



State of Wisconsin \ DEPARTMENT OF TRANSPORTATION



September 30, 1986

DIVISION OF HIGHWAYS AND  
TRANSPORTATION SERVICES

4802 Sheboygan Avenue  
P.O. Box 7916  
Madison, WI 53707-7916

Ms. Donna Serwas  
Clerk, City of Oshkosh  
P. O. Box 1130  
Oshkosh, WI 54092

Dear Ms. Serwas:

Subject: Cimarron Estate  
City of Oshkosh  
USH 45  
Winnebago County

The subject preliminary plat was transmitted to the Wisconsin Department of Transportation, Division of Highways and Transportation Services, by the Department of Development on September 19, 1986 under the provisions of Section 236.12, Wisconsin Statutes.

The Division of Highways and Transportation Services has considered this plat in the light of the Rules and Regulations Governing Land Subdivision Plats Abutting State Trunk Highways and Connecting Streets, Chapter Hy 33, Wisconsin Administrative Code, promulgated under authority of Section 236.13(1)(e), Wisconsin Statutes.

The Division of Highways and Transportation Services objects to the subject plat as it does not comply with Sections 33.04, 33.06 and 33.08 of the above-mentioned Rules. Certification or nonobjection is conditioned upon full compliance with these and other pertinent requirements set forth in the Rules.

Section 33.04 of the above-mentioned Rules relates to the required information which must be shown on each plat submitted for Department of Transportation review. Doty Street must be shown with a right of way width of 66 feet.

Section 33.06 of the above Rules relates to the frequency of street or road connections and the interval between a subdivision street and an existing or planned street or road.

The last paragraph of the transmittal letter for this subdivision plat suggests that the District work with the City to rectify any problems in regards to traffic movements. It is our contention that the granting of the requested street access will not be in the public's interest for a safe entrance onto USH 45 unless certain street modifications are made in the vicinity. Thus, our continued insistence that the developer work with the City to reach an acceptable plan for street modifications before the requested access is granted as stated in previous correspondence to the developer date March 5, 1986.

September 30, 1986  
Ms. Donna Serwas  
Page 2

Also, the one-foot strip of land adjacent to the north property line separating proposed "Cimarron Place" from the Merlin R. Otto property is not acceptable. A street access is meant to serve an area of development and the one-foot strip would prevent the "Otto" property from accessing the proposed street.

Section 33.08 of the above-mentioned Rules relates to the building setback line which must appear on the face of the plat. This building setback line should be shown at a distance of 110 feet from the centerline of highway or 50 feet from the outside or nearer right-of-way line, whichever is more restrictive.

Pursuant to Section 80.01 Wisconsin Statutes, that portion of South Main Street adjacent to USH 45 right-of-way limits is contiguous right of way. Therefore, the more restrictive 50-foot building setback line applies.

It is again requested that the subdivider comply with Section 33.10 of the Rules by consulting with the Wisconsin Department of Transportation office in Green Bay at 944 Vanderperren Way, Green Bay, Wisconsin, 54304 regarding this matter.

The final plat, incorporating the appropriate revision, corrections or additions in compliance with the above-referenced Sections of the Rules, must be submitted in order that the objections noted herein may be removed.

We wish to thank you for your cooperation in these matters of mutual interest.

Sincerely,

D. L. Strand, P.E.  
State Design Engineer for Hwys.

By

*L. S. Kenyon*

*for* J. W. Dresser, P.E.  
Chief Utilities Engineer

JWD:LSK:a3627

cc: Register of Deeds  
Department of Development  
DILHR  
Surveyor  
Owners (c/o Surveyor)  
Winnebago County Planning Agency  
YD #3

## 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 30, 1986

Mr. Steven T. Chronis  
AERO-METRIC ENGINEERING, INC.  
539 North Madison Street  
Chilton, Wisconsin 53014

SEND LETTER TO  
CHRONIS REQUIRING  
AMENDMENT  
LANGUAGE ON FACE OF  
FINAL PLAT.  
10-13-86 NOTIFIED CHRONIS  
BY TELEPHONE OF ABOVE REPORT.  
BY L.F.L.

PERMANENT FILE NO. 15626

Subject: CIMARRON ESTATES (revised)  
GL 2 S 36 T18N R16E  
City of Oshkosh, Winnebago County

Dear Mr. Chronis:

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. 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 sewered;
- 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.

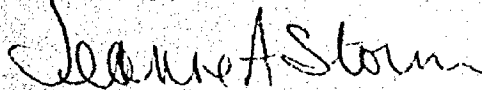
COMMENTS FROM PRELIMINARY PLAT REVIEW:

- s. 236.16 (1) The lots have the minimum width and area required by this section.
- s. 236.16 (2) The streets meet the minimum width required by this section.
- s. 236.20 (2) (c) On the final plat, the center line bearing and distance must be shown for the 20' utility and sanitary and water easement crossing lots 12 & 13.
- s. 236.20 (5). (c) On the final plat, complete water elevations, including high, low, and date of survey, must be shown and referenced to a permanent established datum plane for Glatz Creek.

Mr. Steven T. Chronis  
CIMARRON ESTATES (revised)  
September 30, 1986

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

Sincerely,



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

JAS:mas

Enc: Original

cc: Clerk, City of Oshkosh (w/print)  
Winnebago County Planning Agency  
Mr. Ronald Leichtfuss, Owner  
Department of Transportation

ORIGINAL DRAWING RECEIVED FROM SURVEYOR ON 9/15/86; REVIEWED BY DOD ON 9/30/86.



# Winnebago County

## PLANNING AND ZONING DEPARTMENT

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

### MEMORANDUM

TO: Cimarron Estates File - City of Oshkosh  
FROM: Leonard Leverence, Principal Planner  
DATE: *LL*  
April 23, 1986  
SUBJECT: Avigation Easement

On Wednesday April 23, 1986, I contacted Blair Conrad, Airport Manager, by telephone, notifying him of statutory requirements for county objecting authority on the above reference plat. Upon submittal of final plat, the Winnebago County Planning & Zoning Committee has 20 days by statutory law to respond to either approval or objection to the final plat.

Therefore, I requested Mr. Conrad to expedite the necessary avigation easement with the developer, Mr. Leichtfuss, at the earliest possible convenience so that we may proceed in a timely fashion with final plat approval, upon submission to this office.



# Winnebago County

## PLANNING AND ZONING DEPARTMENT

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

### MEMORANDUM

TO: Blair Conrad, Airport Manager, Aviation Committee  
FROM: Len Leverence, Principal Planner  
LFL  
DATE: March 13, 1986  
SUBJECT: Cimarron Estates Plat - Avigation Easement

The Winnebago County Planning and Zoning Committee would appreciate your assistance and recommendations concerning preparation of the necessary language for an avigation easement of the above referenced property development.

You or your committee may wish to consult with the property owner, Mr. Leichtfuss, to mutually agree on terms of the easement.

Upon your review and recommendation, the Planning and Zoning Committee will then proceed with the necessary procedures for final approval of the plat.

LL/hc

#### Attachments:

1. Planning & Zoning Correspondence of March 10, 1986
2. Planning Department Staff Report

cc: Ronald Leichtfuss



# Winnebago County

## PLANNING AND ZONING DEPARTMENT

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

March 10, 1986

Mr. Ronald Leichtfuss  
2530 Fond du Lac Road  
Oshkosh, WI 54935

RE: Preliminary Plat - Cimarron Estates

Dear Mr. Leichtfuss:

The purpose of this letter is to inform you that the Winnebago County Planning and Zoning Committee met on Monday, March 3, 1986, and approved of the above referenced preliminary plat with conditions as follows:

1. That the final plat contain a restriction that provides Winnebago County an aviation easement concerning operation of Wittman Field Airport.
2. Final plat to contain restriction identifying height permit requirements of the Winnebago County Town/County Zoning Ordinance.
3. Final plat to contain restriction identifying maximum residential unit density not to exceed one-hundred (100) dwelling units.
4. Winnebago County endorses street access concerns of Wisconsin Department of Transportation.

Final plat approval is conditioned upon satisfying the above conditions.

If you have any questions concerning this letter, please contact this office.

Sincerely,

  
Leonard Leverage  
Principal Planner

LL/hc

cc: Department of Development  
Department of Transportation  
City of Oshkosh - Dept. Community Development

FINDINGS OF FACT:

1. 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.
2. The R-5 zoning district does permit planned unit developments which under existing platting law would delete county objection authority if the development is contained within one land parcel.
3. 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".
4. Mr. Leichtfuss has agreed to provide Winnebago County an aviation easement with a held harmless stipulation.

CK w/  
Comp. Council

ADVISORY RECOMMENDATIONS:

- A. 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 adjacent residential and industrial zoning and uses and provides a buffer zone between existing zoning and uses as it relates to the operations of Wittman Field.

P12  
APPROV  
3/3/86

Conditions:

1. Final plat contains restriction identifying aviation easement.  
(Planning and Zoning to determine validity of held harmless stipulation).
2. Final plat to contain restriction identifying height permit requirements of the Winnebago County Town/County Zoning Ordinance.

WORDING TO BE DETERMINED BY WINN. CTY. P12 COMMITTEE.

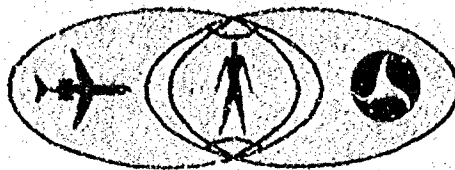
3. Final plat to contain restriction identifying maximum residential unit density permitted (Planning and Zoning to determine). 100

4. DOT SUPPORT OF ACCESS CONCERN.

- B. 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.



# 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  
~~Walter C. Pawlowski, Secretary~~  
Walter C. Pawlowski, Secretary  
Franklin R. Utech, Member  
James F. Bahr, Member  
Eugene T. Troxell, Member

February 26, 1986

Mr. Len Leverence  
Planning Department  
County of Winnebago  
415 Jackson Street  
Oshkosh, WI 54901

Dear Mr. Leverence:

In reference to our conversation on Tuesday, February 25th, 1986, I am forwarding to you a letter from the State of Wisconsin Department of Transportation Real Estate Utility Unit, along with sample aviation easements that can be utilized by Winnebago County as necessary to secure some form of protection for Winnebago County against noise nuisance suits and use of land that would obstruct navigable air space adjacent to the airport. There are three forms of the aviation easement here, along with suggestions for descriptions and detail charts to accompany each aviation easement that could be used as aviation easements for Winnebago County. Each of the forms essentially provide for the same easement information. However, they can be tailored specifically to certain locations adjacent to the airport that may require more detail and not only the description of the parcel, but also as to the rights of the county under the easement.

