially increased the residential density within the Airport Overlay district and would conflict with the operations of the Airport.

EXPLANATION:

The revised preliminary plat dated August 6, 1986 contains 24 lots. The revision eliminates five lots which were partially located in the Town of Algoma, and three additional lots within the plat were eliminated to reduce the overall density of the plat.

Prior to annexation the County standards for development in the Rural Residential district required a minimum lot size of 12,000 sq. ft. for sewered development. The City of Oshkosh R-1B standard is 7,200 sq. ft. The development is proposing lots of approximately 10,642 - 14,960 sq. ft. Existing surrounding lot development averages approximately 26,136 sq. ft. in area.

FINDINGS OF FACT:

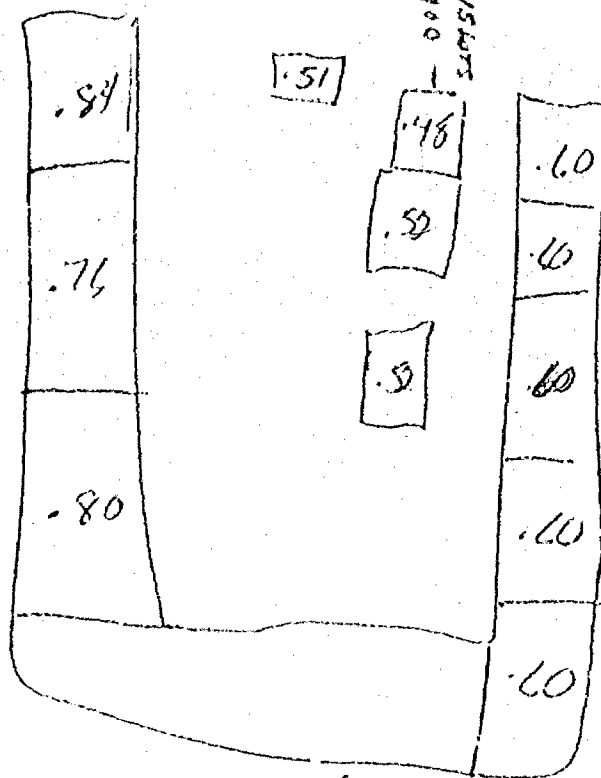
1. Winnebago County retains jurisdictional platting authority as an objecting authority in municipalities located within Winnebago County. Chapter 236.12(3), State Stats, states that in no instance can a plat be approved until all objections have been satisfied.
2. Section 17.24(4)(c) Air-3 Airport Overlay Zone of the Winnebago County Town/County Zoning Ordinance specifies that the "zoning shall reflect a consideration that the establishment of a substantial number of residential uses within this zone would be inconsistent with operations of an airport in general and incompatible with the business/industrial development, traffic flow and other nonresidential development patterns that will be generated by both the specific operations and presence of Wittman Field itself".
3. The developer has expressed a willingness to provide Winnebago County an aviation easement.

ADVISORY RECOMMENDATIONS:

1. For approval - The proposed development meets the intent of Section 17.24(4)(c) of the Winnebago County Town/County Zoning Ordinance in that the development is compatible with the operations of the airport in that the proposed development is surrounded and buffered by existing residential development of similar density.

Conditions:

- A. Final plat contains restriction identifying aviation easement to Winnebago County.
2. For disapproval - The preliminary plat as presented does not meet the requirements of Section 17.24(4)(c) Air-3 Airport Overlay Zoning of the Winnebago County Town/County Zoning Ordinance; in that it substantially increases residential uses within the General Airport Zone and therefore, is incompatible with the operations of Wittman Field Airport.



324

27 $\frac{v}{1200 \cdot 20900}$



Winnebago County

PLANNING AND ZONING DEPARTMENT

David E. Schmidt, Director

Leonard Leverence, Principle Planner • James Mabry, Zoning Administrator

October 10, 1985

Gary Yakes
Nolan, Engler, Yakes & Bauer, S.C.
Court & Ceape Avenue
P.O. Box 1190
Oshkosh, WI 54902

RE: First Addition to Oak Grove Park
NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 34, T18N, R16E, Town of Algoma
(Pending annexation to City of Oshkosh)
Winnebago County, Wisconsin

Dear Mr. Yakes:

The purpose of this letter is to inform you that the Winnebago County Planning & Zoning Committee met on October 7, 1985, and finalized action on the above-referenced plat.

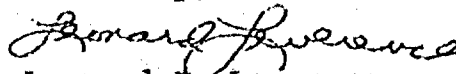
The Committee unanimously objected to approval of this plat according to the following findings of fact:

1. Preliminary plat, as presented, does not meet the requirements of Section 17.24(4)(a) and (c) Air-1/ Air-3 "Airport Overlay Zoning" of the Winnebago County Town/County Zoning Ordinance; and therefore, is in conflict with the operations of the Wittman Field Airport because it would approximately triple the density of residential development.

2. The plat, as presented in County jurisdiction, does not meet the minimum R-1 "Rural Residential, Single-Family" lot size standards of 43,000 sq. ft. and 200 ft. of width for unsewered development, according to Section 17.04(3)(a) of the Winnebago County Town/County Zoning Ordinance.

If you have any questions, please contact our office.

Sincerely,


Leonard F. Leverence
Principal Planner

LFL:smk

cc: Clerk, Town of Algoma
Clerk, City of Oshkosh
Plat Review Unit, DOD - File #15539

Chairman, Aviation Committee
James Mabry, Zoning Adminis.

Courthouse • P. O. Box 2808 • Oshkosh, WI 54903-2808 • 414/235-2500



Winnebago County

PLANNING AND ZONING DEPARTMENT

David E. Schmidt, *Director*
Leonard Leverage, *Principle Planner* • James Mabry, *Zoning Administrator*

October 7, 1985

TO: Planning & Zoning Committee

FROM: Planning & Zoning Department Staff

RE: Staff Report - Preliminary Plat
Oak Grove Park - 1st Addition

LOCATION: NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 34, T18N, R16E
Town of Algoma, Winnebago County

ACRES: 11.19 acres, more or less

OWNERS: Leo A. Muza, Elaine J. Muza, Stuart C. Strey, Joyce M. Strey, and Gerald P. Berndt

ZONING: Existing - County - R-1 Single-Family Rural Residential
with Air-1 Overlay

Proposed - City - R-1B Single-Family Residential with
Air-3 Overlay

EXPLANATION: The subject property is currently in proceedings for annexation to the City of Oshkosh. Finalization of annexation proceedings is expected to occur on October 17, 1985. In addition, the applicants have submitted and received preliminary plat approval for 27 lots from the City of Oshkosh.

Winnebago County retains jurisdictional platting authority as an approval authority within County Zoning jurisdiction and as an objecting authority in municipalities located within Winnebago County. In either situation, Chapter 236.12(3), State Stats. states that in no instance can a plat be approved until all objections have been satisfied.

PLANNING & ZONING COMMITTEE

Page 2

October 4, 1985

- CONCLUSIONS:
1. The preliminary plat as presented does not meet the requirements of Section 17.24(4)(a) and (c) Air-1/Air-3 Airport Overlay Zone in that it substantially increases residential uses within the General Airport Zone.
 2. The existing R-1 zoning and uses reflect a rural residential rather than an urban or suburban residential use; and therefore, future development should reflect similar densities.

RECOMMENDATION: Object to the preliminary plat as presented with Finding of Fact that the proposed development does not meet the requirements of Section 17.24(4)(a) and (c) Air-1/Air-3 Airport Overlay Zoning of the Winnebago County Town/County Zoning Ordinance; and therefore, is incompatible with the operations of Wittman Field Airport.

LFL:smk

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE

Planning Session
September 9, 1985
4:00 p.m.

SEP 18 1985

Lounge Meeting Room
Courthouse, Oshkosh

Meeting called to order at 4:00 p.m.

MEMBERS PRESENT: Michael Murphy, Vice-Chairman; Robert Grace; Secretary; and Alfred Luebke

MEMBERS ABSENT: Carol Owens, Chairman; and Norma Edinger

OTHERS PRESENT: David Schmidt, Planning Director; Leonard Leverence, Principal Planner; James Mabry, Zoning Administrator; Jeanette Diakoff, Paul Groskreutz, Wayne Gruenwald and Gary Yakes.

Motion by Alfred Luebke and seconded by Robert Grace to approve minutes of September 4, 1985. Roll call vote: Mr./s Luebke, Grace and Murphy voting aye. No Nays. Motion carried.

Agenda Item 2 pertaining to A-2 Zoning was postponed.

County Survey results were then discussed. Mr. Leverence explained the background of the survey; how it was compiled and completed and the cover report. Approximately 40% valid returns from the survey. Discussion on uses of the survey. Discussion on presentation to the County Board. Motion by Alfred Luebke and seconded by Robert Grace to accept the report. Roll Call Vote: Mr/s. Luebke, Grace and Murphy voting aye. No Nays. Motion carried.

Discussion was then held on the Honey Creek 2nd Addition Preliminary Plat. The developer, Mr. Groskreutz, explained the proposed plat of 26 additional lots. He explained the layout, access, lake, park and town roads. Mr. Leverence covered a letter from the Department of Transportation and the Department of Development. Mrs. Diakoff stated her concern about surfacewater drainage vs. closed water drainage being required by the City. Mr. Leverence presented the following staff recommendations:

1. The Final Plat shall indicate the shoreyard setback line on Lots 68-75.

2. All lots within the subdivision shall indicate the 30 foot street yard setback requirement.

3. All lots within the Shoreland District will require a minimum of 10,000 sq. ft. in area and a minimum of 65 feet in width.

4. Lot 75 will require a Zoning Amendment to change the A-2 General Agriculture District to the R-2 Suburban Residential Zoning District.

5. Preliminary approval is contingent to development obtaining surfacewater drainage plan approval from the City of Oshkosh.

Motion by Alfred Luebke and seconded by Robert Grace to approve Preliminary Plat with the staff recommendations. Roll call vote: Mr./s Luebke, Grace and Murphy voting Aye. No Nays. Motion carried.

Oak Grove 1st Addition was then discussed. Attorney Yakes explained the proposal for 32 lots. Also, status of the annexation to the City. The State objected to the present annexation which is being revised and resubmitted. The plat will be reduced to 27 lots. Mrs. Diakoff addressed the annexation drawings and street problems. Mr. Schmidt reviewed the Ordinance and County actions to date. Motion by Robert Grace and seconded by Alfred Luebke to lay over to the next meeting. Roll call vote: Mr./s Luebke, Grace and Murphy voting aye. No nays. Motion carried.

Next, discussion was held on Shady Springs Estates II, Final Plat. Mr. Leverage briefed the Committee on the final plat approval procedures. Motion by Alfred Luebke and seconded by Robert Grace to approve. Roll call vote: Mr./s Luebke, Grace and Murphy voting aye. No nays. Motion carried.

Robert Grace needed to leave for another appointment, therefore, no quorum was present to continue the meeting.

Next Planning Meeting of the Planning and Zoning Committee will be held on October 7, 1985.

Meeting declared adjourned by Vice Chairman Mike Murphy at 5:10 p.m.

Respectfully submitted,

Mike Murphy
Acting Secretary

MM:JM:smk

hm

Town of Algoma

WINNEBAGO COUNTY
WISCONSIN

September 19, 1985

SEP 20 1985

Winnebago County Zoning Department
Winnebago County Courthouse
P. O. Box 2808
Oshkosh, Wisconsin 54903-2808

Attention: James Mabry, Zoning Administrator

Dear Mr. Mabry:

The Town Board of the Town of Algoma has reviewed a preliminary plat for the 1st Addition to Oak Grove Park and has disapproved of same.

At this time the entire plat lies within the boundaries of the Town of Algoma. However, annexation to the City of Oshkosh is pending for a portion of the plat. The original annexation, filed with the City of Oshkosh on August 5, 1985, had lots 36 thru 40, partly in the Town of Algoma and partly in the City of Oshkosh. Based on this fact, and others, the Town of Algoma objected to the annexation through the Department of Development. They found the annexation to be against the public interest. On September 11, 1985 a new annexation was filed with the City of Oshkosh leaving lots 36 thru 40 as Town of Algoma property.

Having reviewed the plat, we find that lots 36 thru 40 do not conform to the Winnebago County Town/County Zoning Ordinance, section 17.05 (3) (a) which requires a minimum width of unsewered lots to be 100 feet, and section (3) (b) which requires a minimum square footage of 2,000 feet.

However, to date we have not received a revised plat. We must assume that the developers do not intend to re-draw the plat and we must act on this one before the statutory time limit expires.

We further object to the plat as it will increase traffic and population in an already congested area, especially during E. A. A.

We recommend that Winnebago County deny approval of this plat.

Thank you for your consideration in this matter.

