



# CITY PLAN COMMISSION AGENDA

**October 10, 2023 at 4:00 PM**

**City Hall, 3rd Floor - Council Chambers, 828 Center Avenue,  
Sheboygan, WI**

Persons with disabilities who need accommodations to attend this meeting should contact the Department of City Development, (920) 459-3377. Persons other than commission, committee, and board members who wish to participate remotely shall provide notice to the City Development Department at 920-459-3377 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

## OPENING OF MEETING

1. Roll Call
2. Pledge of Allegiance
3. Identify potential conflict of interest

## MINUTES

4. Approval of the Plan Commission minutes from September 26, 2023.

## ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. Application for Conditional Use with exceptions by Sheboygan Paint Company to provide Company provided, on-site recreation at Sheboygan Paint Company located at 1439 N 25<sup>th</sup> Street.
6. Gen. Ord. No. 24-23-24 by Alderperson Mitchell annexing territory from the Town of Wilson to the City of Sheboygan, Wisconsin. REFER TO CITY PLAN COMMISSION
7. R. O. No. 48-23-24 by City Clerk submitting a Petition for Direct Annexation by Unanimous Approval regarding certain lands within the Town of Wilson that are to be annexed to the City of Sheboygan (Tax Parcel Nos: 59030454421, 59030454462, 59030454450, and 59030454460). REFER TO CITY PLAN COMMISSION

## NEXT MEETING

8. October 24, 2023

## ADJOURN

9. Motion to Adjourn

***In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:***

*City Hall • Mead Public Library  
Sheboygan County Administration Building • City's website*

**CITY OF SHEBOYGAN****\*\* AMENDED\*\* CITY PLAN COMMISSION MINUTES****Tuesday, September 26, 2023**

**MEMBERS PRESENT:** Mayor Ryan Sorenson, Ryan Sazama, Marilyn Montemayor, Alderperson Trey Mitchell and Braden Schmidt

**EXCUSED:** Jerry Jones and Kimberly Meller

**STAFF/OFFICIALS PRESENT:** Program Assistant Ellise Rose

**OPENING OF MEETING**

1. Roll Call

Mayor Sorenson called the meeting to order.

2. Pledge of Allegiance

The Pledge is recited.

3. Identify potential conflict of interest

No committee member had a conflict.

**MINUTES**

4. Approval of the Plan Commission minutes from August 15, 2023.

Motion by Marilyn Montemayor, second by Alderperson Mitchell to approve. Motion carried.

**ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

5. Application for Conditional Use Permit with exceptions by Steve Rau to operate a fitness facility located at 2516 Superior Avenue.

Motion by Marilyn Montemayor, second by Ryan Sazama to approve with the following conditions:

1. Prior to building permit issuance, the applicant shall obtain all licenses/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, hazardous materials, health, water, sewer, storm drainage, etc. (Applicant shall be in contact with building inspection, fire, police, etc.). An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. If using dumpsters, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If using chain link fencing, the applicant shall install Privacy Decorative Slating (PDS) material in order to effectively screen and enclose the dumpster.
3. Outdoor storage of materials, products or equipment shall be prohibited.
4. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
5. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties and/or streets.
6. Applicant shall obtain the necessary sign permits prior to installation. Applicant shall work with staff with regards to constructing a well-designed signage for the site that utilizes colors and materials similar to the building.

7. The maximum sign square footage permitted for a legal nonconforming business is 32sf.
8. Applicant may propose refacing existing cabinet sign.
9. Any other new signage proposed shall be individual letter signs (no flat panel or interior lit cabinet signs). If staff has any concerns pertaining to sign design, staff may bring the proposed sign design back to the Plan Commission for review/approval.
10. Prior to issuance of sign permit, the applicant shall remove all signage referencing the previous business.
11. It will be the applicant's responsibility to work with all private and public utilities in order to provide easements and/or relocate utilities as necessary.
12. If the applicant is remodeling the exterior of the building, the applicant shall obtain City of Sheboygan Architectural Review Board approval prior to remodel construction.

If there are any amendments to the approved use/site plan, the applicant will be required to submit a new application reflecting those amendments.

Exceptions granted:

- To operate a legal nonconforming fitness facility at 2516 Superior Avenue

Motion carried.

6. Application for Conditional Use Permit with exceptions by Sheboygan Area Pay It Forward Inc. to operate a day center located at 1221 Erie Avenue Unit R1-B.