We can meet with Mr. Engeldinger and discuss these variances some other time. However, these should be sufficient for your purpose for your upcoming plot plan review with the Zoning Committee. If you have any questions concerning these items, please do not hesitate to contact me, or consult Mr. Engeldinger.

Yours truly,

  
Eugene B. Conrad, Jr., AAE  
Airport Manager

HOME OF THE EXPERIMENTAL AIRCRAFT ASSOCIATION



State of Wisconsin \ DEPARTMENT OF TRANSPORTATION

Division of Transportation Assistance



September 27, 1985

BUREAU OF AERONAUTICS

4802 Sheboygan Avenue  
P.O. Box 7914  
Madison, WI 53707-7914  
(608) 266-3351

Mr. E. Blair Conrad, Jr.  
Wittman Field  
20th Avenue  
Oshkosh, WI 54901

Dear Mr. Conrad:

Wittman Field

This is to follow-up your telephone call of September 26, regarding the annexation of a wooded sub-division to the City of Oshkosh. The sub-division is situated south of the approach to Runway 09.

Approximately the N1/3 of the sub-division is within 1,250 feet of the runway center line. Almost all of it is within the 65 LDN noise contour as shown in the airport layout plan. Therefore aviation easement interest in that sub-division should be obtained by Winnebago County.

Enclosed is a blank aviation easement form which is used on our word processor. Therefore the words in parenthesis or preceded and followed by V, are not a part of the document language. However this form can be modified only slightly and used. We would be happy to give you the appropriate language for height limitation when the precise location and the description of each parcel is known.

We also enclose the one-page aviation easement form which is used in connection with condemnation documents. The basic information is identical to the other form except that it has been adapted for a specific use. An attorney could adapt the conditions set forth in this form to any conveyance being drafted for use in that sub-division.

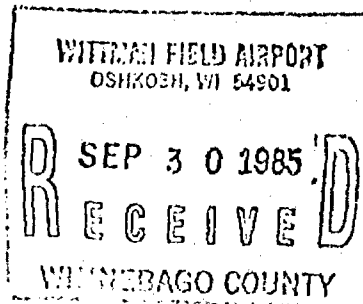
We discussed deed reservations only briefly during our telephone conversation. Deed reservations in the conveyance from the developer to the buyer would not put the easement interest in Winnebago County who should be holding that interest for airport protection. It would seem more appropriate to have the developer who owns this sub-division convey an easement interest on all of the sub-division which has not been sold to individual home owners.

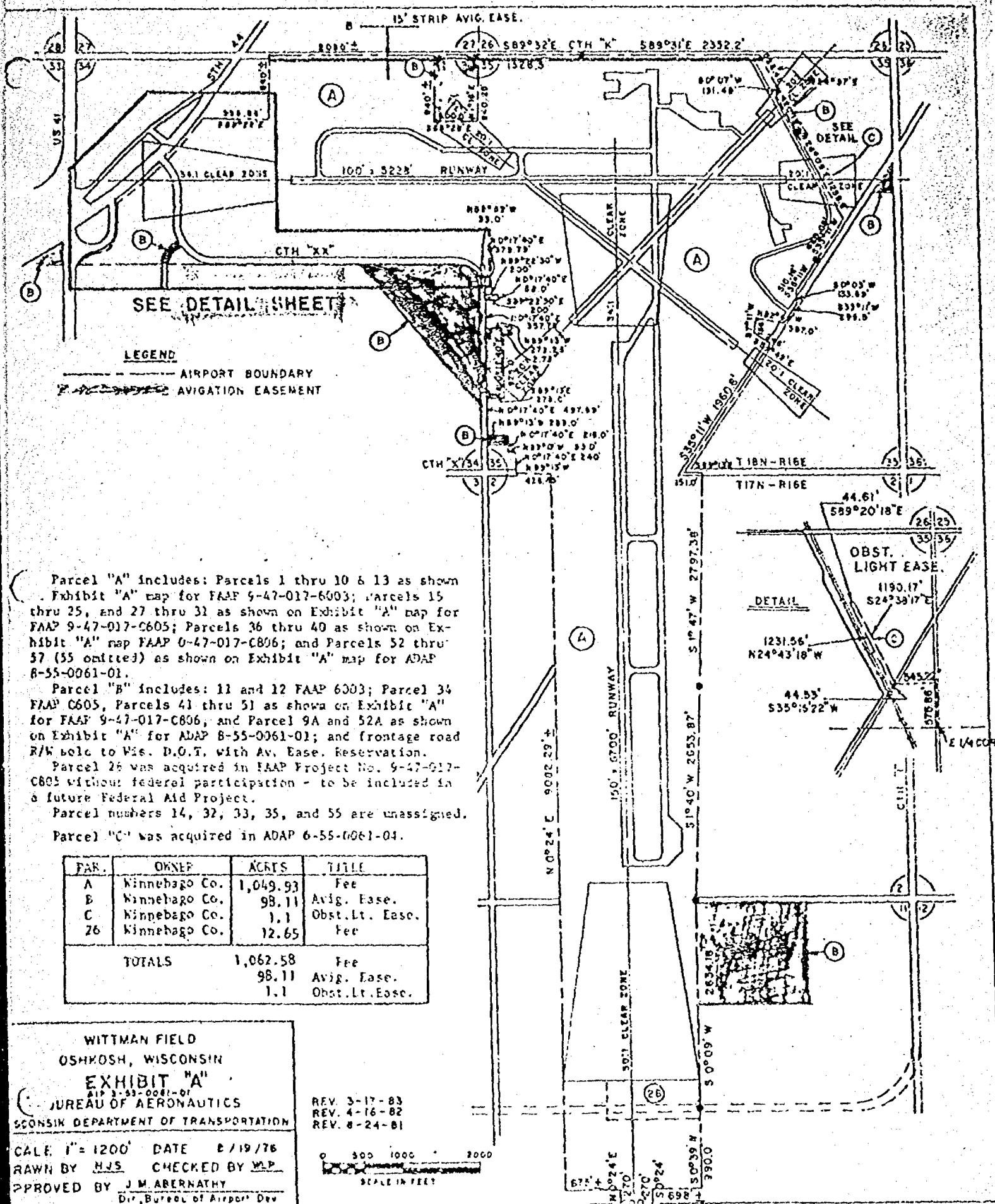
I will be very interested in knowing what your legal advisor proposes to do. If I can be of further help please contact me at your convenience.

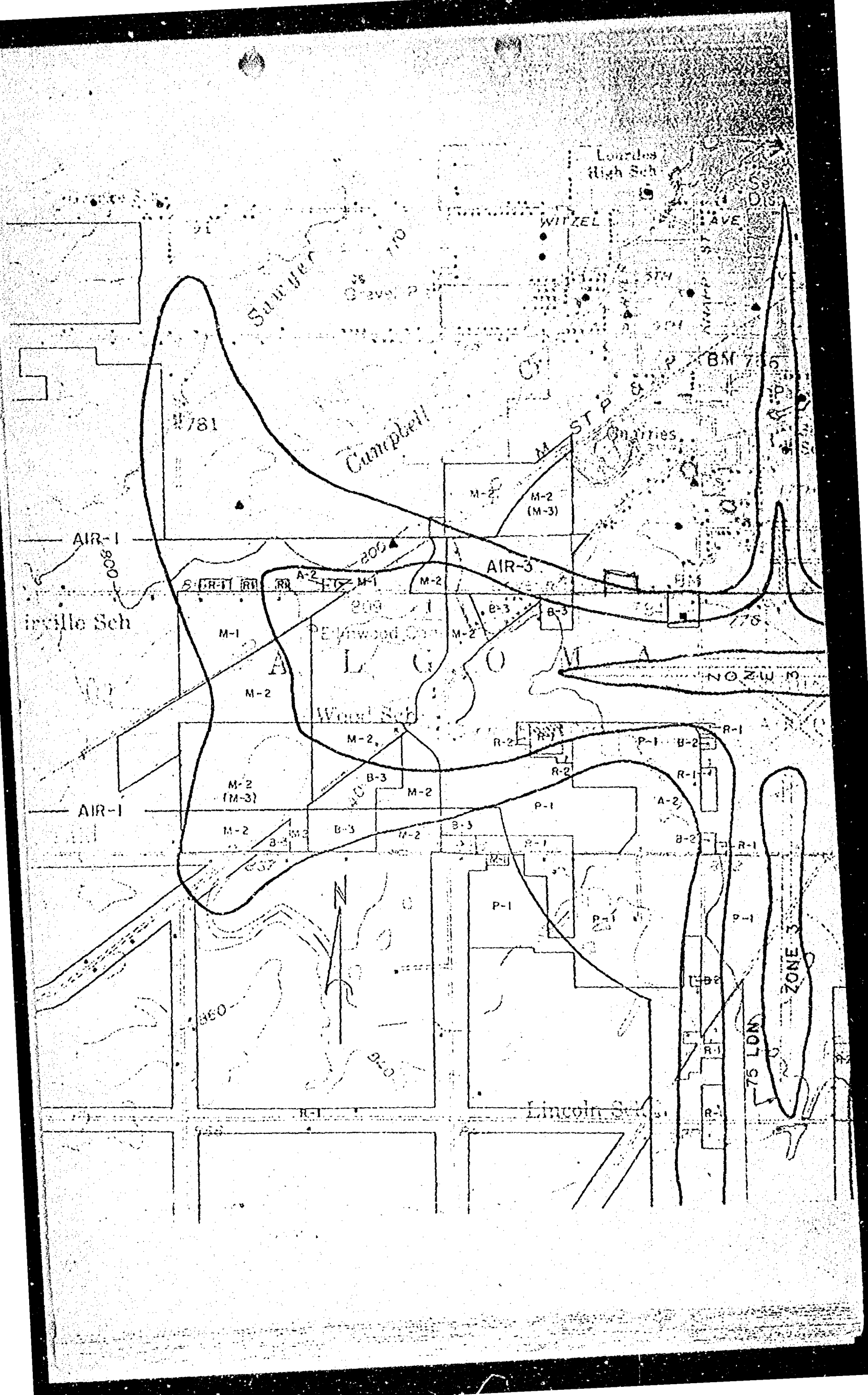
Very truly yours,

*W. L. Paul*  
W. L. Paul, Supervisor  
Real Estate & Utility Unit

WLP/tjr/1472









# Winnebago County

## PLANNING AND ZONING DEPARTMENT

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

February 24, 1986

TO: Planning & Zoning Committee

FROM: Planning & Zoning Department Staff

SUBJECT: STAFF REPORT - PRELIMINARY PLAT  
CIMARRON ESTATES

LOCATION: G.L. 2 S36 T18N R16E  
City of Oshkosh  
Winnebago County  
Approximately 2,000 feet from termination of Wittman Field East-  
West Runway

ACRES: 7.99 Acres, More or Less

OWNER: Ronald Leichtfuss

ZONING: City Zoning Jurisdiction R-5  
Multiple Dwelling

County Zoning Jurisdiction Air-3 Overlay. Maximum Structure  
Height Permitted 60-79 feet.