Sincerely,

Algoma Town Board
Algoma Town Board
by: Carol J. Reigh, Clerk

CC: Town Board Members
Steve Chronis

incompatible with the business/industrial development, traffic flow and other nonresidential development patterns that will be generated by both the specific operations and presence of Wittman Field itself. (Any affected lands which subsequently come under the basic zoning jurisdiction of an incorporated area shall be required to comply with the requirements of Air-3.)

(b) Aerial Approach Zone (Air-2)--All provisions of the Air-1 District shall apply. In addition, this zone identifies an area of aerial approach for Wittman Field Airport. As such, property within this zone might be subject to intermittent nuisances, e.g. noise and communication interference from aircraft entry to and exit from operations of the airport. Therefore, Winnebago County shall reference the presence of this zone for undeveloped properties within its mapped boundaries in the Tract Index section of the Register of Deeds Office.

(c) Basic Zoning District, City (Air-3)--All properties within this zone shall be designated with a basic zoning district from the Zoning Ordinance of the municipality in which the affected property(s) is located. This zoning shall reflect a consideration that the establishment of a substantial number of residential uses within this zone would be inconsistent with operations of an airport in general and incompatible with the business/industrial development, traffic flow and other nonresidential development patterns that will be generated by both the specific operations and presence of Wittman Field itself. Furthermore, so as to assure Winnebago County an opportunity to voice formal objection--if it deems necessary to do so--to any subsequent petition for change within this zone, the municipality shall send a copy of the notice of public hearing for such a petition to the County Planning and Zoning Committee at least ten (10) days prior to the date of such hearing. This notice shall be mailed by certified mail. In addition to Plat Review Objection Authority, all new land division, five (5) acres or less in size, shall adhere to the certified survey map provisions of Section 18.07(2) of the Winnebago County Subdivision Ordinance to assure that developmental densities are not in conflict with airport operations.

(d) Height Zones--Except as otherwise provided in this Ordinance, no structure shall be constructed, altered or located which has a height in excess of the height limit indicated within the zones on the map(s) referred to under "Boundaries," and no trees shall be permitted to grow in excess of the height limit indicated within the zones on said map. (These restrictions shall not apply to legal fences or to farm crops which are cut at least once a year.)

(5) PRINCIPAL USES. According to underlying district.

(6) BASIC DISTRICT STANDARDS. The standards of the underlying district shall apply. However, residential uses in the A-2 "General Farming District" shall only be permitted according to A-2 "Standards for Farm."

(7) CONDITIONAL USES. (According to Sec. 17.25.)

(a) According to underlying districts.

(b) Any new, or substantial enlargement of existing, residential construction in the Air-2.

*Does not exempt the owner from obtaining any other normally required permit(s) for such construction. Also, Sec. 17.02 points (a)-(h), excluding (1) & (2) under (h) shall govern height permit applications.

TOWN/COUNTY ZONING ORDINANCE 17.25

17.25 CONDITIONAL USES.

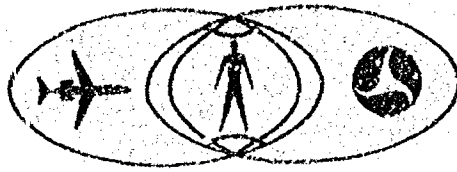
(1) APPLICATION AND NOTICE OF HEARING. Application for conditional use permits shall be made in duplicate to the County Planning and Zoning Committee on forms furnished by the Zoning Administrator and shall include the following:

(a) Names and addresses of the applicant, owner of the site, architect, professional engineer, contractor, and all opposite and abutting property owners of record.

(b) Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.

(c) Additional information may be required, such as ground surface elevations, basement and first floor elevations, utility elevations, roads, contours, historic and probable future flood water elevations, areas subject to inundation by floodwaters, depths of foundation, floodproofing measures, soil types, slope, boundaries, and plans for proposed structures giving dimensions and elevations pertinent to the determination of the hydraulic capacity of the structure or its effects on flood flows.

WITTMAN FIELD AIRPORT



Eugene B. Conrad, Jr., A.A.E.
Airport Manager

TERMINAL BUILDING
20th Avenue, Oshkosh, Wisconsin 54901
Phone 414-424-0092

Winnebago County Board of Supervisors
Aviation Committee

Patrick R. O'Brien, Chairman
Mary Connelley, Vice Chairman
Walter C. Pawlowski, Secretary
Franklin R. Urech, Member
James F. Bahr, Member

Eugene T. Troxell, Member

September 4, 1985

Mrs. Carol Owens
Chairman
Winnebago County Planning & Zoning Committee
415 Jackson Street
Oshkosh, Wisconsin 54901

Dear Mrs. Owens:

As you are aware, the City of Oshkosh has proposed annexing a portion of some property adjacent to Wittman Field Airport known as the Strey, Burndt and Musa annexation. There has been some minor controversy concerning this annexation, not only from the existing neighbors in that area, but also the concerns of Winnebago County as it relates to the operation of Wittman Field Airport. The County Planning Office sent a letter dated August 12, 1985 to the Planning Commission of the City of Oshkosh to be included in its hearing minutes. However, it was not read into the minutes, and little, if any, consideration was given to the concerns of Winnebago County concerning this annexation and the subsequent proposal to change the density of the residential zoning in that area which will adversely affect the utility of the airport.

Although the Aviation Committee does not have any objections to the annexation per se, the notice of the hearing did not indicate that the zoning of the annexed parcel of land would be changed to allow for a quadrupling of the residential lots, which in the opinion of the Aviation Committee will adversely affect the present and future utility of Wittman Field Airport, and possibly result in lawsuits concerning noise nuisance and aircraft overflight. Existing zoning in that area is rural/residential which allows for one acre parcel residential development not to exceed four residential developments in a five year period. This was grandfathered in under the existing County Zoning Ordinance which was adopted by the Town of Algoma in which this property is located. Therefore, even though residential uses still exist in that area, and had to be accepted at the time of the zoning ordinance, the Aviation Committee would not object to the annexation provided the current zoning and density of residential use remain the same. The County's existing ordinance indicates that once annexation takes place, that the overlying airport zoning would change to an Air-3, which indicates that the municipality

HOME OF THE EXPERIMENTAL AIRCRAFT ASSOCIATION

Mrs. Carol Owens

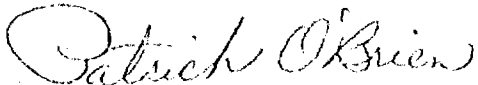
September 4, 1965
Page Two

in which the affected property is located will designate the annexed property with the basic zoning which reflects the Air-3 standards, which indicates that a substantial number of residential uses within that zone would be inconsistent with the operations of the airport. There was a reason for this zoning ordinance being developed in the manner in which it was in order to protect not only the airport but other rural areas from urban sprawl and excessive density of residential development. The area that is proposed to be annexed is only 800 feet south of the major air carrier runway on the airport and directly under an existing traffic pattern. We already receive complaints from this area from the few residents living there at this time.

The Aviation Committee discussed this at great length and has determined that the proposed annexation with its subsequent increase in residential density would be adverse to the operation of Wittman Field Airport now and in the future, and would have an adverse impact on the citizens of the City of Oshkosh and Winnebago County due to the potential for noise and nuisance suits concerning the operation of the airport. Your Aviation Committee respectfully requests that the Planning and Zoning Committee upon it's receipt of the plot plan submitted by the developer through the Department of Development, review the plan and return it with the recommendation that the proposed plot development be rejected due to its inconsistency with existing County and Town zoning ordinances, and that the proposed lot division would adversely affect utility of Wittman Field Airport now and in the future. This recommendation and request has received the unanimous approval of the Aviation Committee.

Your cooperation and consideration of this request in upholding our existing zoning ordinance for the benefit for all concerned will be greatly appreciated.

Sincerely,



Patrick R. O'Brien
Chairman
Aviation Committee

PRO/rfe



Winnebago County

PLANNING AND ZONING DEPARTMENT

David E. Schmidt, *Director*
Leonard Leverage, *Principle Planner* • James Mabry, *Zoning Administrator*

August 12, 1985

TO: City of Oshkosh
Planning Commission

FROM: County of Winnebago
Planning & Zoning Department

RE: Strey, Berndt, & Muza Annexation
Conflict with Airport Protection Ordinance

It is proposed that the City of Oshkosh annex certain properties next to Wittman Field.

The property, being part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, T18N, R16E, Town of Algoma, currently lies under County Zoning and is zoned R-1 Rural Residential District. Further, the General Airport Zone (Air-1) overlays this area.

Upon annexation, the overlay will automatically change from Air-1 to Air-3. These provisions are:
(Section 17.24(4)(c) Basic Zoning District)

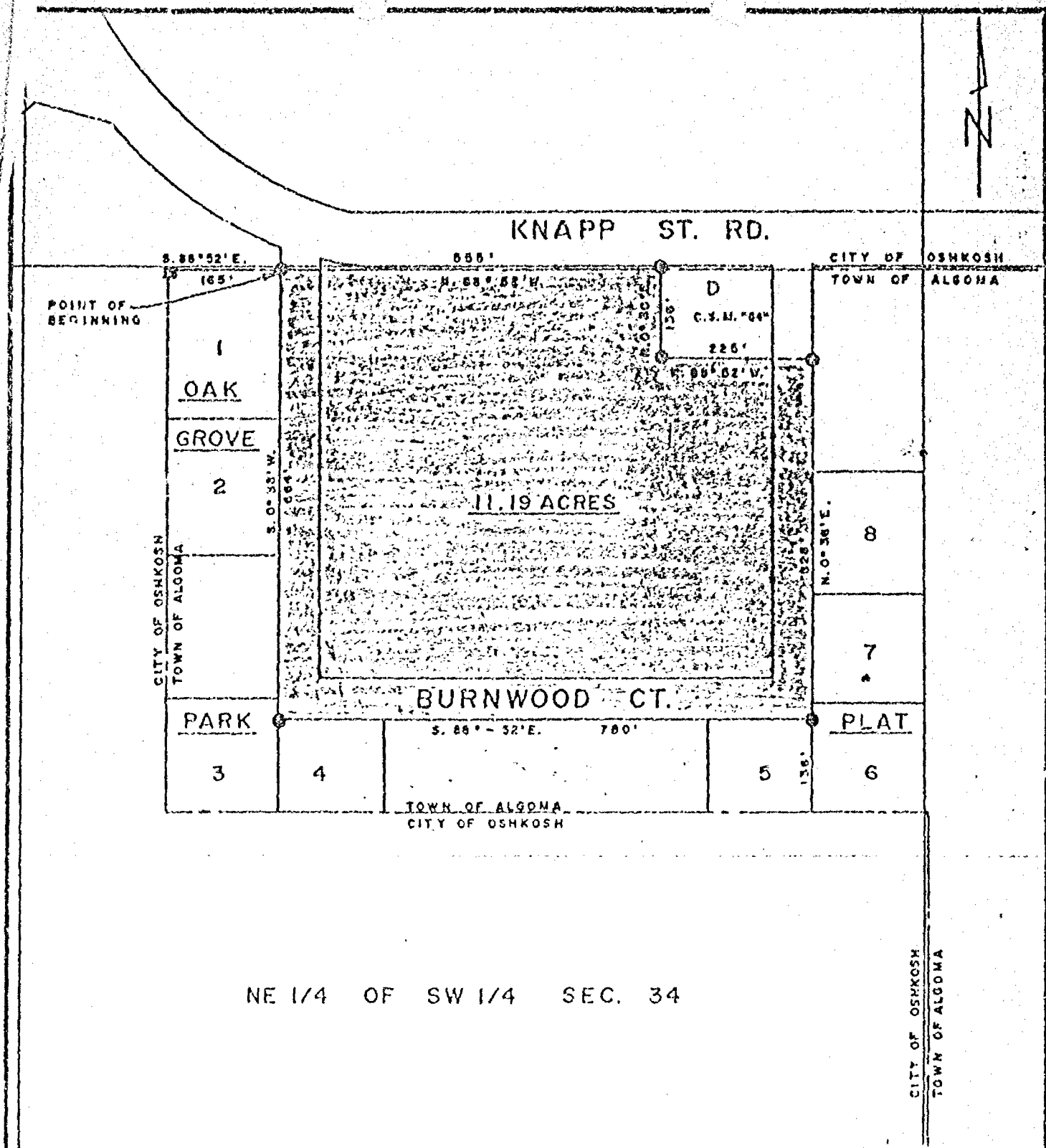
"...All properties within this zone shall be designated with a basic zoning district from the Zoning Ordinance of the municipality in which the affected property(s) is located. This zoning shall reflect a consideration that the establishment of a substantial number of residential uses within this zone would be inconsistent with operations of an airport in general and incompatible with the business/industrial development patterns that will be generated by both the specific operations and presence of Wittman Field itself. Furthermore, so as to assure Winnebago County an opportunity to voice formal objection--if it deems necessary to do so--to any subsequent petition for change within this zone, the municipality shall send a copy of the notice of public hearing for such a petition to the County Planning & Zoning Committee at least ten (10) days prior to the date of such hearing. This notice shall be mailed by certified mail".