Motion by Marilyn Montemayor, second by Alderperson Mitchell to approve with the following conditions:

1. Prior to operation/occupancy, the applicant shall obtain all licenses and permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, State of Wisconsin, Sheboygan County, etc.
2. If using a dumpster, the dumpster shall be screened/enclosed and constructed of like materials and colors of the facility. If using chain link fencing, the applicant shall install Privacy Decorative Slatted (PDS) material in order to effectively screen the dumpster.
3. Outdoor storage of materials, products or equipment shall be prohibited.
4. All ground level and rooftop mechanicals shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
5. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
6. Applicant shall obtain the necessary sign permits prior to installation. Applicant shall work with staff with regards to constructing a well-designed signage for the site. Staff may bring the proposed signage design back to the Plan Commission for review/approval.
7. Proposed signage will be individual letter signs (no flat panel or interior lit cabinet signs).
8. If there are to be any renovation to the exterior of the facility, the applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for such renovation.
9. Applicant shall adequately monitor the Sheboygan Area Pay It Forward and in no instance shall the use create a nuisance for neighboring properties (noise, hours of operation, garbage, loitering, etc.). If any issue(s) arises, the Plan Commission may again review the conditional use permit.
10. If there are any amendments to the approved use and/or floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

Motion carried.

7. R. O. No. 43-23-24 by City Clerk submitting a Certified Survey Map creating Lot 1A and Outlot 1B in the SouthPointe Enterprise Campus, including dedication of public street right-of-way for a portion of South Taylor Drive north of Horizon Drive, as shown on the attached map. REFER TO CITY PLAN COMMISSION

Motion by Ryan Sazama, second by Branden Schmidt to recommend approval. Motion carried.

8. Gen. Ord. No. 18-23-24 by Alderperson Mitchell repealing Gen. Ord. No. 11-04-05 relating to the grant of encroachment privileges to Gurpal Wisconsin Stations, LLC. REFER TO CITY PLAN COMMISSION

Motion by Marilyn Montemayor, second by Ryan Sazama to recommend approval. Motion carried.

9. DIRECT REFERRAL R. O. No. 45-23-24 by Finance Director submitting Capital Improvements Program (CIP) Requests for the years 2024-2028.

Motion by Marilyn Montemayor, second by Alderperson Mitchell to recommend approval. Motion carried.

10. Discuss Comprehensive Plan Update.

Discussion was held related to Comprehensive Plan update.

#### **NEXT MEETING**

11. October 10, 2023

#### **ADJOURN**

12. Motion to Adjourn

Motion by Branden Schmidt, second by Alderperson Mitchell to adjourn. Motion carried.

Being no further business, the meeting was adjourned at 4:10 p.m.

## CITY OF SHEBOYGAN

## REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

**ITEM DESCRIPTION:** Application for Conditional Use with exceptions by Sheboygan Paint Company to provide Company provided, on-site recreation at Sheboygan Paint Company located at 1439 N 25<sup>th</sup> Street. SI Zone

**REPORT PREPARED BY:** Ellise Rose, Program Assistant

**REPORT DATE:** September 28, 2023

**MEETING DATE:** October 10, 2023

**FISCAL SUMMARY:**

Budget Line Item:	N/A
Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin	N/A
Statutes:	
Municipal Code:	N/A

**BACKGROUND / ANALYSIS:**

Sheboygan Paint Company is proposing to provide an on-site recreation patio at Sheboygan Paint Company located at 1439 N 25<sup>th</sup> Street. The applicant states the following about the proposed project:

- Sheboygan Paint Company has been in Sheboygan since 1922, a long time member of the Sheboygan community.
- This summer we removed 2 Austrian Pine trees. The cones were becoming a tripping hazard and leaving sap on cars. When the trees were removed, we had a small competition with employees designing what to do with the area the 2 trees were in. Two people submitted a patio type area for employees to sit on breaks.
- The design is basically to give a nice area for employees to relax while on break and reduce the visibility of the parking lot.
- The pillars and fencing will allow for some privacy from the street and add to the area.
- We plan on planting various bushes and perennials and possibly an ornamental tree or 2 to offer a more aesthetic look to basically a parking lot and manufacturing plant.
- The 4-foot-high pillars will be brick similar in color to the building with lighting on top with black iron fence between. The fence will be set back 16.8 feet from the sidewalk.
- The patio will be poured concrete with electricity for the lighting and outlets (to use for company cookouts).
- We plan to have outdoor furniture out for employees to enjoy.
- A new flagpole will be added to replace our jimmy rigged, badly needed to be replaced current flagpole.
- Sheboygan Paint feels this will improve the curb appeal on 25th Street.