### ADJACENT ZONING AND USES:

North - Single Family Residential Zoning and Use  
South - Industrial Zoning and Uses  
East - Single Family Residential Zoning and Use (S.T.H. 45)  
West - Industrial Zoning and Uses

### EXPLANATION:

The applicant is proposing a development of 15 lots with R-5 zoning which permits single family and multiple family residential use. The subject property has been previously rezoned by the City of Oshkosh in November 1985 from M-2 Industrial to R-5 multiple family residential. The Winnebago County Planning and Zoning Committee opposed the zoning amendment (see attached report). In addition to the potential use conflict as outlined in the report, the proposed 15 lot plat with R-5 zoning approximately doubles the number of lot creations previously permitted under the M-2 Industrial district. The R-5 district maximum potential density for this development is approximately 200 living units.

**FINDINGS OF FACT:**

1. 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.
2. The R-5 zoning district does permit planned unit developments which under existing platting law would delete county objection authority if the development is contained with one land parcel.
3. 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".
4. Mr. Leichtfuss has agreed to provide Winnebago County an aviation easement with a held harmless stipulation.

**ADVISORY RECOMMENDATIONS:**

- A. 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 adjacent residential and industrial zoning and uses and provides a buffer zone between existing zoning and uses as it relates to the operations of Wittman Field.

Conditions:

1. Final plat contains restriction identifying aviation easement.  
(Planning and Zoning to determine validity of held harmless stipulation).
  2. Final plat to contain restriction identifying height permit requirements of the Winnebago County Town/County Zoning Ordinance.
  3. Final plat to contain restriction identifying maximum residential unit density permitted (Planning and Zoning to determine).
- B. 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.



# Winnebago County

## PLANNING AND ZONING DEPARTMENT

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

November 11, 1985

TO: William D. Frueh, Mayor, City of Oshkosh  
City Council Members, City of Oshkosh

FROM: Winnebago County Planning & Zoning Committee

RE: Opposition to Rezoning of property due south  
and west of 2513 Doty Street, Oshkosh, WI

Winnebago County is opposing the rezoning from  
M-2 to R-5 on property due south and due west of  
2513 Doty Street, Oshkosh, WI.

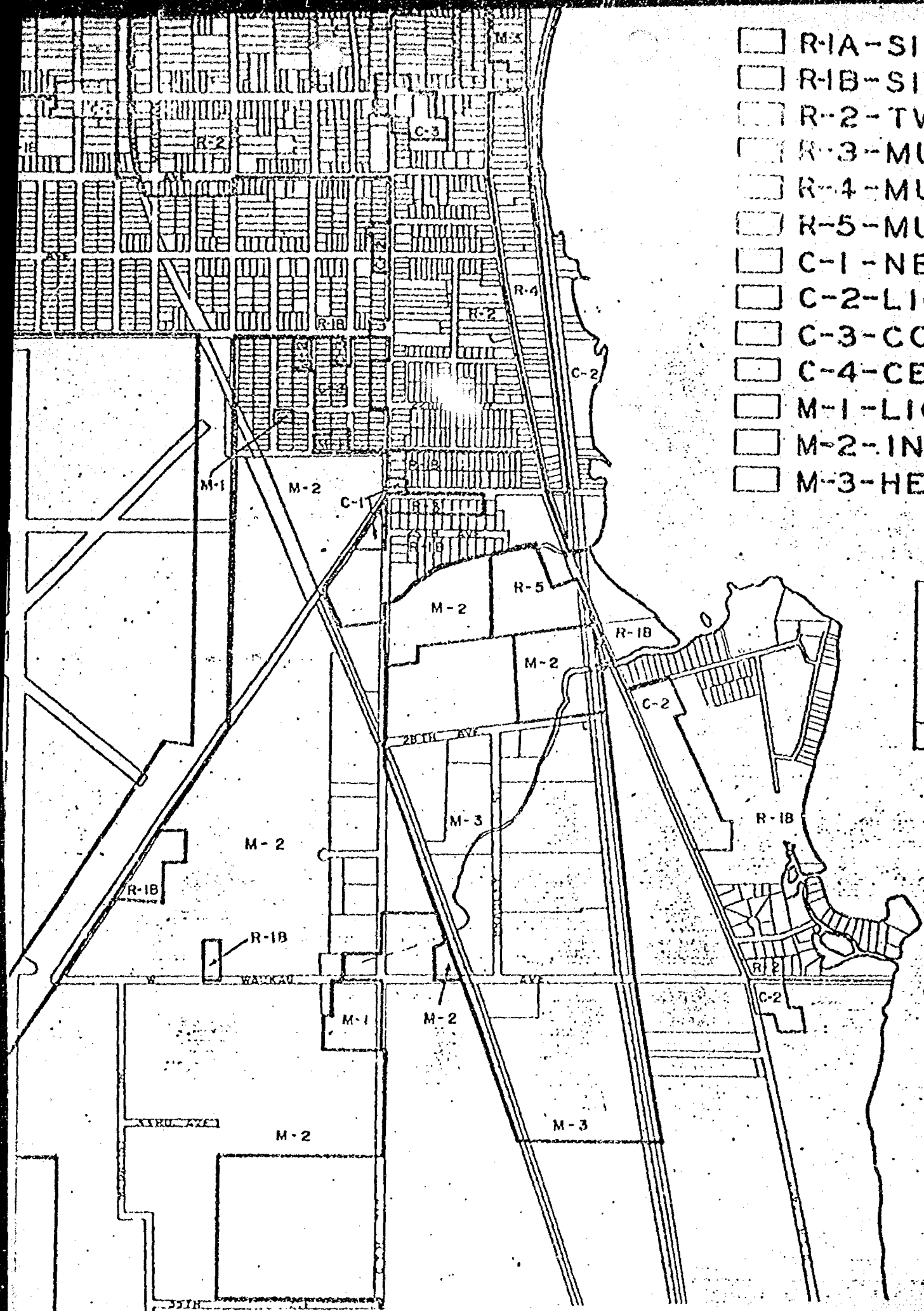
The subject property is less than 1800 feet  
off the end of the East/West Runway approach to  
Wittman Field, which is a major air carrier runway.  
The present zoning is M-2, Industrial District, which  
allows industrial activities that are compatible with  
the operations of an airport. The proposed zoning of  
R-5, Multiple Dwelling District, allows for the con-  
struction of single-family, two-family and multiple-  
family dwellings, which are incompatible with the  
operations of Wittman Field because of noise generated  
by aircraft landing and taking off.

The County asks the City Council of Oshkosh to  
consider the long-range impact on the airport by the  
continued encroachment of incompatible uses. We  
also ask that you assist the County in protecting  
the 14 million dollar investment in Wittman Field  
which is an important asset to the citizens of  
Winnebago County and the City of Oshkosh.

DES:smk



- ☐ R-1A-SINGL
- ☐ R-1B-SINGL
- ☐ R-2-TWO.
- ☐ R-3-MULT
- ☐ R-4-MULT
- ☐ R-5-MULTI
- ☐ C-1-NEIGH
- ☐ C-2-LIGHT
- ☐ C-3-COMM
- ☐ C-4-CENTR
- ☐ M-1-LIGHT
- ☐ M-2-INDUS
- ☐ M-3-HEAVY





*Binder Insurance Agency*  
*Insurance - Bonds*

803 OREGON STREET OSHKOSH, WIS. 54801  
PHONE: 231-2140

MAR 6 1986

February 28, 1986

Department of Transportation  
944 Vanderperen Way  
Green Bay, Wisconsin

Attention: Charles Ryan

Dear Chuck:

Subject: Cimarron Estates  
City of Oshkosh  
USH-45  
State H-175

The proposed Preliminary Plat for the above has just come to my attention. It is my understanding that the Department of Transportation has been contacted by the developer, Ronald Leichtfuss, who is proposing to enter a street onto Fond du Lac Road (Highway 45 and Highway 175). As a resident of this immediate area for the last 14 years, I feel that I am very qualified to bring the following facts to your attention.

- (1) The proposed street would be less than 100 feet from the Chicago and Northwestern railroad crossing of USH 45. We have had many accidents at this location that I personally have witnessed. These accidents have occurred due to the fact that the railroad tracks cross the highways at a 45° angle. Most of the accidents have centered around bicyclists that caught their wheels in the tracks causing them to fall into the path of traffic. To the best of my knowledge, to date, none have been killed but several have been seriously injured.

continued ...



- (2) There are many homes located on Lake Winnebago or in the vicinity thereof south of the City of Oshkosh. The combination of Hwy. 45 and Hwy. 175 serves as a main artery for the flow of traffic for these residents and the many commuters that come in or out of the city daily.

Due to the density of the population in the area there are many school buses that also use these highways as their main routes in and out of the city. There have been accidents in the exact area of the proposed street exit onto the highway. My own children have come very close to being injured by cars that have ignored the flashers of the school bus that stops a short distance south to pick them up or bring them home.

- (3) There are presently several entrances at this point onto the highway. Along with the fact that this is only a two lane highway, it would certainly be prohibitive to allow still another entrance.

See Exhibit

- (4) At the present time there is a limited use of the tracks by the Chicago and Northwestern Railroad. However, it has been proposed by the City of Oshkosh that they would like to move the Soo Line Railroad trains also onto the same tracks. These would certainly cause more of a traffic problem for this same immediate area.

When the trains come through, traffic is usually backed up 500-1000 feet from either side of the tracks. This completely shuts off all egress onto the highway. I personally have waited 10-15 minutes or more to allow the train to pass and then another 5-10 minutes before I could exit onto the highway. I have seen motorists become very impatient and take chances that again increases the risk of an accident.

continued ...

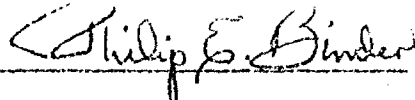
Department of Transportation  
February 28, 1986  
Page 3

In my capacity as Winnebago County Supervisor, District 19, I represent the many families that live in this area. I have been contacted by many concerned citizens relative to the feasibility of the proposed street entrance onto this highway. Their main concern is the congestion that would result which would cause a very unsafe situation.