City of Oshkosh
Planning Commission
Page 2
August 12, 1985

It is our understanding that forty (40) housing units are being considered for this area. The undivided parcel consists of 7.965 acres. To concentrate this density in an area this close to Wittman Field is an incompatible use and is inconsistent with the Air-3 provisions of the Winnebago County Town/County Zoning Ordinance.

Winnebago County does not oppose the annexation of this parcel. However, we do object to future uses within the parcel that will not be in conformance with the intent and purpose of the Air-3 Zone.

DES:smk



NE 1/4 OF SW 1/4 SEC. 34

<p>CITY OF OSHKOSH ENGINEERING DEPARTMENT</p>	<p>DRAWN 9 - 10 - 85 SCALE 1" = 200'</p>	<p>MUZA / STREY / BERNDT ANNEXATION</p>
---	--	---

LAW OFFICES OF
NOLAN, ENGLER, YAKES & PAUER, S.C.

SEP 5 1985

CHARLES F. NOLAN
HUBBARD H. ENGLER
GARY R. YAKES
JOSEPH N. BAUER
FRANCIS J. SLATTERY
JEANNE E. BAIVIER
JOHN E. BERAMUNGHAM
CHRISTOPHER R. KINDT

COURT AND CRAFT AVENUE
POST OFFICE BOX 1190
OSHKOSH, WISCONSIN 54902

OSHKOSH
(414) 231-8380
APPLETON-NEENAH
(414) 725-3103

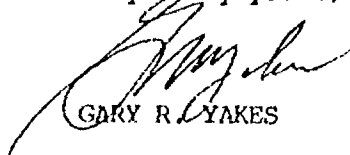
September 4, 1985

Mr. Leonard Leverence
Winnebago County Zoning Administrator
P.O. Box 2808
Oshkosh, WI 54901

Dear Mr. Leverence

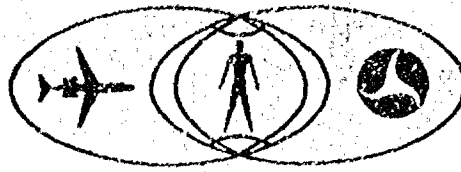
Please be advised that our firm represents the developers of the Muza-Strey-Berndt plat which has been forwarded to the State of Wisconsin for review and which we will expect to be forwarded to your office in the near future. I would appreciate it if you would keep me advised of any hearing date in which this plat will be on the agenda for action by the Planning and Zoning Committee. I appreciate your cooperation concerning this matter.

Very truly yours,


GARY R. YAKES

dmc

WITTMAN FIELD AIRPORT



OCT. 3 1985

Eugene B. Conrad, Jr., A.A.E.
Airport Manager

TERMINAL BUILDING
20th Avenue, Oshkosh, Wisconsin 54901
Phone 414-424-0092

Winnebago County Board of Supervisors
Aviation Committee

Patrick R. O'Brien, Chairman
XXXXXX
Walter C. Pawlowski, Secretary
Franklin R. Utech, XXXXV-Chair.
James F. Bahr, Member
Eugene T. Troxell, Member

October 2, 1985

Mrs. Carol Owens
Chairman
Winnebago County Planning
and Zoning Committee
415 Jackson Street
Oshkosh, Wisconsin 54901

Dear Mrs. Owens:

A recent flurry of activity surrounding the proposed annexation of a parcel of land near Wittman Field Airport which has concerned this Aviation Committee has brought to light some other concerns we have directly related to these types of matters. Although Winnebago County has an objection authority to plot plan proposals sent to us for review by the Department of Development, it has come to our attention from one of your planning staff members that this objection authority can be circumvented quite easily. This can be done by having certified surveys of specific parcels of land done as long as the zoning is conforming and increase densities for residential or other noncompatible uses without any review authority by Winnebago County or surrounding towns.

Therefore, at the recommendation of Mr. Schmidt, the Aviation Committee is requesting that an amendment to the County's Zoning Ordinance, and more specifically, the Airport Zoning Ordinance involving the Air-3 zone overlay for incorporated areas such as the City of Oshkosh, be amended to plug this particular loop hole circumventing Winnebago County's objection authority. To our knowledge, this would involve amending the Air-3 zoning ordinance to reflect that Winnebago County have the reviewing authority for all certified survey parcels within the Air-3 zone, which would give us the opportunity to approve or disapprove these types of activities in order to protect our interests, particularly as it relates to Wittman Field Airport and the Air-3 zone overlay for the City of Oshkosh. It may

HOME OF THE EXPERIMENTAL AIRCRAFT ASSOCIATION

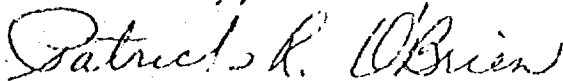
Mrs. Carol Owens

October 2, 1985
Page Two

also be necessary to amend the Air-2 zone if your staff believes this review authority as necessary to enhance the County's protection of the Air-2 zone in town zoning.

The Aviation Committee respectfully requests that the Planning and Zoning Committee consider this proposal and expedite the amendment to the zoning ordinance in order to protect Winnebago County's interests as it involves the Air-3 zone and the possible circumventing of our disapproval and approval authority for plot plans, particularly as it relates to the present annexation proposal by certain developers adjacent to Wittman Field Airport. It is our understanding it will take approximately six to eight weeks to include hearing and other review procedures to implement this amendment. I cannot over-emphasize the urgency of doing such and would request that your committee pursue this amendment as soon as practical. If you have any questions about this, please do not hesitate to contact me.

Yours truly,



Patrick R. O'Brien
Chairman
Aviation Committee

PRO/rfe

KNAPP

STREET

Lot ② ROBERT MUZA	Lot ① UNPLATED LANDS	Lot ②
AND Lot ③	PATRICIA ANN LORFELD ①	LOT

HIGH

OAK

②	THOMAS MUZA ①		
③	④	LEO MUZA ① ②	STUA ①

BURNWOOD

3
OAK

4
GOVE PARK

ROAD

Lot ①

CSM V 1 M 64
RITEMAN

DAVID

STREY

Lot ④

DRIVE

Lot ①

Lot ②

EDWIN

STREY

Lot ④

Lot ③

STREY ②

COURT

A

CSM
VI P64

SEIBOLD

B

8

7

5

6



SCALE 1"=50'

CITY OF OSHKOSH
GENERAL APPLICATION

THIS APPLICATION MUST BE SUBMITTED WITH THE PETITION TO THE CITY CLERK.

DATE April 15, 1987 RECORD # _____PETITIONER Aero-Metric Engineering Inc.ADDRESS 539 N. Madison Chilton WI PHONE # 800/472-5313SIGNATURE *Steven T. Chovan*OWNER (If not Petitioner) S. David Strey

OWNER'S ADDRESS _____

ADDRESS OF AFFECTED PARCEL unassigned on High Oak DriveSIZE OF PROPERTY: 330 FT. X 266 FT. ACRES 1.51LEGAL DESCRIPTION: Part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 34 T18N R16E
13th Ward, City of OshkoshZONING CHANGE FROM _____ TO _____ LAND SUBDIVISION minor Subdivision

CONDITIONAL USE FOR _____ OTHER _____

EXPLAIN YOUR PROPOSED PLANS AND WHAT YOU'RE REQUESTING. ALSO NOTE IF THERE ARE EXISTING STRUCTURES ON THE PROPERTY.

There are no existing structures on the property. Owner plans to
develope lots and requests approval from the planning commission

SITE PLAN: (A COMPLETE SITE PLAN, INCLUDING BUT NOT LIMITED TO ALL STRUCTURES, LOT LINES, AND STREETS WITH DISTANCES TO EACH, MUST BE SUBMITTED WITH THE APPLICATION WHEN APPLICABLE.)

LIST ALL ADJACENT PROPERTY OWNERS AND THEIR MAILING ADDRESS: (ADJACENT BEING DEFINED AS PROPERTIES WHICH PHYSICALLY ABUT, ARE CONTIGUOUS TO, AND ARE DIRECTLY ACROSS A PUBLIC STREET OR ALLEY FROM THE PROPERTY IDENTIFIED ABOVE. THIS MUST BE SUPPLIED BY THE PETITIONER. INSTRUCTION SHEET ON REVERSE SIDE.)

- | | |
|------------------------------------|-----------------------------|
| 1) <u>Gerald P Berndt</u> | 5) <u>Donald G. Seibold</u> |
| <u>2832 Knapp Street Road</u> | <u>2517 Burnwood Ct.</u> |
| 2) <u>Leo A. Muza</u> | 6) <u>Richard Kaufmann</u> |
| <u>PO Box 707 Oshkosh</u> | <u>2491 Burnwood Ct.</u> |
| 3) <u>Eric W. Kitzman</u> | 7) _____ |
| <u>2535 Knapp Street Road</u> | _____ |
| 4) <u>Winnebago County Airporc</u> | 8) _____ |
| <u>415 Jackson Street</u> | _____ |

Note: Attach additional sheets as necessary to provide the information requested. Additional information may also be requested as may be appropriate per the proposal being made.

STAFF REPORT

PLAN COMMISSION
APRIL 27, 1987

ITEM VIII: MINOR SUBDIVISION - S. David Strey, etal

GENERAL DESCRIPTION/BACKGROUND

S. David Strey, etal, requests the Plan Commission to review and approve a four lot minor subdivision for the property generally located south of Knapp Street Road, west of the easterly right-of-way line of Burnwood Court and north of dedicated High Oak Drive with an R-1B Single Family Residence zoning designation.

The existing land use pattern can be described as follows:

- 1) The area north is zoned M-2 Industrial and is characterized by Wittman Field Airport.
- 2) The areas south and west are zoned R-1B Single Family Residence and are vacant.
- 3) The area east is zoned R-2 Suburban Residential District (Winnebago County zoning designation) and is characterized by single family dwellings.

ANALYSIS

The smallest of the lots in question is 82.5 x 130 and exceeds the minimum lot size standards required by the R-1B Single Family Residence District by greater than 55%. All other zoning, statutory and subdivision regulations of the City and State have been met.

The lots in question fall within the Airport Overlay District of Winnebago County which requires low density type developments in the airport area. The R-1B Single Family Residence District allows the lowest density of any other zoning district within the City's Zoning Ordinance thus meeting the density concerns relative to this area.

RECOMMENDATION/CONDITIONS

Staff recommends approval of the minor subdivision with the following condition:

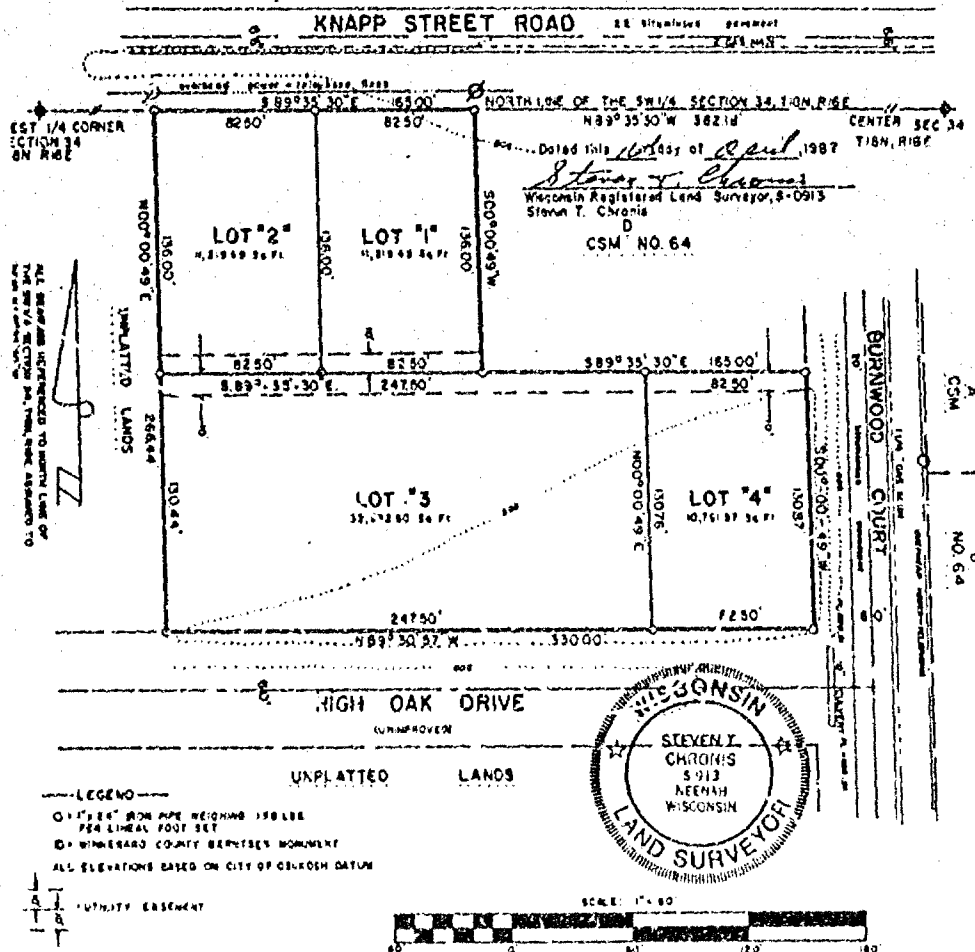
- 1) That a \$100 per lot fee be paid in lieu of parkland dedication prior to final approval.
- 2) The legal description be completed prior to final approval.
- 3) That the developer/owner be responsible for all capital improvement costs.