## STAFF COMMENTS:

The parcels directly across North 25<sup>th</sup> Street from the proposed patio are zoned suburban office and suburban commercial. The parcels to the north are residential.

The Plan Commission should have the applicant specifically explain the following:

- Hours the patio may be in use.
- How they will make sure this will not impact the adjacent commercial and residential neighborhood.
- How many tables will the applicant place on the patio?

Applicant is requesting the following exceptions:

- Requesting an exception from the locational landscaping requirements – Applicant shall meet the four (4) locational landscaping requirements.
- Requesting to locate an accessory use between a principal building and a street frontage on the same lot - Accessory uses shall not be located between a principal building and a street frontage on the same lot.
- Requesting to locate an accessory use within a required front yard or street side yard - Accessory uses shall not be located within any required front yard or street side yard.

## ACTION REQUESTED:

Staff recommends approval of the conditional use permit subject to the following conditions:


1. Prior to construction and operation, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, health, liquor, occupancy, etc.
2. Outdoor storage of materials, products or equipment shall be prohibited.
3. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
4. Fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. Applicant shall work with staff with regards to constructing appropriate and well-designed fence.
5. Applicant shall insure that all outdoor patio related structures (patio sets, landscaping, fencing, etc.) will all be located on the Sheboygan Paint Company property and shall not cross a property line (nothing located on the N 25<sup>th</sup> Street public right-of-way).
6. No temporary signage is permitted in the outdoor patio area (banners, pennants, etc.).
7. Applicant may only install items related to the outdoor patio - No other structures are permitted. If staff has any concerns with proposed outdoor patio, the matter may be brought back to the Plan Commission for their consideration.
8. Applicant shall adequately monitor/regulate and maintain the outdoor patio. In no instance shall the patio create a nuisance for neighboring properties (noise, hours of operation, garbage, etc.). If any issue(s) arises, the Plan Commission may again review the conditional use permit.
9. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

10. A landscape plan will need to be submitted before a permit will be issued.

Item 5.

**ATTACHMENTS:**

Conditional Use Permit Application and required attachments

	<b>CITY OF SHEBOYGAN</b>	Fee: \$250.00
	<b>APPLICATION FOR CONDITIONAL USE</b>	Review Date: _____
		Zoning: <u>SI</u>

Read all instructions before completing. If additional space is needed, attach additional pages.

<b>SECTION 1: Applicant/ Permittee Information</b>			
Applicant Name (Ind., Org. or Entity) Sheboygan Paint Company		Authorized Representative Jeanette Wierzbach	
Title Controller			
Mailing Address 1439 North 25th St		City Sheboygan	State WI
ZIP Code 53081			
Email Address jeanettew@shebpaint.com		Phone Number (incl. area code) 920-458-2157 or cell 920-918-9203	
<b>SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)</b>			
Applicant Name (Ind., Org. or Entity) <u>STORE Capital</u>		Contact Person <u>Ryan Gray</u>	
Title <u>Construction Specialist</u>			
Mailing Address <u>8377 E. Hartford Dr Ste 10 Scottsdale</u>		State <u>AZ</u>	ZIP Code <u>85255</u>
Email Address <u>Rgray@storecapital.com</u>		Phone Number (incl. area code) <u>480-256-1198</u>	
<b>SECTION 3: Project or Site Location</b>			
Project Address/Description 1439 North 25th St		Parcel No. <u>59 2812 06600</u>	
<b>SECTION 4: Proposed Conditional Use</b>			
Name of Proposed/Existing Business:			
Existing Zoning: <u>SI</u>			
Present Use of Parcel:			
Proposed Use of Parcel:			
Present Use of Adjacent Properties:			
<b>SECTION 5: Certification and Permission</b>			
<p><b>Certification:</b> I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Permit Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.</p>			
<p><b>Permission:</b> I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.</p>			
Name of Owner/Authorized Representative (please print) <u>Jeanette Wierzbach</u>		Title <u>Controller</u>	Phone Number <u>920 918 9203</u>
Signature of Applicant <u>Jeanette Wierzbach</u>		Date Signed <u>9/19/2023</u>	

Complete application is to be filed with the Department of City Development, 828 Center Avenue, Suite 208. To be placed on the agenda of the City Plan Commission, application must be filed three weeks prior to date of meeting – check with City Development on application submittal deadline date. Applications will not be processed if all required attachments and filing fee of \$250 (payable to the City of Sheboygan) are not submitted along with a complete and legible application. Application filing fee is non-refundable.