At the present time, these taxpayers are circulating a petition objecting to the proposed street entrance. I would estimate there will be at least 300 to 400 signers on the petition.

I would appreciate your contacting me in the very near future relative to this matter. If possible, a joint viewing by you or a representative of your department would also be very enlightening. Thank you for your time and consideration.

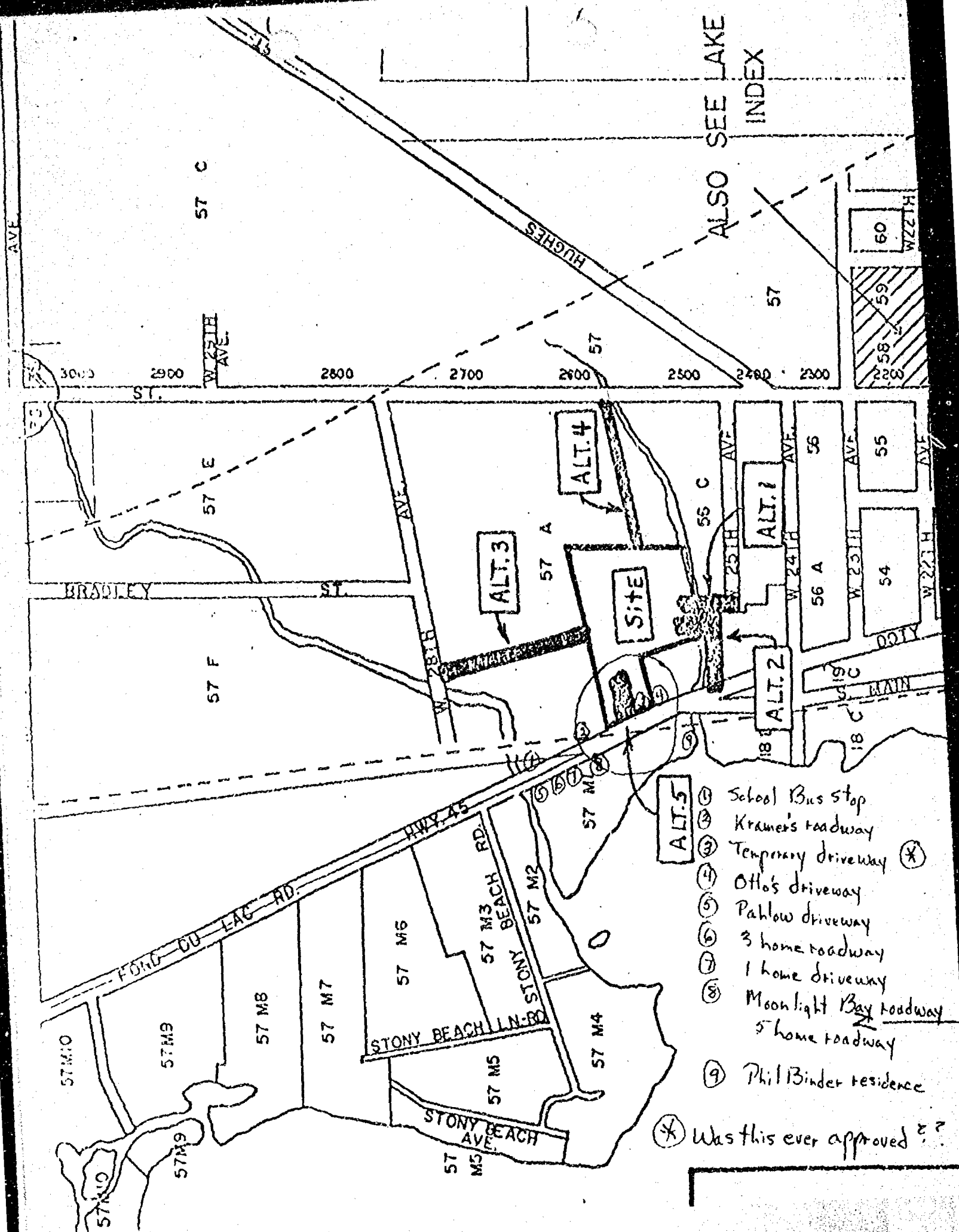
Sincerely yours,



Philip E. Binder  
Winnebago County Supervisor, District 19

PEB/gs  
Enc.

cc: Leonard Leverage  
Gerald Konrad  
Carol Owens  
James Bahr





113 7 1986



State of Wisconsin \ DEPARTMENT OF TRANSPORTATION

February 14, 1986

DIVISION OF HIGHWAYS AND  
TRANSPORTATION SERVICES

4802 Sheboygan Avenue  
P.O. Box 7916  
Madison, WI 53707-7916

Ms. Donna Serwas  
Clerk, City of Oshkosh  
P. O. Box 1130  
Oshkosh, Wisconsin 54902

Dear Ms. Serwas:

Subject: Cimarron Estates  
City of Oshkosh  
USH 45  
Winnebago County

The subject preliminary plat was transmitted to the Department of Transportation, Division of Highways and Transportation Services, by the Department of Development on January 27, 1986 under the provisions of Section 236.12, Wisconsin Statutes.

~~On February 11, 1986, the Department of Transportation~~ has considered this plat in the light of the Rules and Regulations Governing Land Subdivision Plats Abutting State Trunk Highways and Connecting Streets, Chapter Hy 33, Wisconsin Administrative Code, promulgated under authority of Section 236.13(1)(e), Wisconsin Statutes.

The Division of Highways and Transportation Services objects to the subject plat as it does not comply with Sections 33.04, 33.05, 33.06 and 33.08 of the above-mentioned Rules. Certification or nonobjection is conditioned upon full compliance with these and other pertinent requirements set forth in the Rules.

Section 33.04 of the above-mentioned Rules relates to the required information which must be shown on each plat submitted for Department of Transportation review. All existing, proposed or authorized points of access to USH 45 within the area of the proposed subdivision plat and the right of way widths of USH 45 must be shown.

Section 33.05 relates to access restriction between a state trunk highway and abutting lots of a subdivision plat. It is required that an ~~access~~ ~~restriction clause~~, in the form as is stated below, be added to the face of the plat when submitted for final review.

"As owner I hereby restrict all lots, in that no owner, possessor, user, ~~possessor~~, nor other person shall have any right of direct vehicular ingress or egress with U.S.H. 45, as shown on the plat; it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to section 236.293, Wisconsin Statutes, and shall be enforceable by the Department of Transportation."

Ms. Donna Serwas  
Cimarron Estates  
February 14, 1986  
Page 2

*See 11/1/85 letter  
attached to this mailing.*

Section 33.06 of the above Rules relates to the frequency of street or road connections and the interval between a subdivision street and an existing or planned street or road. The proposed intersection of Cimarron Place with USH 45 ~~is a conflict with the 1983 and 1984 Western railroad crossing of USH 45. It is suggested that the developer investigate the possibility of providing access to the subject property via an interior street system.~~

Section 33.08 of the above-mentioned Rules relates to the building set-back line which must appear on the face of the plat. ~~When building set-back lines are shown, they shall be shown at least 10 feet from the lot line of the highway or 50 feet from the outside or nearer right-of-way line, whichever is more restrictive.~~

It is requested that the subdivider comply with Section 33.10 of the Rules by consulting with the Department of Transportation office in Green Bay at 944 Vanderperren Way regarding this matter.

The final plat, incorporating the appropriate revision, corrections or additions in compliance with the above-referenced Sections of the Rules, must be submitted in order that the objections noted herein may be removed.

We wish to thank you for your cooperation in these matters of mutual interest.

Sincerely,

D. L. Strand, P.E.  
State Design Engineer for Hwys.

By

*J. M. Horsfall LSK*  
J. M. Horsfall, P.E.  
Chief Utilities Engineer

JMH:LSK:f3108  
cc: Register of Deeds  
Department of Development  
DILMR  
Surveyor  
Owners (c/o Surveyor)  
Winnebago County Planning Agency  
TD #3

To: Jackson Kinney, Director of Community Development  
From: Gerald Konrad, Director of Public Works  
Date: November 4, 1985  
Subject: PROPOSED STREET IN RON LEICHTFUSS PROPERTY

As you are aware, Ron Leichtfuss is proposing to subdivide the parcel of property ~~East~~ of the Oshkosh B'Gosh building on Oregon Street. In so doing, he is proposing to enter a street onto South Main Street, or Highway 45 at its intersection with Doty Street. We have been in contact with the State Department of Transportation in an attempt to get a "feel" as to whether or not the state will approve a street in that location. I have talked to Ken Nelson on the telephone, and he indicated that they do not really support a street at that location, however, they have not made a decision as to whether they would object.

I think this is a matter that should really be handled by your department. I believe that Ron Leichtfuss has been discussing the matter with Bruce Roskum. Would you please have Bruce review the proposal with respect to a street pattern in the undeveloped property to the south, and keeping in mind a possible street access out to Oregon Street. The engineering office will be more than happy to work with you in regard to sanitary sewer, water main, storm sewer, and drainage plans.

If you have any questions, comments, or concerns, please give me a call.

*Ron Leichtfuss 233-5398*

RECEIVED

NOV 4 1985

DEPARTMENT OF  
COMMUNITY DEVELOPMENT

City of Oshkosh



TO: Gerald Konrad  
Director of Public Works

FROM: Bruce A. Roskom  
Associate Planner

DATE: November 25, 1985

RE: Proposed Street in Ron Leichtfuss Property

Per your request this office has researched the proposal of Ron Leichtfuss relative to street layout and access of a new street in the area.

In the review, five different alternatives (see attached map) for street access were researched. Alternative #1 was to cross Glatz Creek via a bridge and intersect with West 25th Avenue. Alternative #2 was to cross Glatz Creek via a bridge run through Glatz Park to intersect with Doty Street. Both of these alternatives were ruled out due to excessive construction and maintenance costs incurred as a result of the bridge, maintaining Glatz Creek which is environmental sensitive and difficulties with acquiring the proper right-of-way widths from the adjacent properties.

Alternative #3 was to run a road from 28th Avenue north to the property in question. This alternative would be disruptive to existing and possible future industrial development of the area. It's also excessively long to be cul-de-saced for its intended uses. It may be difficult to acquire the proper right-of-way widths as well.

Alternative #4 was to dedicate a right-of-way from Oregon Street running east to the site in question. This alternative also proposes a very long street to end in a cul-de-sac. The costs of running sewer and water to the site as well as road construction costs would be prohibitive.