SURVEYOR'S CERTIFICATE:

I, Steven T. Chronis, Wisconsin Registered Land Surveyor of Aero-Metric Engineering, Inc., certify that I have surveyed, divided and mapped under the direction of S. David Stray all of Parcel C of Certified Survey Map No. 64 recorded in Volume 1 on Page 64 of Certified Survey Maps Document No. 046452 in the Winnebago County Registry and a part of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section Thirty-four (34), Township Eighteen (18) North, Range Sixteen (16) East, Thirteenth (13th) Ward, City of Oshkosh, Winnebago County, Wisconsin containing 1.5049 acres of land and being described by: Commencing at the center of said Section 34; thence N89°-35'-30"W

Continued

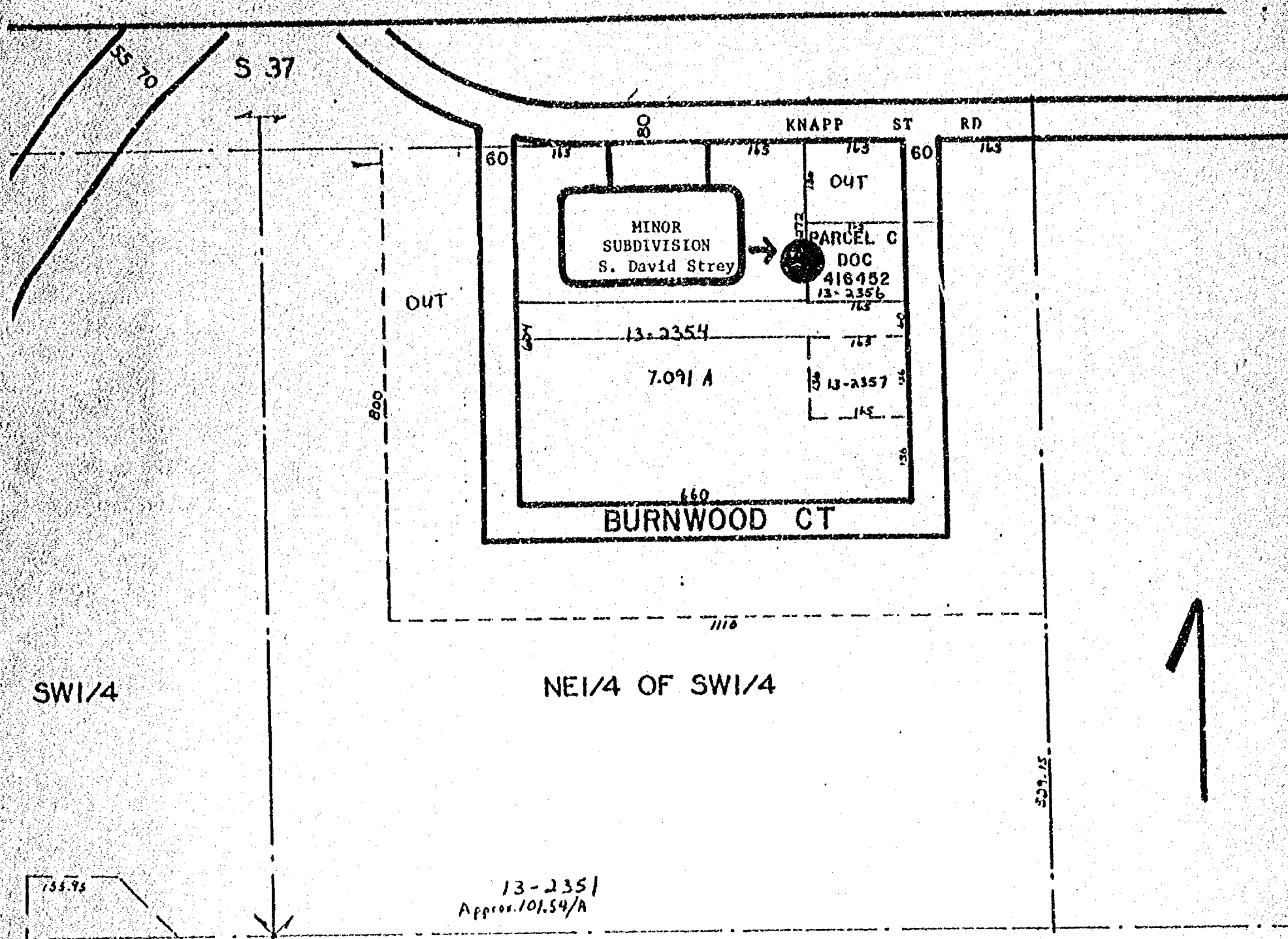
WINNEBAGO COUNTY AIRPORT
UNPLATTED LANDS

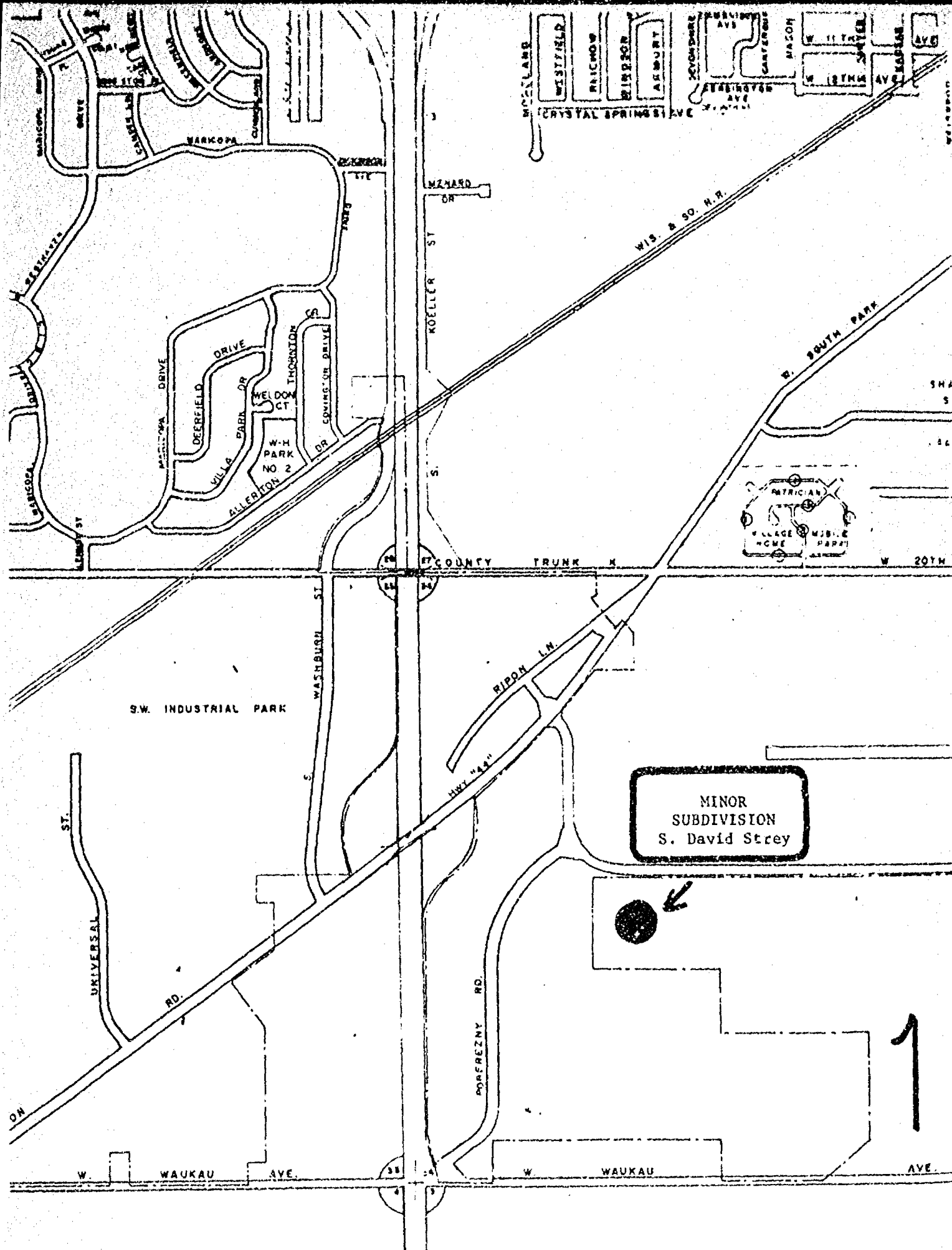


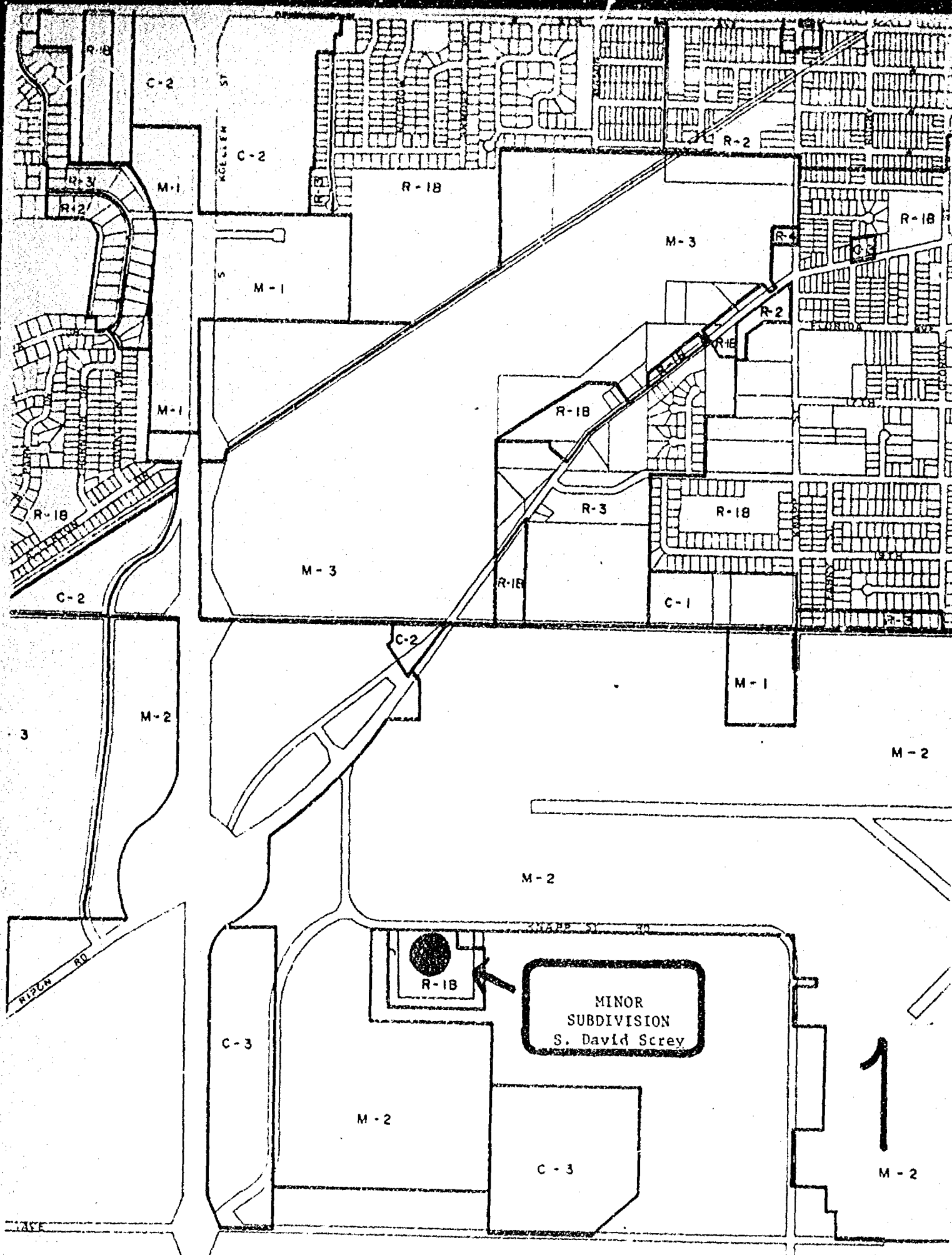
AERO-METRIC ENGINEERING INC.
559 NORTH MADISON STREET
CHILTON, WISCONSIN 53014

THIS INSTRUMENT DRAFTED BY STEVEN T. CHRONIS S-0913

L-1557







Send to Jim Mabry
 P.O. Box 2808
 Clinton,
 Missouri, 64703

MAY 04 1987

S. David Stray
 Susan A. Walters
 Elizabeth A. Olson

Muzza x 1	x 2	Bennett		Stray x 3	x 4	Katzman	
Muzza x 5		Muzza x 6	Muzza x 7	Stray x 9	Stray x 10		x 12
Muzza 13		Muzza 14	Muzza 15	Stray 17	Stray 18		x 20
Muzza x 21	x 22	Muzza 23	Muzza 24	Stray 25	Stray 26	x 27	x 28
Muzza		Stray					
29	30	31	32	33	34		

Edwin A. Stray
 Mary C. Bancroft
 Anne M. McColl

Ann M. Muzza
 Susan E. Yost
 Thomas L. Muzza

APR 21 1987

MEETING NOTICE
CITY OF OSHKOSH PLAN COMMISSION

MONDAY, APRIL 27, 1987

4:00 P.M.