## Rose, Ellise

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**From:** Wierzbach, Jeanette <jeanettew@shebpaint.com>  
**Sent:** Tuesday, September 19, 2023 2:38 PM  
**To:** Rose, Ellise  
**Subject:** Sheboygan Paint Patio Area

See below...if you need anything else please let me know.

Sheboygan Paint Company has been in Sheboygan since 1922, a long time member of the Sheboygan community. This summer we removed 2 Austrian Pine trees. The cones were becoming a tripping hazard and leaving sap on cars. When the trees were removed, we had a small competition with employees designing what to do with the area the 2 trees were in. 2 people submitted a patio type area for employees to sit on breaks.

The design is basically to give a nice area for employees to relax while on break and reduce the visibility of the parking lot. The pillars and fencing will allow for some privacy from the street and add to the area. We plan on planting various bushes and perennials and possibly an ornamental tree or 2 to offer a more aesthetic look to basically a parking lot and manufacturing plant. The 4 foot high pillars will be brick similar in color to the building with lighting on top with black iron fence between. The fence will be set back 16.8 feet from the sidewalk. The patio will be poured concrete with electricity for the lighting and outlets (to use for company cookouts). We would like to put a Christmas tree out in winter. We plan to have outdoor furniture out for employees to enjoy. A new flagpole will be added to replace our jimmy rigged, badly needed to be replaced current flagpole.

Sheboygan Paint feels this will improve the curb appeal on 25<sup>th</sup> Street.

### Jeanette Wierzbach

*Corporate Controller*

[jeanettew@shebpaint.com](mailto:jeanettew@shebpaint.com)

+1 920.918.9203 (m)