Alternative #5 is to have street access onto Highway 45 at its intersection with Doty Street. Any proposed street dedication would be part of the overall development by the owner. A cul-de-sac street would not be excessive in length and would have no difficulties relative to street construction and maintenance costs. The sewer and water laterals are in Doty Street and are easily accessible to the development site.



Letter A  
November 25, 1985  
Page 2

When was this st. made??  
Did it include both Hwys. that come in??

Oregon Street has a greater 24 hour traffic volume than does South Main, thus South Main has a better capacity to handle an increase in traffic volume. Oregon Street also has a higher intensity of residential uses including schools. This is another reason to direct an increase in traffic volume to South Main.

Staff recommends alternative #5 to have street access onto Highway 45 at its intersection with Doty Street.

BAR/mja

Attachment



# Winnebago County

## PLANNING AND ZONING DEPARTMENT

David E. Schmidt, Director

Leonard Leverence, Principle Planner • James Mabry, Zoning Administrator

### MEMORANDUM

TO: Ronald C. Leichtfuss  
Steven Chronis, Aero-Metric Engineering  
Blair Coniad, Wittman Field Airport Manager  
Jackson Kinney, Community Development Director

FROM: ✓ Leonard F. Leverence, Winnebago County Principal Planner

DATE: February 14, 1986

RE: Preliminary Plat - Cimarron Estates

The purpose of this Memorandum is to inform you that the Winnebago County Planning & Zoning Committee will review the above-referenced Plat as follows:

DATE: March 3, 1986  
TIME: 4:00 P.M.  
ROOM: To Be Announced  
PLACE: Winnebago County Courthouse  
415 Jackson Street  
Oshkosh, WI 54903

If you have any questions or cannot attend, please contact me.

/sn

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*

February 24, 1986

TO: Planning & Zoning Committee

FROM: Planning & Zoning Department Staff

SUBJECT: STAFF REPORT - PRELIMINARY PLAT  
CIMARRON ESTATES

LOCATION: G.L. 2 S36 T18N R16E  
City of Oshkosh  
Winnebago County  
Approximately 2,000 feet from termination of Wittman Field East-  
West Runway

ACRES: 7.99 Acres, More or Less

OWNER: Ronald Leichtfuss

ZONING: City Zoning Jurisdiction R-5  
Multiple Dwelling

County Zoning Jurisdiction Air-3 Overlay. Maximum Structure  
Height Permitted 60-79 feet.

### ADJACENT ZONING AND USES:

North - Single Family Residential Zoning and Use  
South - Industrial Zoning and Uses  
East - Single Family Residential Zoning and Use (S.T.H. 45)  
West - Industrial Zoning and Uses

### EXPLANATION:

The applicant is proposing a development of 15 lots with R-5 zoning which permits single family and multiple family residential use. The subject property has been previously rezoned by the City of Oshkosh in November 1985 from M-2 industrial to R-5 multiple family residential. The Winnebago County Planning and Zoning Committee opposed the zoning amendment (see attached report). In addition to the potential use conflict as outlined in the report, the proposed 15 lot plat with R-5 zoning approximately doubles the number of lot creations previously permitted under the M-2 Industrial district. The R-5 district maximum potential density for this development is approximately 200 living units.

#### FINDINGS OF FACT:

1. 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.
2. The R-5 zoning district does permit planned unit developments which under existing platting law would delete county objection authority if the development is contained within one land parcel.
3. 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".
4. Mr. Leichtfuss has agreed to provide Winnebago County an aviation easement with a held harmless stipulation.

#### ADVISORY RECOMMENDATIONS:

- A. 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 adjacent residential and industrial zoning and uses and provides a buffer zone between existing zoning and uses as it relates to the operations of Wittman Field.

##### Conditions:

1. Final plat contains restriction identifying aviation easement.  
(Planning and Zoning to determine validity of held harmless stipulation).
  2. Final plat to contain restriction identifying height permit requirements of the Winnebago County Town/County Zoning Ordinance.
  3. Final plat to contain restriction identifying maximum residential unit density permitted (Planning and Zoning to determine).
- B. 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.



State of Wisconsin \ DEPARTMENT OF TRANSPORTATION



February 14, 1986

DIVISION OF HIGHWAYS AND  
TRANSPORTATION SERVICES

4802 Sheboygan Avenue  
P.O. Box 7916  
Madison, WI 53707-7916

Ms. Donna Serwas  
Clerk, City of Oshkosh  
P. O. Box 1130  
Oshkosh, Wisconsin 54902

Dear Ms. Serwas:

Subject: Cimarron Estates  
City of Oshkosh  
USH 45  
Winnebago County

The subject preliminary plat was transmitted to the Department of Transportation, Division of Highways and Transportation Services, by the Department of Development on January 27, 1986 under the provisions of Section 236.12, Wisconsin Statutes.

The Division of Highways and Transportation Services has considered this plat in the light of the Rules and Regulations Governing Land Subdivision Plats Abutting State Trunk Highways and Connecting Streets, Chapter Hy 33, Wisconsin Administrative Code, promulgated under authority of Section 236.13(1)(e), Wisconsin Statutes.

The Division of Highways and Transportation Services objects to the subject plat as it does not comply with Sections 33.04, 33.05, 33.06 and 33.08 of the above-mentioned Rules. Certification or nonobjection is conditioned upon full compliance with these and other pertinent requirements set forth in the Rules.

Section 33.04 of the above-mentioned Rules relates to the required information which must be shown on each plat submitted for Department of Transportation review. All existing, proposed or authorized points of access to USH 45 within the area of the proposed subdivision plat and the right of way widths of USH 45 must be shown.

Section 33.05 relates to access restriction between a state trunk highway and abutting lots of a subdivision plat. It is required that an access restriction clause, in the form as is stated below, be added to the face of the plat when submitted for final review.

"As owner I hereby restrict all lots, in that no owner, possessor, user, nor licensee, nor other person shall have any right of direct vehicular ingress or egress with U.S.H. 45, as shown on the plat; it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to section 236.293, Wisconsin Statutes, and shall be enforceable by the Department of Transportation."

Ms. Donna Sarwas  
Cimarron Estates  
February 14, 1986  
Page 2

Section 33.06 of the above Rules relates to the frequency of street or road connections and the interval between a subdivision street and an existing or planned street or road. The proposed intersection of Cimarron Place with USH 45 will conflict with the Chicago and North Western railroad crossing of USH 45. It is suggested that the developer investigate the possibility of providing access to the subject plat via an interior street system.

Section 33.08 of the above-mentioned Rules relates to the building set-back line which must appear on the face of the plat. This building set-back line should be shown at a distance of 110 feet from the centerline of highway or 50 feet from the outside or nearer right-of-way line, whichever is more restrictive.

It is requested that the subdivider comply with Section 33.10 of the Rules by consulting with the Department of Transportation office in Green Bay at 944 Vanderperren Way regarding this matter.

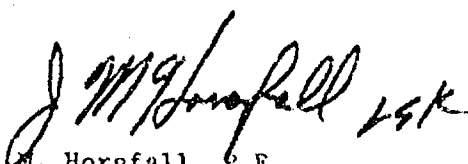
The final plat, incorporating the appropriate revision, corrections or additions in compliance with the above-referenced Sections of the Rules, must be submitted in order that the objections noted herein may be removed.

We wish to thank you for your cooperation in these matters of mutual interest.

Sincerely,

D. L. Strand, P.E.  
State Design Engineer for Hwys.

By

  
J. M. Horsfall, P.E.  
Chief Utilities Engineer

JMH:LSK:f3108  
cc: Register of Deeds  
Department of Development  
DILHR  
Surveyor  
Owners (c/o Surveyor)  
Winnebago County Planning Agency  
TD #3

To: Jackson Kinney, Director of Community Development  
From: Gerald Konrad, Director of Public Works  
Date: November 4, 1985  
Subject: PROPOSED STREET IN RON LEICHTFUSS PROPERTY

As you are aware, Ron Leichtfuss is proposing to subdivide the parcel of property west of the Oshkosh B'Gosh building on Oregon Street. In so doing, he is proposing to enter a street onto South Main Street, or Highway 45 at its intersection with Doty Street. We have been in contact with the State Department of Transportation in an attempt to get a "feel" as to whether or not the state will approve a street in that location. I have talked to Ken Nelson on the telephone, and he indicated that they do not really support a street at that location, however, they have not made a decision as to whether they would object.

I think this is a matter that should really be handled by your department. I believe that Ron Leichtfuss has been discussing the matter with Bruce Roskum. Would you please have Bruce review the proposal with respect to a street pattern in the undeveloped property to the south, and keeping in mind a possible street access out to Oregon Street. The engineering office will be more than happy to work with you in regard to sanitary sewer, water main, storm sewer, and drainage plans.

If you have any questions, comments, or concerns, please give me a call.