TO WHOM IT MAY CONCERN:

PLEASE NOTE that the Plan Commission of the City of Oshkosh will meet on Monday, April 27, 1987 at 4:00 P.M. in Room 404 of City Hall to consider the following agenda item(s) which may be of interest to you as a surrounding property owner:

Leo and Elaine Muza request(s) the Plan Commission to review and approve a lot division for the property generally located at/commonly known as South of Knapp St. Rd., on the north side of the southern most section of Burnwood Ct..

A REPORT WILL BE PREPARED INDICATING THE POSITION OF THE PLANNING STAFF ON EACH REQUEST, AND WHEN COMPLETED, IS AVAILABLE UPON REQUEST TO ALL INTERESTED PARTIES. THIS REPORT IS ALSO SENT TO PLAN COMMISSION MEMBERS.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PLANNING AND RESEARCH DIVISION AT (414) 236-5059.

DATE: 4/20/87

CITY OF OSHKOSH GENERAL APPLICATION

THIS APPLICATION MUST BE SUBMITTED WITH THE PETITION TO THE CITY CLERK.

DATE April 15, 1987 RECORD # _____

PETITIONER Aero-Metric Engineering, Inc.

ADDRESS 539 N. Madison St. Chilton WI PHONE # 800/472-5313

SIGNATURE *Leo A. Muza*

OWNER (If not Petitioner) Leo A. Muza

OWNER'S ADDRESS PO Box 707 Oshkosh, WI

ADDRESS OF AFFECTED PARCEL not assigned on Burnwood Court

SIZE OF PROPERTY: 165 FT. X 135 FT. ACRES 0.50

LEGAL DESCRIPTION: Part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 34, T18N, R16E,
13th Ward, City of Oshkosh.

ZONING CHANGE FROM _____ TO _____ LAND SUBDIVISION lot division

CONDITIONAL USE FOR _____ OTHER _____

EXPLAIN YOUR PROPOSED PLANS AND WHAT YOU'RE REQUESTING. ALSO NOTE IF THERE ARE EXISTING STRUCTURES ON THE PROPERTY.

there are no existing structures on the property. Owner plans to
offer 2 lots for sale and requests plan commission approval for a
lot division.

SITE PLAN: (A COMPLETE SITE PLAN, INCLUDING BUT NOT LIMITED TO ALL STRUCTURES, LOT LINES, AND STREETS WITH DISTANCES TO EACH, MUST BE SUBMITTED WITH THE APPLICATION WHEN APPLICABLE.)

LIST ALL ADJACENT PROPERTY OWNERS AND THEIR MAILING ADDRESS: (ADJACENT BEING DEFINED AS PROPERTIES WHICH PHYSICALLY ABUT, ARE CONTIGUOUS TO, AND ARE DIRECTLY ACROSS A PUBLIC STREET OR ALLEY FROM THE PROPERTY IDENTIFIED ABOVE. THIS MUST BE SUPPLIED BY THE PETITIONER. INSTRUCTION SHEET ON REVERSE SIDE.)

- | | |
|---------------------------|----------|
| 1) <u>Stuart C. Strey</u> | 5) _____ |
| <u>1205 Mason St.</u> | _____ |
| 2) _____ | 6) _____ |
| _____ | _____ |
| 3) _____ | 7) _____ |
| _____ | _____ |
| 4) _____ | 8) _____ |
| _____ | _____ |

Note: Attach additional sheets as necessary to provide the information requested. Additional information may also be requested as may be appropriate per the proposal being made.

STAFF REPORT

PLAN COMMISSION
APRIL 27, 1987

ITEM III: LOT DIVISION - Leo Muza

GENERAL DESCRIPTION/BACKGROUND

Leo Muza, owner, requests the Plan Commission to review and approve a lot division for the property generally located south of Knapp Street Road on the north side of the southern most section of Burnwood Court with an R-1B Single Family Residence Zoning classification.

The existing land use pattern can be characterized as follows:

- 1) The areas north, east and west are zoned R-1B Single Family and are vacant.
- 2) The area south is zoned R-1 Rural Residential (Winnebago County zoning designation) and is vacant.

ANALYSIS

The lots in question are 82.5 x 134.84 and exceed the minimum lot size standards required by the R-1B Single Family Residence District by 55%. All other zoning, statutory and subdivision regulations of the City and State have been met.

The lots in question fall within the Airport Overlay District of Winnebago County which requires low density type developments in the airport area. The R-1B Single Family Residence District allows the lowest density of any other zoning district within the City's Zoning Ordinance thus meeting the density concerns relative to this area.

RECOMMENDATION/CONDITIONS

Staff recommends approval of the lot division with the following condition:

- 1) That the developer/owner be responsible for all capital improvement costs.

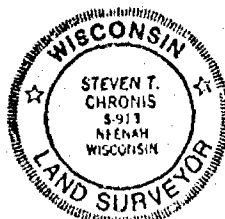
SURVEYOR'S CERTIFICATE

I, Steven T. Chronis, Wisconsin Registered Land Surveyor of Aero-Metric Engineering, Inc., certify that I have surveyed, divided and mapped under the direction of Leo A. Musa a part of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-four (34), Township Eighteen (18) North, Range Sixteen (16) East, Thirteenth (13th) Ward, City of Oshkosh, Winnebago County, Wisconsin containing 0.5107 acres of land and being described by: Commencing at the Center of said Section 34; thence N89°-35'-30"W 877.02 feet, along the North line of the SW $\frac{1}{4}$ of said Section 34 to its intersection with the East line of Burnwood Court; thence S00°-00'-57"E 595.84 feet, along the East line of Burnwood Court; thence S89°-30'-57"E 164.54 feet, along the North line of Burnwood Court to the true point of beginning; running thence N00°-00'-49"E 134.84 feet; thence S89°-30'-57"E 165.00 feet; thence S00°-00'-49"W 134.84 feet; thence N89°-30'-57"W 165.00 feet to the true point of beginning.

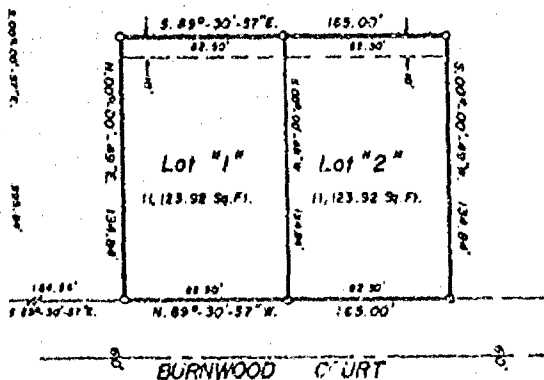
That such is a correct representation of all exterior boundaries of the land surveyed. That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Land Subdivision Ordinance of the City of Oshkosh in surveying and mapping the same.

Dated this 16th day of April, 1987.

Steven T. Chronis
Wisconsin Registered Land Surveyor S-0913
Steven T. Chronis

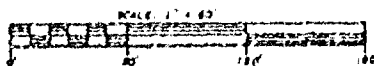


N. LINE OF NE $\frac{1}{4}$ SECTION 34, T. 18 N., R. 16 E.
N 89°-35'-30" W 877.02' CENTER OF SECTION 34
T. 18 N., R. 16 E.
1/4 SECTION 34, T. 18 N., R. 16 E.



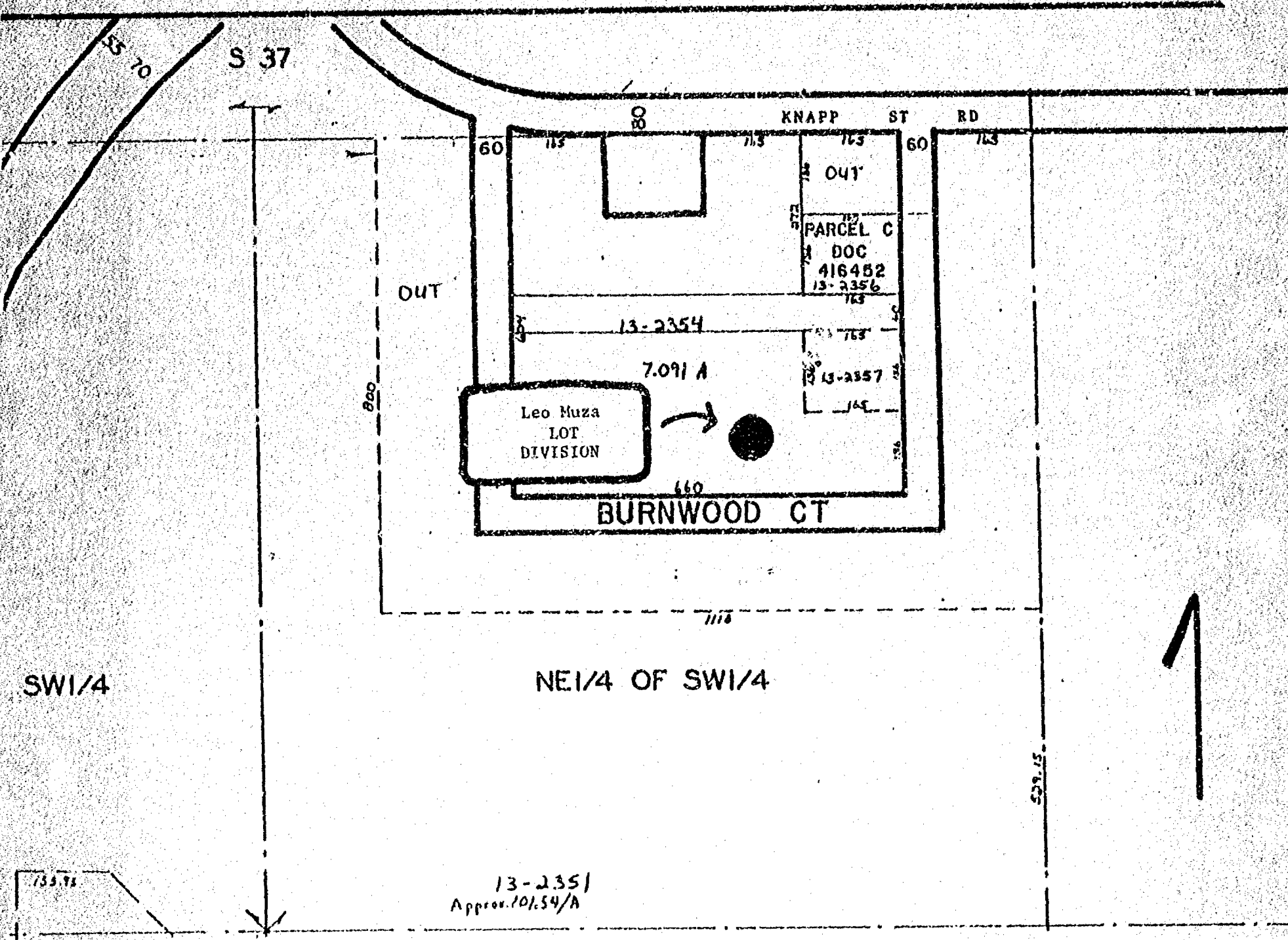
LEGEND
1" = 1' 1/2" (1/2" INCHES BEARING 1/2" FOR LINE, 1/4" FOR SET)
1/4" UTILITY EASEMENT