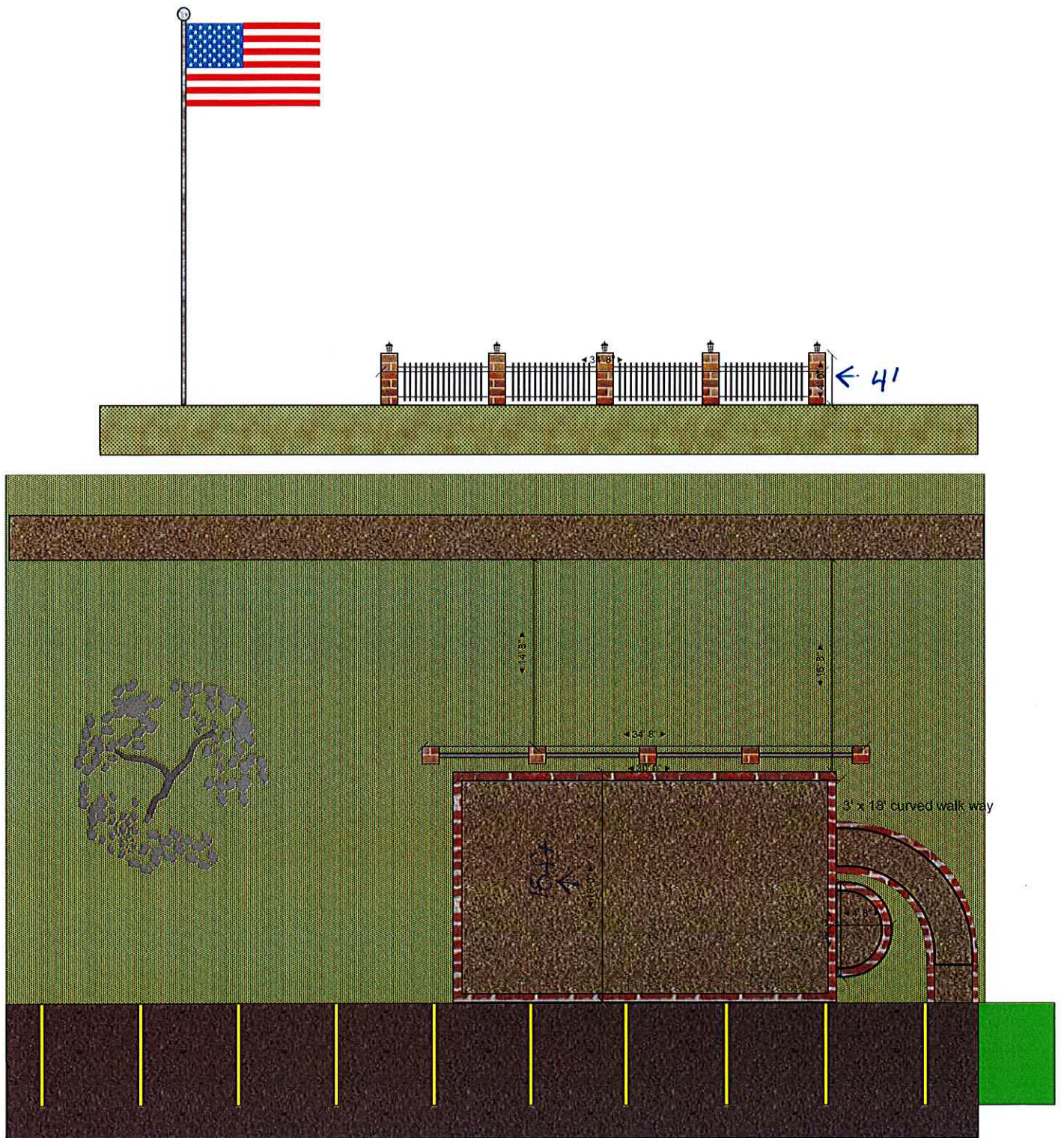
800.773.7801

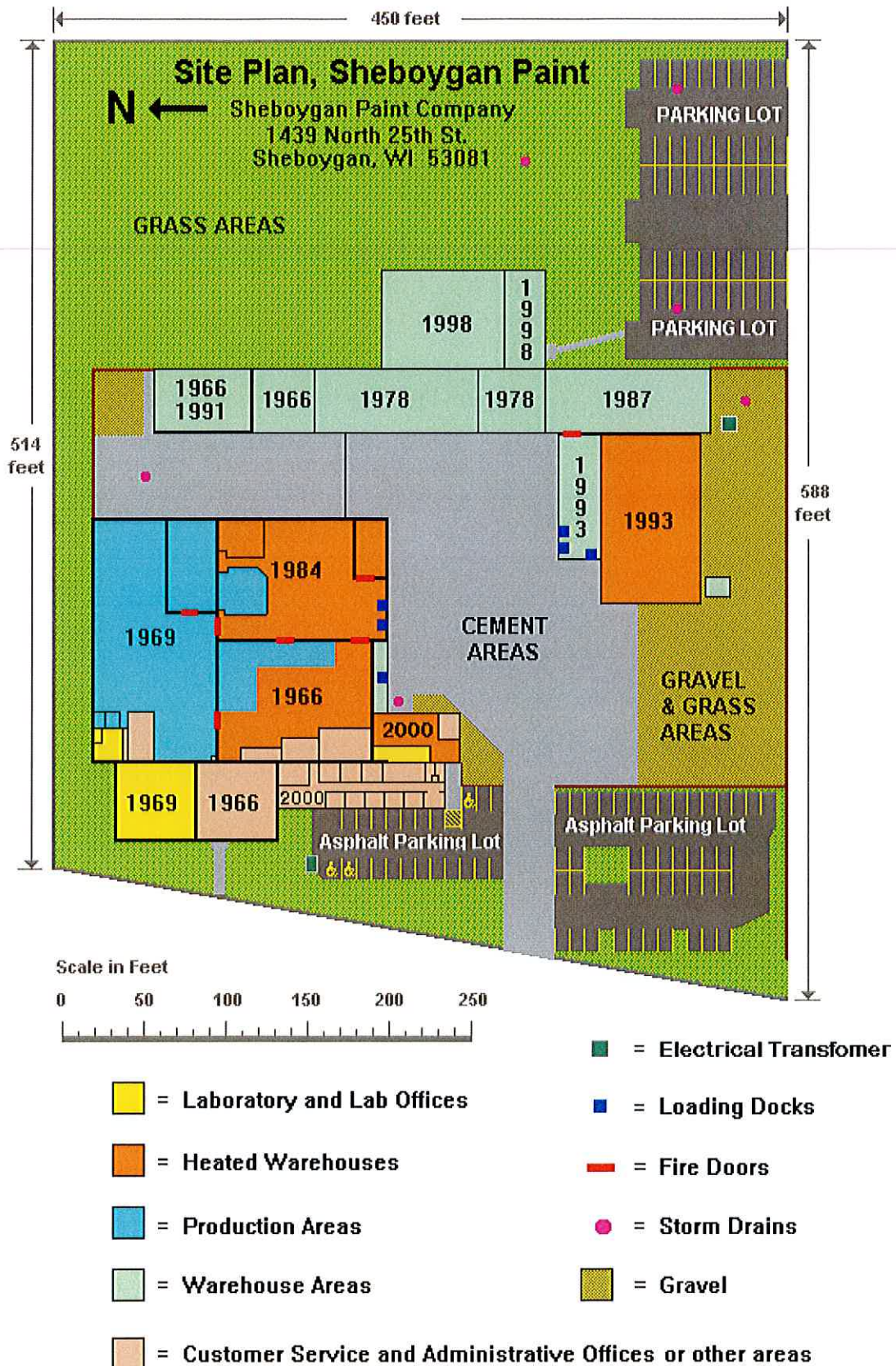
shebpaint.com

..... **Customerization**

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## Project Quote

Sheboygan Paint Company

**Date:** August 28, 2023  
**Invoice #:** Patio project

**Quote** Patio Project

[illegible]

Thank you for your time!

**CITY OF SHEBOYGAN  
GENERAL ORDINANCE 24-23-24**

**BY ALDERPERSON MITCHELL.**

**OCTOBER 2, 2023.**

AN ORDINANCE annexing territory from the Town of Wilson to the City of Sheboygan, Wisconsin.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

**SECTION 1:** In accordance with § 66.0217 of the Wisconsin Statutes and a petition for direct annexation by unanimous approval filed with the City Clerk on the 23rd day of September, 2023, signed by the owner of all the real property in the territory and all of the electors residing in the territory, together with a legal description (attached hereto as Exhibit A) and a scale map (attached hereto as Exhibit B) of the property to be annexed, said territory in the Town of Wilson, Sheboygan County, Wisconsin, is hereby annexed to the City of Sheboygan, Wisconsin.

**SECTION 2:** From and after the effective date of this ordinance, the territory described in the attached Exhibit A shall be a part of the City of Sheboygan for any and all purposes provided by law, and all persons coming or residing in such territory shall be subject to all ordinances, rules and regulations governing the City of Sheboygan.