*Ron Leichtfuss 233-5398*

RECEIVED

NOV 4 1985

DEPARTMENT OF  
COMMUNITY DEVELOPMENT

City of Oshkosh



TO: Gerald Konrad  
Director of Public Works

FROM: Bruce A. Roskom  
Associate Planner

DATE: November 25, 1985

RE: Proposed Street in Ron Leichtfuss Property

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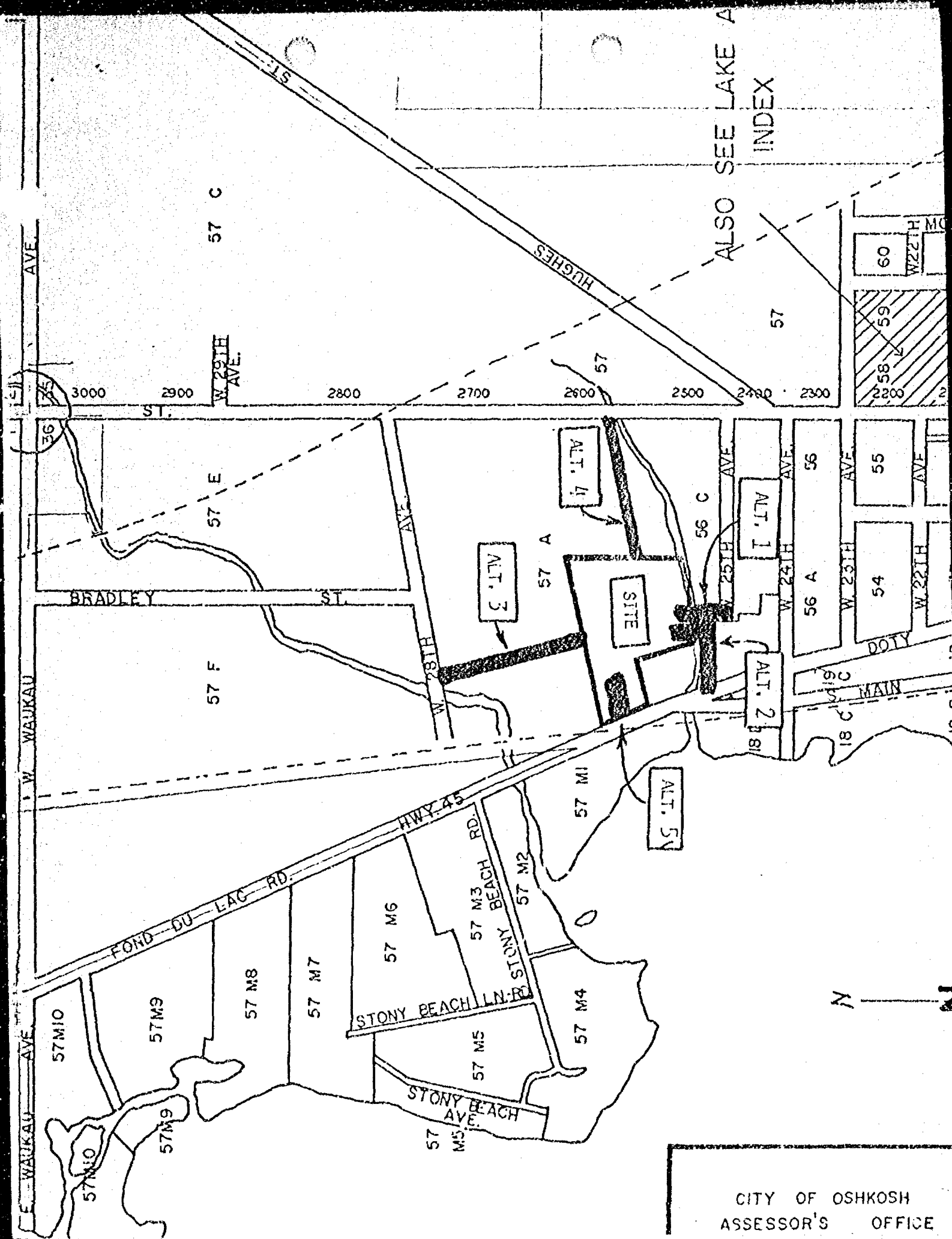
Gerald K. [redacted]  
November 25, 1985  
Page 2

Oregon Street has a greater 24 hour traffic volume than does South Main, thus South Main has a better capacity to handle an increase in traffic volume. Oregon Street also has a higher intensity of residential uses including schools. This is another reason to direct an increase in traffic volume to South Main.

Staff recommends alternative #5 to have street access onto Highway 45 at its intersection with Doty Street.

BAR/mja

Attachment





# Winnebago County

## PLANNING AND ZONING DEPARTMENT

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

November 11, 1985

TO: William D. Frueh, Mayor, City of Oshkosh  
City Council Members, City of Oshkosh

FROM: Winnebago County Planning & Zoning Committee

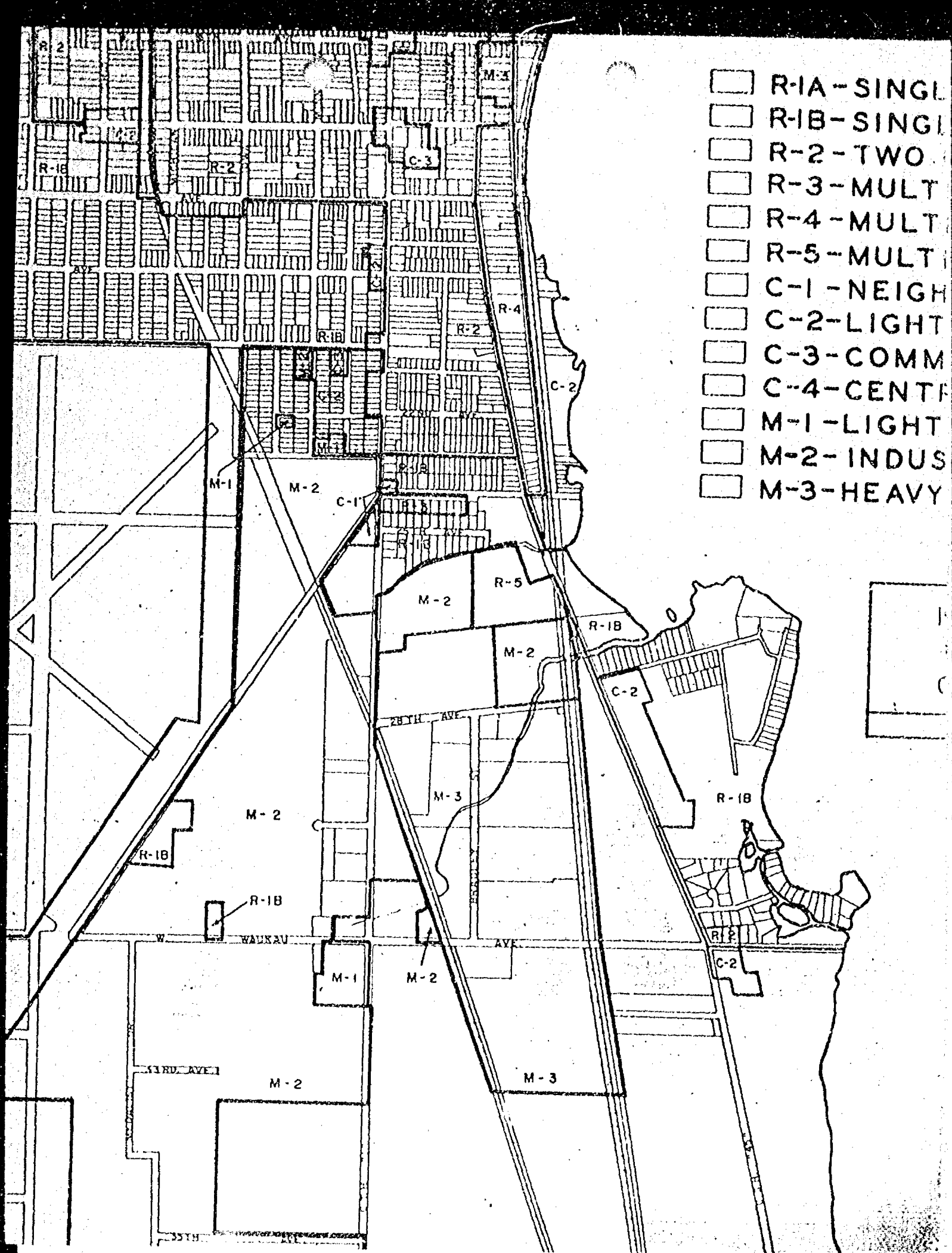
RE: Opposition to Rezoning of property due south  
and west of 2513 Doty Street, Oshkosh, WI

Winnebago County is opposing the rezoning from M-2 to R-5 on property due south and due west of 2513 Doty Street, Oshkosh, WI.

The subject property is less than 1800 feet off the end of the East/West Runway approach to Wittman Field, which is a major air carrier runway. The present zoning is M-2, Industrial District, which allows industrial activities that are compatible with the operations of an airport. The proposed zoning of R-5, Multiple Dwelling District, allows for the construction of single-family, two-family and multiple-family dwellings, which are incompatible with the operations of Wittman Field because of noise generated by aircraft landing and taking off.

The County asks the City Council of Oshkosh to consider the long-range impact on the airport by the continued encroachment of incompatible uses. We also ask that you assist the County in protecting the 14 million dollar investment in Wittman Field which is an important asset to the citizens of Winnebago County and the City of Oshkosh.

DES:smk



FEB 11 1986

## State of Wisconsin

## 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

February 7, 1986

Mr. Steven T. Chronis  
AERO-METRIC ENGINEERING, INC.  
539 North Madison Street  
Chilton, Wisconsin 53014

PERMANENT FILE NO. 15626

Subject: CIMARRON ESTATES  
GL 2 S 36 T18N R16E  
City of Oshkosh, Winnebago County

Dear Mr. Chronis:

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. 236.16 (3) On the final plat, the public access to Glatz Creek must be identified by noting the width of such access and the pertinent shoreline measurements to the access.

Mr. Steven T. Chronis  
CIMARRON ESTATES  
February 7, 1986

- s. 236.20 (5) (c) On the final plat, complete water elevations, including high, low, and date of survey, must be shown and referenced to a permanent established datum plane for Glatz Creek.
- 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.

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 *by mas*  
Plat Review Unit  
Telephone: 608/266-3200

JAS:mas

Enc: Original

cc: Clerk, City of Oshkosh (w/print and sewer certification form)  
Winnebago County Planning Agency  
Mr. Ronald Leichtfuss, Owner  
Department of Transportation

ORIGINAL DRAWING RECEIVED FROM SURVEYOR ON 1/21/86; REVIEWED BY DOD ON 2/7/86.

1 2/21  
2 2/21  
3 4/21



# Winnebago County

## PLANNING AND ZONING DEPARTMENT

David E. Schmidt, *Director*

Leonard Leverence, *Principle Planner* • James Mabry, *Zoning Administrator*

November 11, 1985

TO: William D. Frueh, Mayor, City of Oshkosh  
City Council Members, City of Oshkosh

FROM: Winnebago County Planning & Zoning Committee

RE: Opposition to Rezoning of property due south  
and west of 2513 Doty Street, Oshkosh, WI