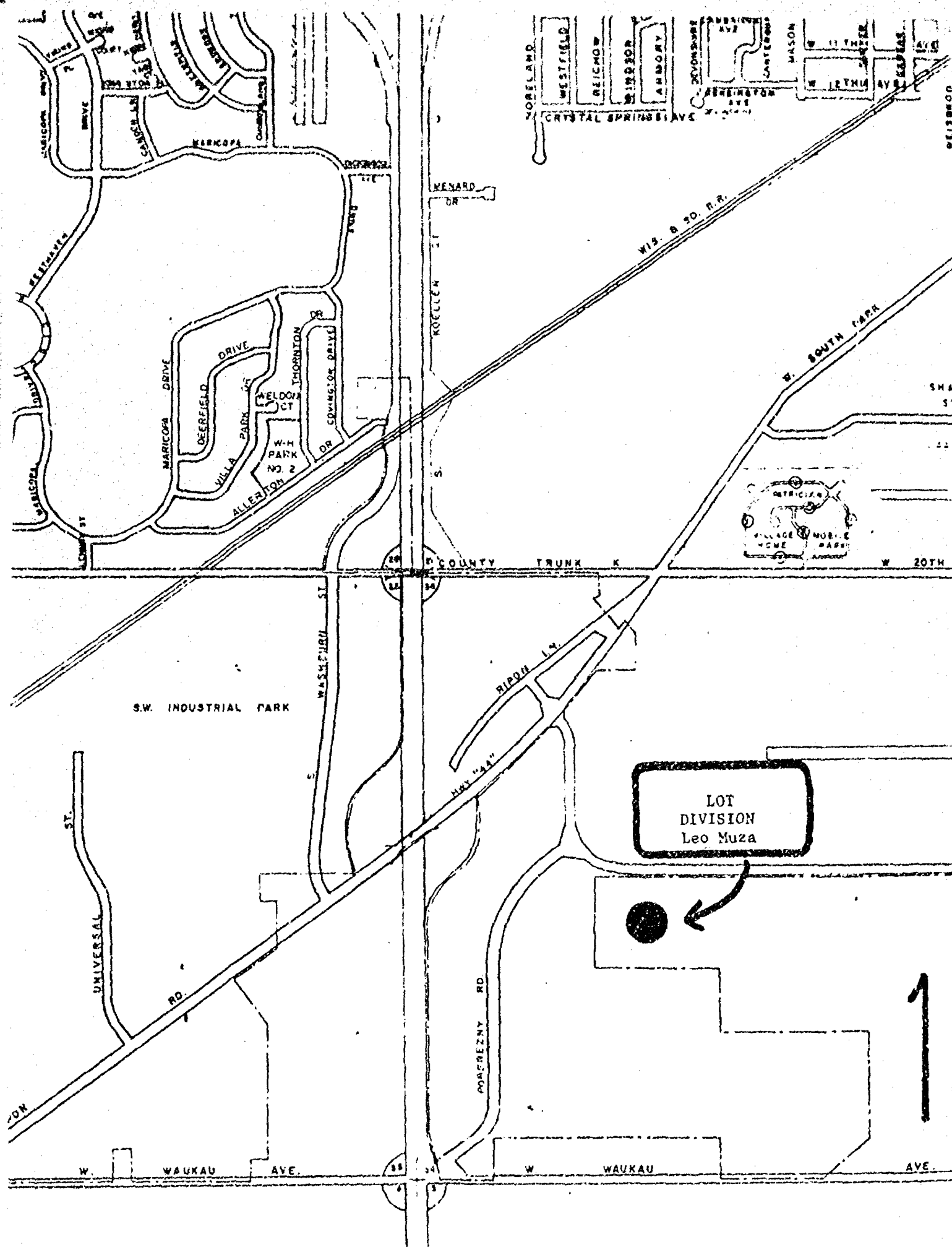
AERO-METRIC ENGINEERING INC.
539 NORTH MADISON STREET
CHILTON, WISCONSIN 53014

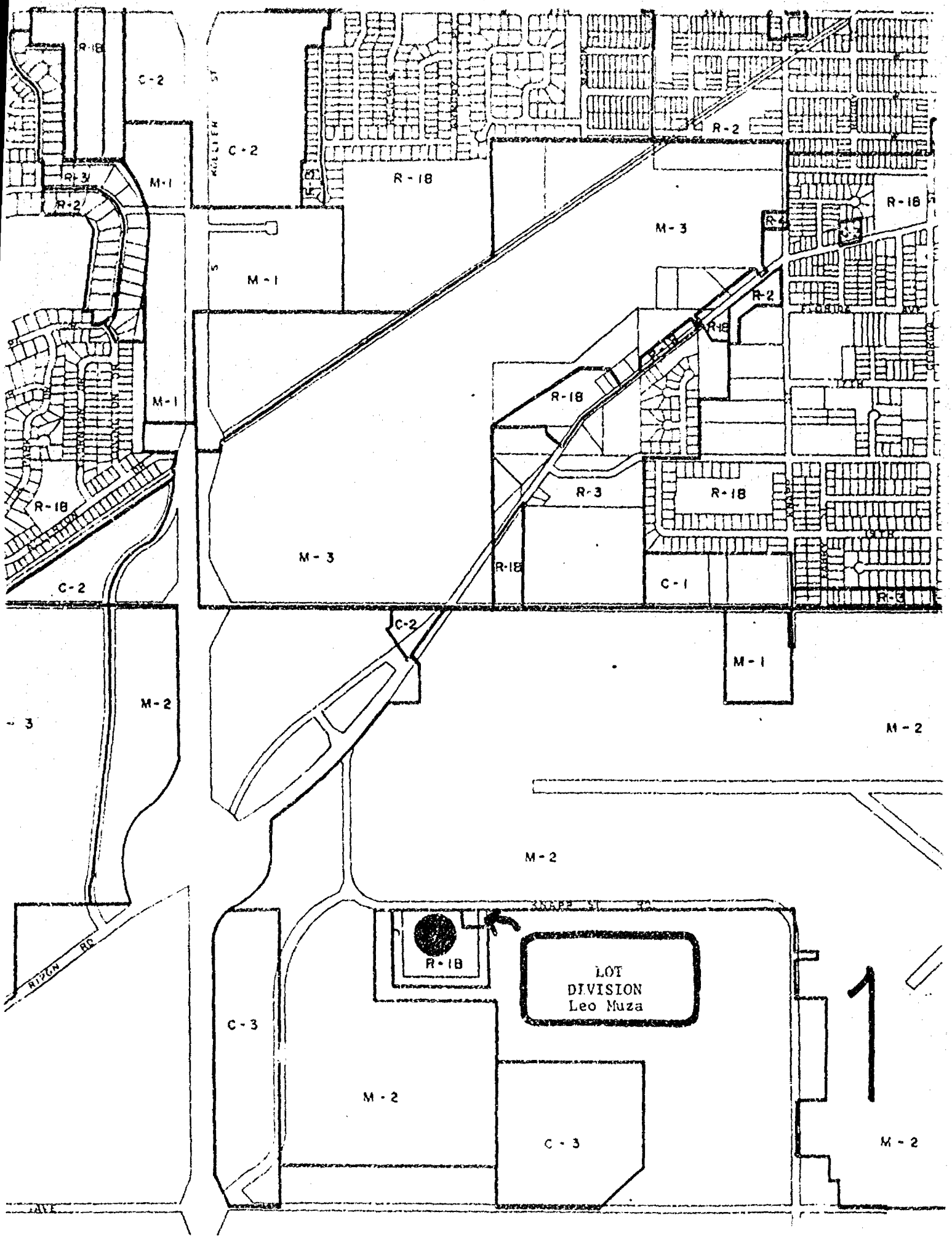


THIS INSTRUMENT DRAFTED BY LAWRENCE C. KRIEGER S-1599

L-1554







CITY OF OSHKOSH GENERAL APPLICATION

THIS APPLICATION MUST BE SUBMITTED WITH THE PETITION TO THE CITY CLERK.

DATE April 15, 1987 RECORD #

PETITIONER Aero-Metric Engineering, Inc.

ADDRESS 539 N. Madison St. Chilton WI PHONE # 800/472-5313

SIGNATURE Stuart C. Strey

OWNER (IF not Petitioner) Leo A. Muza

OWNER'S ADDRESS PO Box 707 Oshkosh, WI

ADDRESS OF AFFECTED PARCEL not assigned on Burnwood Court

SIZE OF PROPERTY: 165 FT. X 135 FT. ACRES 0.50

LEGAL DESCRIPTION: Part of the NE 1/4 of the SW 1/4 of Sec. 34, T18N, R16E,
13th Ward, City of Oshkosh.

ZONING CHANGE FROM TO LAND SUBDIVISION lot division

CONDITIONAL USE FOR OTHER

EXPLAIN YOUR PROPOSED PLANS AND WHAT YOU'RE REQUESTING. ALSO NOTE IF THERE ARE EXISTING STRUCTURES ON THE PROPERTY.

there are no existing structures on the property. Owner plans to
offer 2 lots for sale and requests plan commission approval for a
lot division.

SITE PLAN: (A COMPLETE SITE PLAN, INCLUDING BUT NOT LIMITED TO ALL STRUCTURES, LOT LINES, AND STREETS WITH DISTANCES TO EACH, MUST BE SUBMITTED WITH THE APPLICATION WHEN APPLICABLE.)

LIST ALL ADJACENT PROPERTY OWNERS AND THEIR MAILING ADDRESS: (ADJACENT BEING DEFINED AS PROPERTIES WHICH PHYSICALLY ABUT, ARE CONTIGUOUS TO, AND ARE DIRECTLY ACROSS A PUBLIC STREET OR ALLEY FROM THE PROPERTY IDENTIFIED ABOVE. THIS MUST BE SUPPLIED BY THE PETITIONER. INSTRUCTION SHEET ON REVERSE SIDE.)

- | | |
|---------------------------|------------|
| 1) <u>Stuart C. Strey</u> | 5) <u></u> |
| <u>1205 Mason St.</u> | <u></u> |
| 2) <u></u> | 6) <u></u> |
| <u></u> | <u></u> |
| 3) <u></u> | 7) <u></u> |
| <u></u> | <u></u> |
| 4) <u></u> | 8) <u></u> |
| <u></u> | <u></u> |

Note: Attach additional sheets as necessary to provide the information requested. Additional information may also be requested as may be appropriate per the proposal being made.

APR 21 1987

MEETING NOTICE
CITY OF OSHKOSH PLAN COMMISSION
MONDAY, APRIL 27, 1987
4:00 P.M.

TO WHOM IT MAY CONCERN:

PLEASE NOTE that the Plan Commission of the City of Oshkosh will meet on Monday, April 27, 1987 at 4:00 P.M. in Room 404 of City Hall to consider the following agenda item(s) which may be of interest to you as a surrounding property owner:

Stuart and Joyce Strey request(s) the Plan Commission to review and approve a lot division for the property generally located at/commonly known as approximately 330± feet east of the NW corner of Burnwood Ct., on the North side of the southern most section of Burnwood Ct..

A REPORT WILL BE PREPARED INDICATING THE POSITION OF THE PLANNING STAFF ON EACH REQUEST, AND WHEN COMPLETED, IS AVAILABLE UPON REQUEST TO ALL INTERESTED PARTIES. THIS REPORT IS ALSO SENT TO PLAN COMMISSION MEMBERS.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PLANNING AND RESEARCH DIVISION AT (414) 236-5059.

DATE: 4/20/87

CITY OF OSHKOSH GENERAL APPLICATION

THIS APPLICATION MUST BE SUBMITTED WITH THE PETITION TO THE CITY CLERK.

DATE April 15, 1987 RECORD #
 PETITIONER Aero-Metric Engineering, Inc.
 ADDRESS 539 N. Madison St. Chilton PHONE # 800/472-5313
 SIGNATURE *Stuart C. Strey*
 OWNER (If not Petitioner) Stuart C. Strey
 OWNER'S ADDRESS 1205 Mason Street Oshkosh WI
 ADDRESS OF AFFECTED PARCEL unassigned on Burnwood Court
 SIZE OF PROPERTY: 165 FT. X 135 FT. ACRES 0.50
 LEGAL DESCRIPTION: Part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of SEC. 34, T18N, R16E,
13th Ward, City of Oshkosh.

ZONING CHANGE FROM TO LAND SUBDIVISION lot division
 CONDITIONAL USE FOR OTHER
 EXPLAIN YOUR PROPOSED PLANS AND WHAT YOU'RE REQUESTING. ALSO NOTE IF THERE
 ARE EXISTING STRUCTURES ON THE PROPERTY.

There are no existing structures on the property. Owner plans to
offer 2 lots for sale and request plan commission approval for
a lot division.

SITE PLAN: (A COMPLETE SITE PLAN, INCLUDING BUT NOT LIMITED TO ALL STRUCTURES,
 LOT LINES, AND STREETS WITH DISTANCES TO EACH, MUST BE SUBMITTED WITH THE
 APPLICATION WHEN APPLICABLE.)