**SECTION 3:** In accordance with § 66.0217(14) of the Wisconsin Statutes, the City of Sheboygan agrees to pay annually to the Town of Wilson, for five (5) years, an amount equal to the amount of property taxes that the Town levied on the annexed territory, as shown by the tax roll under § 70.65 of the Wisconsin Statutes, in the year in which the annexation is final.

**SECTION 4:** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

**SECTION 5:** The official zoning map of the City of Sheboygan, as provided for by § 105-35, Sheboygan Municipal Code, and made a part of the Sheboygan Zoning Ordinance (Chapter 105, SMC) is hereby amended to establish the Use District Classification of the lands subject to this ordinance as Rural Agricultural (RA-35ac).

**SECTION 6:** The territory described in the attached Exhibit A is hereby made a part of the 19th Ward, 10th Aldermanic District, of the City of Sheboygan, pending approval by the Sheboygan County Board as it relates to County Supervisory Districts

**SECTION 7:** **REPEALER CLAUSE** All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION 8:**        **EFFECTIVE DATE** This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

Presiding Officer

Attest

\_\_\_\_\_  
Ryan Sorenson, Mayor, City of  
Sheboygan

\_\_\_\_\_  
Meredith DeBruin, City Clerk, City of  
Sheboygan

**EXHIBIT A****LEGAL DESCRIPTION OF TERRITORY**

PART OF NW 1/4 - NW 1/4, NE 1/4 - NW 1/4, SW 1/4 - NW 1/4, NW 1/4 - SW 1/4, NE 1/4 - SW 1/4,  
 NW 1/4 - NE 1/4, SW 1/4 - NE 1/4, NW 1/4 - SE 1/4, AND ALL OF SE 1/4 - NW 1/4,  
 ALL IN SECTION 9, TOWN 14 NORTH, RANGE 23 EAST, TOWN OF WILSON,  
 SHEBOYGAN COUNTY, WISCONSIN