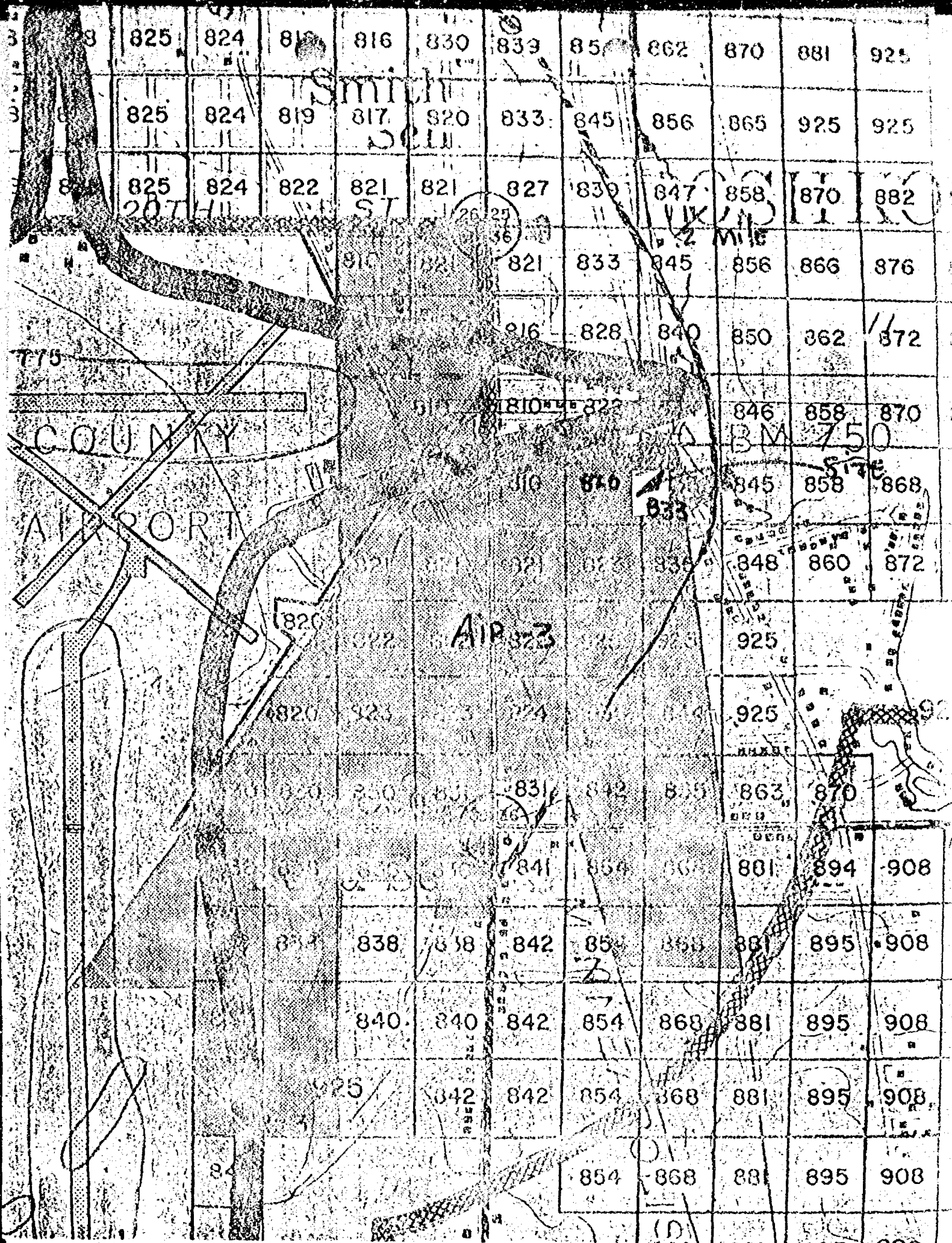
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DES:smk







CITY HALL  
215 Church Avenue  
P. O. Box 1130  
Oshkosh, Wisconsin  
54902-1130

(414) 236-5055

## City of Oshkosh

November 20, 1985

NOV 21 1985



Mrs. Carol Owens  
Clerk, Town of Nekimi  
7846 Eldorado Road  
Oshkosh, Wisconsin 54901

Dear Mrs. Owens:

Over the past week, I had conversations with Dave Schmidt and Blair Conrad concerning possible amendments which the County Planning and Zoning Committee may be asked to consider, as that relates to zoning and subdivision review for property near Wittman Field.

In my discussions with Dave, I have suggested that prior to making any amendment recommendations or having these considered by the Planning and Zoning Committee, our office would appreciate an opportunity to review any such proposal prior to its being acted upon.

At our last Plan Commission meeting (Monday, November 11th), we discussed the possibility of having Mr. Schmidt, Mr. Conrad, and yourself meet with the Commission to review the County's concerns regarding the regulation and development of land in the vicinity of the airport. The Chairman of our Commission, Mr. Lurton Blassingame, suggested that it may be advisable to have this meeting once the firm of Howard, Needles, Tammen and Bergendoff (HNTB) has provided its review of existing land use and noise contours in the study currently underway. In checking with HNTB, they advised me that material in that regard will be distributed in mid-December.

Since the information that HNTB will be providing would be the most up-to-date information available, it would appear appropriate to review that material before attempting to define the areas which may be encompassed in any proposal which may be made.

Also, although there have been two recent development proposals that have come before the City, over which the County has expressed its concerns per Wittman Field, it would be unusual to see many more coming in within the near term. We are obviously aware of the County's concerns, and if any proposal was presented, I'm sure these concerns would be highlighted, and due consideration given in this regard.

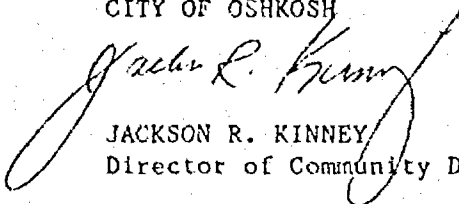
Mrs. Carol Owens  
November , 1985  
Page Two

In any event, we would appreciate the opportunity to review amendment proposals while these may be in the development stage, and before these would be considered, and I would also like to suggest that we have a meeting at which the appropriate County representatives can express their concerns relative to the review of development proposals, and at which we can review the information provided by HNTB.

I would appreciate your contacting me in this regard so that I can set something up with our Plan Commission. If you are unable to reach me, you could talk to Bruce Roskom, Associate Planner, in my office.

Sincerely,

CITY OF OSHKOSH

  
JACKSON R. KINNEY  
Director of Community Development

JRK/dpm

cc: Mr. Dave Schmidt  
Mr. William D. Frueh  
Mr. Bruce Roskom

NOV 28 1985

LAW OFFICES OF  
**NOLAN, ENGLER, YAKES & BAUER, S.C.**

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

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

OSHKOSH  
(414) 231-8360  
APPLETON-NEENAH  
(414) 725-3103

November 25, 1985

Mr. David E. Schmidt  
Director, Planning and Zoning Department  
Winnebago County Courthouse  
415 Jackson Street  
Oshkosh, WI 54901

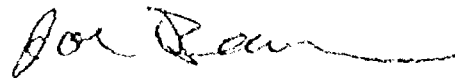
Re: Lenox/Leichtfuss property

Dear Dave:

I am writing in regard to the above which involves the real estate to the east of the Lenox plant previously purchased by Oshkosh B'Gosh. Mr. Leichtfuss is in the process of purchasing the parcel east of the parcel previously purchased by Oshkosh B'Gosh.

Mr. Leichtfuss has discussed an avigation easement, which I understand the county has requested of Mr. Leichtfuss. Mr. Leichtfuss will consider granting that easement to the county upon the county's agreeing to hold him harmless and upon condition that any plat of that area approved by the City of Oshkosh will be approved by the County.

Very truly yours,



JOSEPH N. BAUER

JNB/mvc

cc: Mr. Ronald Leichtfuss

Hansen  
File

*Binder Insurance Agency*  
*Insurance - Bonds*

303 OREGON STREET      OSHKOSH, WIS 54901  
PHONE: 231-2840

February 28, 1966

Department of Transportation  
944 Vanderperen Way  
Green Bay, Wisconsin

Attention: Charles Ryan

Dear Chuck:

Subject: Cimarron Estates  
City of Oshkosh  
USH-45  
State H-175

The proposed Preliminary Plat for the above has just come to my attention. It is my understanding that the Department of Transportation has been contacted by the developer, Ronald Leichtfuss, who is proposing to enter a street onto Fond du Lac Road (Highway 45 and Highway 175). As a resident of this immediate area for the last 14 years, I feel that I am very qualified to bring the following facts to your attention.

- (1) The proposed street would be less than 100 feet from the Chicago and Northwestern railroad crossing of USH 45. We have had many accidents at this location that I personally have witnessed. These accidents have occurred due to the fact that the railroad tracks cross the highways at a 45° angle. Most of the accidents have centered around bicyclists that caught their wheels in the tracks causing them to fall into the path of traffic. To the best of my knowledge, to date, none have been killed but several have been seriously injured.

continued ...



- (2) There are many homes located on Lake Winnebago or in the vicinity thereof south of the City of Oshkosh. The combination of Hwy. 45 and Hwy. 175 serves as a main artery for the flow of traffic for these residents and the many commuters that come in or out of the city daily.

Due to the density of the population in the area there are many school buses that also use these highways as their main routes in and out of the city. There have been accidents in the exact area of the proposed street exit onto the highway. My own children have come very close to being injured by cars that have ignored the flashers of the school bus that stops a short distance south to pick them up or bring them home.

- (3) There are presently several entrances at this point onto the highway. Along with the fact that this is only a two lane highway, it would certainly be prohibitive to allow still another entrance.

See Exhibit

- (4) At the present time there is a limited use of the tracks by the Chicago and Northwestern Railroad. However, it has been proposed by the City of Oshkosh that they would like to move the Soo Line Railroad trains also onto the same tracks. These would certainly cause more of a traffic problem for this same immediate area.

When the trains come through, traffic is usually backed up 500-1000 feet from either side of the tracks. This completely shuts off all egress onto the highway. I personally have waited 10-15 minutes or more to allow the train to pass and then another 5-10 minutes before I could exit onto the highway. I have seen motorists become very impatient and take chances that again increases the risk of an accident.

continued ...

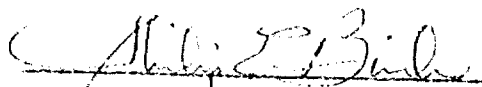
Department of Transportation  
February 28, 1986  
Page 3

In my capacity as Winnebago County Supervisor, District 19, I represent the many families that live in this area. I have been contacted by many concerned citizens relative to the feasibility of the proposed street entrance onto this highway. Their main concern is the congestion that would result which would cause a very unsafe situation.

At the present time, these taxpayers are circulating a petition objecting to the proposed street entrance. I would estimate there will be at least 300 to 400 signers on the petition.

I would appreciate your contacting me in the very near future relative to this matter. If possible, a joint viewing by you or a representative of your department would also be very enlightening. Thank you for your time and consideration.