LIST ALL ADJACENT PROPERTY OWNERS AND THEIR MAILING ADDRESS: (ADJACENT BEING
 DEFINED AS PROPERTIES WHICH PHYSICALLY ABUT, ARE CONTIGUOUS TO, AND ARE
 DIRECTLY ACROSS A PUBLIC STREET OR ALLEY FROM THE PROPERTY IDENTIFIED ABOVE.
 THIS MUST BE SUPPLIED BY THE PETITIONER. INSTRUCTION SHEET ON REVERSE SIDE.)

- | | |
|--------------------------------|--------------------------------|
| 1) <u>Leo A. Muza</u> | 5) <u> </u> |
| <u>PO Box 707 Oshkosh</u> | <u> </u> |
| 2) <u> </u> | 6) <u> </u> |
| <u> </u> | <u> </u> |
| 3) <u> </u> | 7) <u> </u> |
| <u> </u> | <u> </u> |
| 4) <u> </u> | 8) <u> </u> |
| <u> </u> | <u> </u> |

Note: Attach additional sheets as necessary to provide the information
 requested. Additional information may also be requested as may be
 appropriate per the proposal being made.

STAFF REPORT

PLAN COMMISSION
APRIL 27, 1987

ITEM IV: LOT DIVISION - Stuart Strey

GENERAL DESCRIPTION/BACKGROUND

Stuart and Joyce Strey, owners, request the Plan Commission to review and approve a lot division for the property generally located approximately 330+ feet east of the northwest corner of Burnwood Court on the north side of the southern most section of Burnwood Court with an R-1B Single Family Residential zoning classification.

The existing land use pattern can be characterized as follows:

- 1) The areas north, east and west are zoned R-1B Single Family and are vacant.
- 2) The area south is zoned R-1 Rural Residential (Winnebago County zoning designation) and is vacant.

ANALYSIS

The lots in question are 82.5 x 134.84 and exceed the minimum lot size standards required by the R-1B Single Family Residence District by 55%. All other zoning, statutory and subdivision regulations of the City and State have been met.

The lots in question fall within the Airport Overlay District of Winnebago County which requires low density type developments in the airport area. The R-1B Single Family Residence District allows the lowest density of any other zoning district within the City's Zoning Ordinance thus meeting the density concerns relative to this area.

RECOMMENDATION/CONDITIONS

Staff recommends approval of the lot division with the following condition:

- 1) That the developer/owner be responsible for all capital improvement costs.

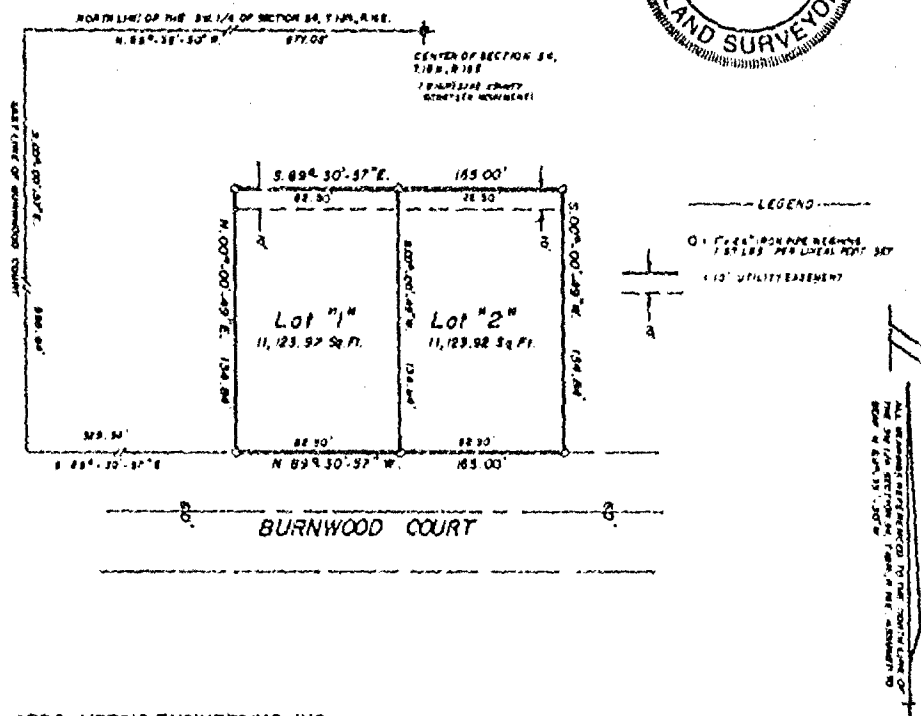
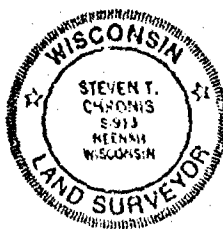
SURVEYOR'S CERTIFICATE:

I, Steven T. Chronis, Wisconsin Registered Land Surveyor of Aero-Metric Engineering, Inc., certify that I have surveyed, divided and mapped under the direction of Stuart C. Croy a part of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-four (34), Township Eighteen (18) North, Range Sixteen (16) East, Thirteenth (13th) Ward, City of Oakshosh, Winnebago County, Wisconsin containing 0.5107 acres of land and being described by: Commencing at the Center of said Section 34; thence N89°-35'-30"W R77.02 feet, along the North line of the SW $\frac{1}{4}$ of said Section 34 to its intersection with the East line of Burnwood Court; thence S00°-00'-57"E 593.34 feet, along the East line of Burnwood Court; thence S89°-32'-57"E 329.34 feet, along the North line of Burnwood Court to the true point of beginning; running thence N00°-00'-49"E 134.84 feet; thence S89°-30'-57"E 165.00 feet; thence S00°-00'-49"W 134.84 feet; thence N89°-30'-57"W 165.00 feet to the true point of beginning.

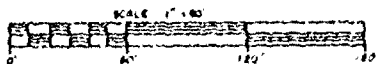
That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Land Subdivision Ordinance of the City of Oshkosh in surveying and mapping the same.

Dated this 16th day of April, 1987.

Steven T. Chrouis
Wisconsin Registered Land Surveyor S-0913
Steven T. Chrouis

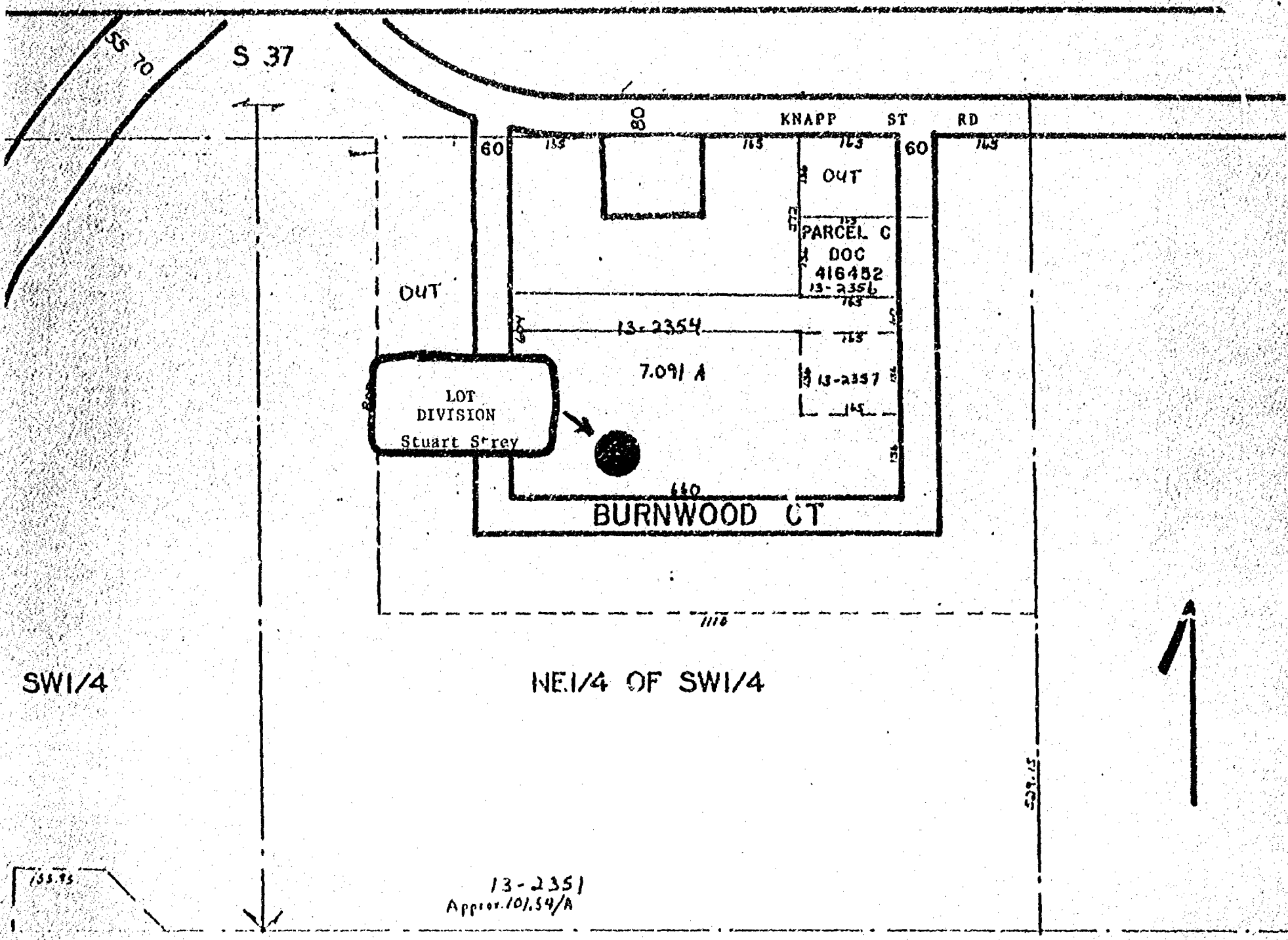


AERO-METRIC ENGINEERING INC.
330 NORTH MADISON STREET
CHILTON, WISCONSIN 53010



THIS INSTRUMENT GRANTED BY LAWRENCE C. FRIESCHER 9-15-00

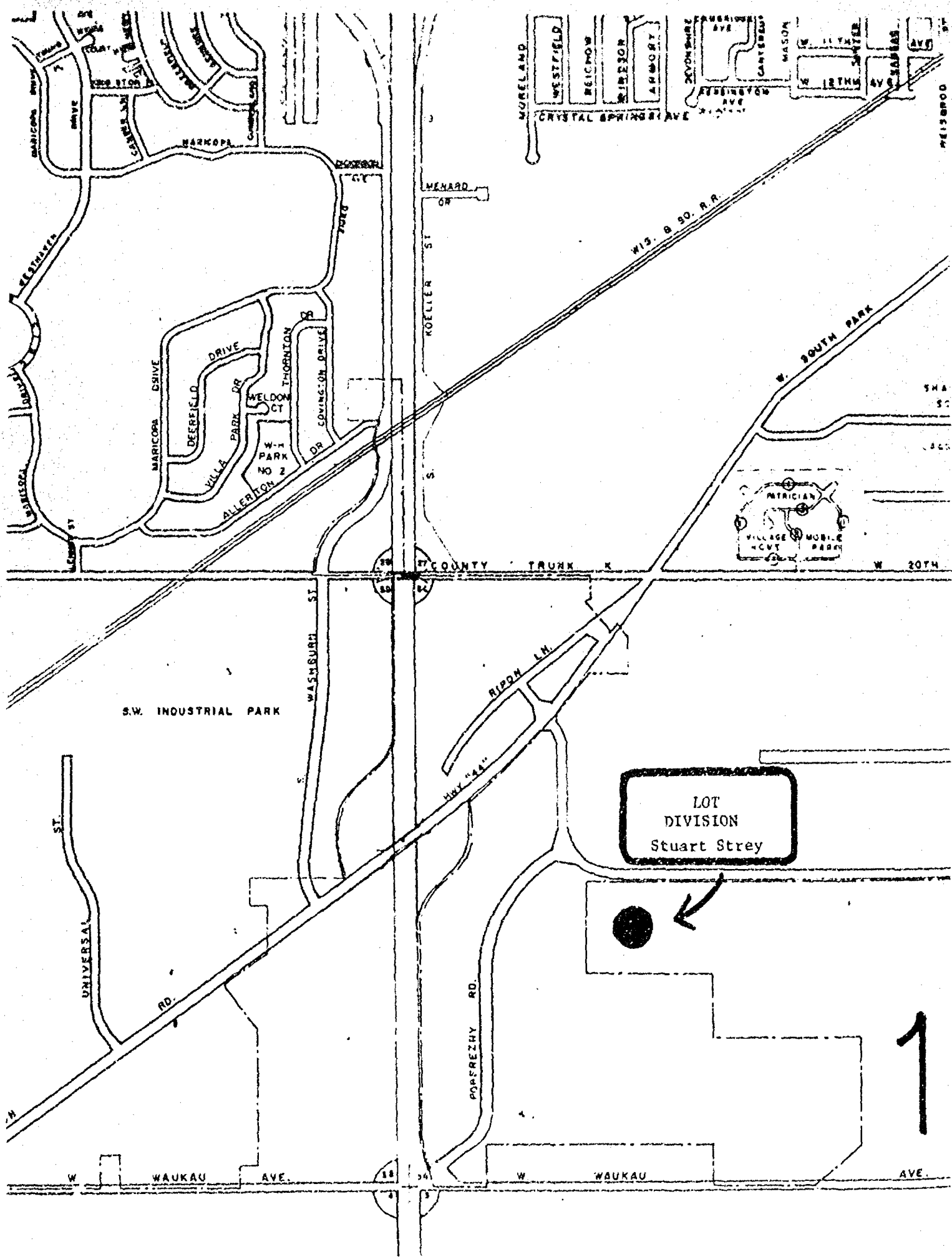
L-1553

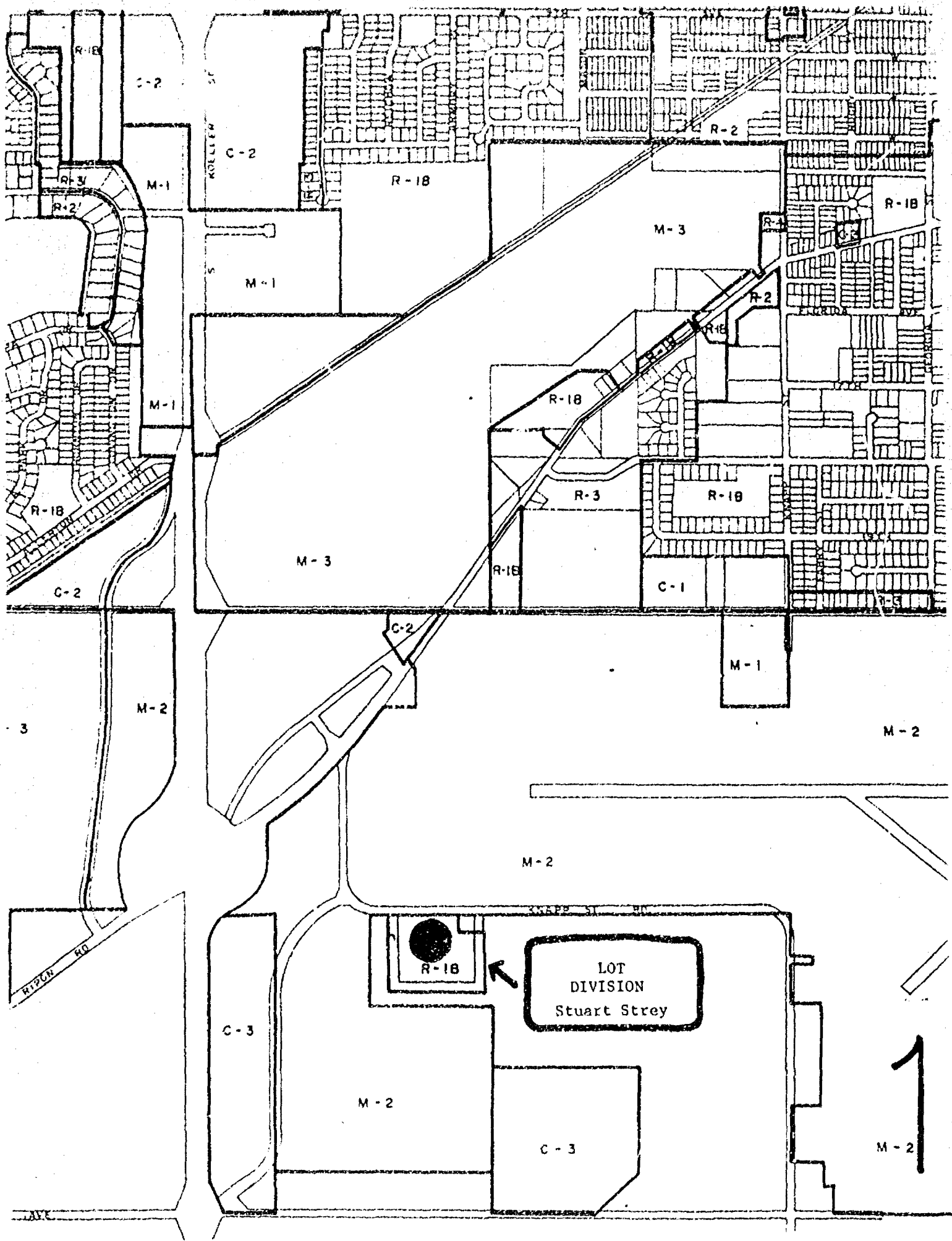


SW1/4

NE1/4 OF SW1/4

13-2351
Approx. 10/54/A





CITY OF OSHKOSH GENERAL APPLICATION

THIS APPLICATION MUST BE SUBMITTED WITH THE PETITION TO THE CITY CLERK.

DATE April 15, 1987 RECORD #

PETITIONER Aero-Metric Engineering, Inc.

ADDRESS 539 N. Madison St. Chilton PHONE # 800/472-5313

SIGNATURE Stuart C. Strey

OWNER (If not Petitioner) Stuart C. Strey

OWNER'S ADDRESS 1205 Mason Street Oshkosh WI

ADDRESS OF AFFECTED PARCEL unassigned on Burnwood Court

SIZE OF PROPERTY: 165 FT. X 135 FT. ACRES 0.50

LEGAL DESCRIPTION: Part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 34, T18N, R16E, 13th Ward, City of Oshkosh.

ZONING CHANGE FROM TO LAND SUBDIVISION lot division

CONDITIONAL USE FOR OTHER

EXPLAIN YOUR PROPOSED PLANS AND WHAT YOU'RE REQUESTING. ALSO NOTE IF THERE ARE EXISTING STRUCTURES ON THE PROPERTY.

There are no existing structures on the property. Owner plans to offer 2 lots for sale and requests plan commission approval for a lot division.

SITE PLAN: (A COMPLETE SITE PLAN, INCLUDING BUT NOT LIMITED TO ALL STRUCTURES, LOT LINES, AND STREETS WITH DISTANCES TO EACH, MUST BE SUBMITTED WITH THE APPLICATION WHEN APPLICABLE.)

LIST ALL ADJACENT PROPERTY OWNERS AND THEIR MAILING ADDRESS: (ADJACENT BEING DEFINED AS PROPERTIES WHICH PHYSICALLY ABUT, ARE CONTIGUOUS TO, AND ARE DIRECTLY ACROSS A PUBLIC STREET OR ALLEY FROM THE PROPERTY IDENTIFIED ABOVE. THIS MUST BE SUPPLIED BY THE PETITIONER. INSTRUCTION SHEET ON REVERSE SIDE.)

- | | |
|---------------------------|------------|
| 1) <u>Leo A. Muza</u> | 5) <u></u> |
| <u>PO Box 707 Oshkosh</u> | <u></u> |
| 2) <u></u> | 6) <u></u> |
| <u></u> | <u></u> |
| 3) <u></u> | 7) <u></u> |
| <u></u> | <u></u> |
| 4) <u></u> | 8) <u></u> |
| <u></u> | <u></u> |

Note: Attach additional sheets as necessary to provide the information requested. Additional information may also be requested as may be appropriate per the proposal being made.

APR 21 1987

MEETING NOTICE

CITY OF OSHKOSH PLAN COMMISSION

MONDAY, APRIL 27, 1987

4:00 P.M.

TO WHOM IT MAY CONCERN:

PLEASE NOTE that the Plan Commission of the City of Oshkosh will meet on Monday, April 27, 1987 at 4:00 P.M. in Room #04 of City Hall to consider the following agenda item(s) which may be of interest to you as a surrounding property owner:

Thomas Muza, etal request(s) the Plan Commission to review and approve a four lot minor subdivision for the property generally located at/commonly known as South of dedicated High Oak Drive, at the Northwest corner of the south section of Burnwood Court.

A REPORT WILL BE PREPARED INDICATING THE POSITION OF THE PLANNING STAFF ON EACH REQUEST, AND WHEN COMPLETED, IS AVAILABLE UPON REQUEST TO ALL INTERESTED PARTIES. THIS REPORT IS ALSO SENT TO PLAN COMMISSION MEMBERS.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PLANNING AND RESEARCH DIVISION AT (414) 236-5059.

DATE: 4/20/87

CITY OF OSHKOSH GENERAL APPLICATION

THIS APPLICATION MUST BE SUBMITTED WITH THE PETITION TO THE CITY CLERK.

DATE April 15 1987 RECORD #

PETITIONER Aero-Metric Engineering, Inc.

ADDRESS 539 N. Madison St. Chilton WI PHONE # 800/472-5313

SIGNATURE Thomas L. Muza

OWNER (If not Petitioner) Thomas L. Muza

OWNER'S ADDRESS

ADDRESS OF AFFECTED PARCEL unassigned on Burnwood Court

SIZE OF PROPERTY: 330 FT. X 270 FT. ACRES 1.53

LEGAL DESCRIPTION: Part of the NE 1/4 of the SW 1/4 of Section 34, T18N, R16E
13th Ward, City of Oshkosh

ZONING CHANGE FROM TO LAND SUBDIVISION minor subdivision

CONDITIONAL USE FOR OTHER

EXPLAIN YOUR PROPOSED PLANS AND WHAT YOU'RE REQUESTING. ALSO NOTE IF THERE ARE EXISTING STRUCTURES ON THE PROPERTY.

There are no existing structures on the property. Owner plans to
develope lots and requests approval from the planning commission.

SITE PLAN: (A COMPLETE SITE PLAN, INCLUDING BUT NOT LIMITED TO ALL STRUCTURES, LOT LINES, AND STREETS WITH DISTANCES TO EACH, MUST BE SUBMITTED WITH THE APPLICATION WHEN APPLICABLE.)

LIST ALL ADJACENT PROPERTY OWNERS AND THEIR MAILING ADDRESS: (ADJACENT BEING DEFINED AS PROPERTIES WHICH PHYSICALLY ABUT, ARE CONTIGUOUS TO, AND ARE DIRECTLY ACROSS A PUBLIC STREET OR ALLEY FROM THE PROPERTY IDENTIFIED ABOVE. THIS MUST BE SUPPLIED BY THE PETITIONER. INSTRUCTION SHEET ON REVERSE SIDE.)

- | | |
|--|---|
| 1) <u>Stuart C. Strey</u>
<u>1205 Mason St.</u> | 5) <u>James Bolek</u>
<u>2277 Burnwood Ct.</u> |
| 2) <u>Leo A. Muza</u>
<u>PO Box 707 Oshkosh</u> | 6) <u>Jack Warren</u>
<u>2301 Burnwood Ct.</u> |
| 3) <u>Ben Hiebel</u>
<u>2225 Brunwood Ct.</u> | 7) <u></u> |
| 4) <u>Thomas R. Yapp</u>
<u>2257 Burnwood Ct.</u> | 8) <u></u> |

Note: Attach additional sheets as necessary to provide the information requested. Additional information may also be requested as may be appropriate per the proposal being made.

STAFF REPORT

PLAN COMMISSION
APRIL 27, 1987

ITEM V: MINOR SUBDIVISION - Thomas Muza, etal

GENERAL DESCRIPTION/BACKGROUND

Thomas Muza, etal, requests the Plan Commission to review and approve a four lot minor subdivision generally located south of dedicate High Oak Drive, at the northwest corner of the south section of Burnwood Court with an R-1B Single Family Residence zoning designation.

The existing land use pattern can be described as follows:

- 1) The areas north and east are zoned R-1B Single Family Residence and are vacant.
- 2) The areas south and west are zoned R-1 Rural Residential (Winnebago County zoning designation) and are characterized by single family dwellings.

ANALYSIS

The smallest of the lots in question is 82 x 134 and exceeds the minimum lot size standards required by the R-1B Single Family Residence District by greater than 55%. All other zoning, statutory and subdivision regulations of the City and State have been met.

The lots in question fall within the Airport Overlay District of Winnebago County which requires low density type developments in the airport area. The R-1B Single Family Residence District allows the lowest density of any other zoning district within the City's Zoning Ordinance thus meeting the density concerns relative to this area.

RECOMMENDATION/CONDITIONS

Staff recommends approval of the minor subdivision with the following conditions:

- 1) That a \$100 per lot fee be paid in lieu of parkland dedication prior to final approval.
- 2) That the developer/owner be responsible for all capital improvement costs.