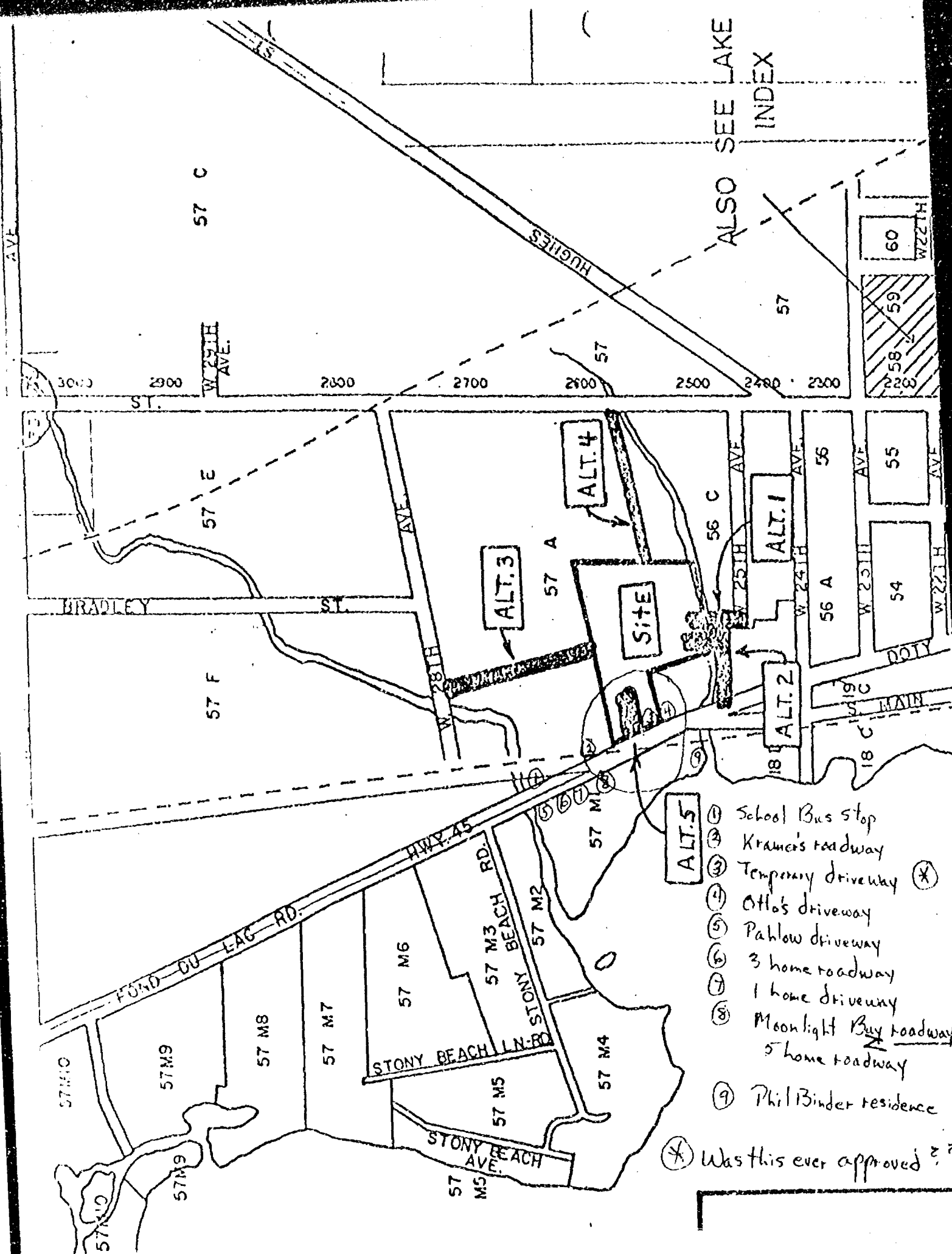
Sincerely yours,



Philip E. Binder  
Winnebago County Supervisor, District 19

PEB/gs  
Enc.

cc: Leonard Leverage  
Gerald Konrad  
Carol Owens  
James Bahr



- ALT. 5
- ① School Bus stop
  - ② Kramer's roadway
  - ③ Temporary driveway (X)
  - ④ Otto's driveway
  - ⑤ Pahlow driveway
  - ⑥ 3 home roadway
  - ⑦ 1 home driveway
  - ⑧ Moonlight Bay roadway  
5 home roadway
  - ⑨ Phil Binder residence
- (X) Was this ever approved?



115 17 1986



State of Wisconsin \ DEPARTMENT OF TRANSPORTATION

February 14, 1986

DIVISION OF HIGHWAYS AND  
TRANSPORTATION SERVICES

4802 Sheboygan Avenue  
P.O. Box 1916  
Madison, WI 53707-7916

Ms. Donna Serwas  
Clerk, City of Oshkosh  
P. O. Box 1130  
Oshkosh, Wisconsin 54902

Dear Ms. Serwas:

Subject: Cimarron Estates  
City of Oshkosh  
USH 45  
Winnebago County

The subject preliminary plat was transmitted to the Department of Transportation, Division of Highways and Transportation Services, by the Department of Development on January 27, 1986 under the provisions of Section 236.12, Wisconsin Statutes.

~~The Division of Highways and Transportation Services~~ has considered this plat in the light of the Rules and Regulations Governing Land Subdivision Plats Abutting State Trunk Highways and Connecting Streets, Chapter Hy 33, Wisconsin Administrative Code, promulgated under authority of Section 236.13(1)(e), Wisconsin Statutes.

The Division of Highways and Transportation Services objects to the subject plat as it does not comply with Sections 33.04, 33.05, 33.06 and 33.08 of the above-mentioned Rules. Certification or nonobjection is conditioned upon full compliance with these and other pertinent requirements set forth in the Rules.

Section 33.04 of the above-mentioned Rules relates to the required information which must be shown on each plat submitted for Department of Transportation review. All existing, proposed or authorized points of access to USH 45 within the area of the proposed subdivision plat and the right of way widths of USH 45 must be shown.

Section 33.05 relates to access restriction between a state trunk highway and abutting lots of a subdivision plat. It is required that an ~~access~~ restriction clause, in the form as is stated below, be added to the face of the plat when submitted for final review.

"As owner I hereby restrict all lots, in that no owner, possessor, user, ~~possessor~~, no other person shall have any right of direct vehicular ingress or egress with U.S.H. 45, as shown on the plat; it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to section 236.293, Wisconsin Statutes, and shall be enforceable by the Department of Transportation."



Ms. Donna Serwas  
Cimarron Estates  
February 14, 1986  
Page 2

*See alternatives attached to this mailing.*  
Section 33.06 of the above Rules relates to the frequency of street or road connections and the interval between a subdivision street and an existing or planned street or road. The proposed intersection of ~~Cimarron Blvd. with USH 45, which intersects with the Chicago and North Western railroad crossing of USH 45.~~ It is suggested that the developer ~~investigate the possibility of providing access to the subject plat via an interior street system.~~

Section 33.08 of the above-mentioned Rules relates to the building set-back line which must appear on the face of the plat. ~~via building set-back lines should be shown at 100 feet from the centerline of the highway or 50 feet from the outside or nearer right-of-way line, whichever is more restrictive.~~

It is requested that the subdivider comply with Section 33.10 of the Rules by consulting with the Department of Transportation office in Green Bay at 944 Vanderperren Way regarding this matter.

The final plat, incorporating the appropriate revision, corrections or additions in compliance with the above-referenced Sections of the Rules, must be submitted in order that the objections noted herein may be removed.

We wish to thank you for your cooperation in these matters of mutual interest.

Sincerely,

D. L. Strand, P.E.  
State Design Engineer for Hwys.

By

*J M Horsfall LSK*  
J. M. Horsfall, P.E.  
Chief Utilities Engineer

JMH:LSK:f3108

cc: Register of Deeds  
Department of Development  
DILMR  
Surveyor  
Owners (c/o Surveyor)  
Winnebago County Planning Agency  
TD #3

To: Jackson Kinney, Director of Community Development  
From: Gerald Konrad, Director of Public Works  
Date: November 4, 1985  
Subject: PROPOSED STREET IN RON LEICHTFUSS PROPERTY

As you are aware, Ron Leichtfuss is proposing to subdivide the parcel of property ~~East~~ of the Oshkosh B'Gosh building on Oregon Street. In so doing, he is proposing to enter a street onto South Main Street, or Highway 45 at its intersection with Doty Street. We have been in contact with the State Department of Transportation in an attempt to get a "feel" as to whether or not the state will approve a street in that location. I have talked to Ken Nelson on the telephone, and he indicated that they do not really support a street at that location, however, they have not made a decision as to whether they would object.

I think this is a matter that should really be handled by your department. I believe that Ron Leichtfuss has been discussing the matter with Bruce Koskum. Would you please have Bruce review the proposal with respect to a street pattern in the undeveloped property to the south, and keeping in mind a possible street access out to Oregon Street. The engineering office will be more than happy to work with you in regard to sanitary sewer, water main, storm sewer, and drainage plans.

If you have any questions, comments, or concerns, please give me a call.

*Ron Leichtfuss 233-5398*

RECEIVED

NOV 4 1985

DEPARTMENT OF  
COMMUNITY DEVELOPMENT

City of Oshkosh



TO: Gerald Konrad  
Director of Public Works

FROM: Bruce A. Roskom  
Associate Planner

DATE: November 25, 1985

RE: Proposed Street in Ron Leichtfuss Property

Per your request this office has researched the proposal of Ron Leichtfuss relative to street layout and access of a new street in the area.

In the review, five different alternatives (see attached map) for street access were researched. Alternative #1 was to cross Glatz Creek via a bridge and intersect with West 25th Avenue. Alternative #2 was to cross Glatz Creek via a bridge run through Glatz Park to intersect with Doty Street. Both of these alternatives were ruled out due to excessive construction and maintenance costs incurred as a result of the bridge, maintaining Glatz Creek which is environmental sensitive and difficulties with acquiring the proper right-of-way widths from the adjacent properties.

Alternative #3 was to run a road from 28th Avenue north to the property in question. This alternative would be disruptive to existing and possible future industrial development of the area. It's also excessively long to be cul-de-saced for its intended uses. It may be difficult to acquire the proper right-of-way widths as well.

Alternative #4 was to dedicate a right-of-way from Oregon Street running east to the site in question. This alternative also proposes a very long street to end in a cul-de-sac. The costs of running sewer and water to the site as well as road construction costs would be prohibitive.

Alternative #5 is to have street access onto Highway 45 at its intersection with Doty Street. Any proposed street dedication would be part of the overall development by the owner. A cul-de-sac street would not be excessive in length and would have no difficulties relative to street construction and maintenance costs. The sewer and water laterals are in Doty Street and are easily accessible to the development site.

Gerard A. and  
November 25, 1985  
Page 2

When was this study made ??  
Did it include both Hwys. 41 & 42 in ??

Oregon Street has a greater 24 hour traffic volume than does South Main, thus South Main has a better capacity to handle an increase in traffic volume. Oregon Street also has a higher intensity of residential uses including schools. This is another reason to direct an increase in traffic volume to South Main.

Staff recommends alternative #5 to have street access onto Highway 45 at its intersection with Doty Street.

BAR/mja

Attachment