Unplatted lands being part of the Northwest 1/4 of the Northwest 1/4, Northeast 1/4 of the Northwest 1/4, Southwest 1/4 of the Northwest 1/4, Northwest 1/4 of the Southwest 1/4, Northeast 1/4 of the Southwest 1/4, Northwest 1/4 of the Northeast 1/4, Southwest 1/4 of the Northeast 1/4, Northwest 1/4 of the Southeast 1/4, and all of the Southeast 1/4 of the Northwest 1/4, all in Section 9, Town 14 North, Range 23 East, Town of Wilson, Sheboygan County, Wisconsin and being more particularly described as follows:

Beginning at the Northeast corner of Lot 1 of a Certified Survey Map recorded in Volume 28 of Certified Survey Maps on Pages 322 to 330 as document 2061658 in the Sheboygan County Register of Deeds Office, the West Right of Way line of South Business Drive / C.T.H. "OK", and the existing municipal boundary for the City of Sheboygan, thence North 87°52'52" West along the North line of said Lot 1, the South line of lands described in a warranty deed recorded as document 1813514 in said Register of Deeds Office, and the North line of lands described in a warranty deed recorded as document 2001715 in said Register of Deeds Office, a distance of 2,759.95 feet to the East line of lands described in an award of damages document recorded in Volume 520 of Records on Pages 399 to 400 as document 894860 in said Register of Deeds Office and the East Right of Way line of Interstate "43";  
 thence Northerly 358.43 feet along said East line of lands described in Volume 520 on Pages 399 to 400, the East Right of Way line of Interstate "43", and the arc of a curve to the left having a radius of 49,330.69 feet and a chord which bears North 01°43'40" West a distance of 358.43 feet to a point of tangency;  
 thence North 01°56'09" West along said East line of lands described in Volume 520 on Pages 399 to 400, the East line of lands described in a warranty deed recorded in Volume 513 of Records on Pages 236 to 237 as document 892250 in said Register of Deeds Office, and said East Right of Way line of Interstate "43", a distance of 1440.43 feet to the North line of said lands described in document 1813514, the South line of Lot 1 of a Certified Survey Map recorded in Volume 14 of Certified Survey Maps on Pages 61 to 62 as document 1477612 in said Register of Deeds Office, and said existing municipal boundary;  
 thence South 87°50'51" East along said North line of lands described in document 1813514, said South line of Lot 1 of a Certified Survey Map recorded in Volume 14 on Pages 61 to 62, the Southerly terminus of the South Taylor Drive Right of Way, the South lines of Lot 1 and Outlot 1 of a Certified Survey Map recorded in Volume 28 of Certified Survey Maps on Pages 209 to 211 as document 2052767 in said Register of Deeds Office, the South line of Lot 1 of Certified Survey Map recorded in Volume 23 of Certified Survey Maps on Pages 258 to 259 as document

1848155 in said Register of Deeds Office, and said existing municipal boundary, a distance of 3,390.65 feet to said West Right of Way line of South Business Drive / C.T.H. "OK";  
 thence South 17°51'10" West along said West Right of Way line, a distance of 203.43 feet to the South line of said lands described in document 1813514 and the North line of lands described in a warranty deed recorded as document 1343820 in said Register of Deeds Office;  
 thence North 83°07'59" West along said South line of lands described in document 1813514 and said North line of lands described in document 1343820, a distance of 152.38 feet to the East line of said lands described in document 1813514 and the Northwest corner of said lands described in document 1343820;  
 thence South 16°10'08" West along said East line of lands described in document 1813514, the West line of said lands described in document 1343820, and the West line of a Certified Survey Map recorded in Volume 20 of Certified Survey Maps on Pages 86 to 87 as document 1714724 in said Register of Deeds Office, a distance of 566.39 feet to the South line of said lands described in document 1813514 and the Southwest corner of Lot 2 of said Certified Survey Map recorded in Volume 20 on Pages 86 to 87;  
 thence South 86°18'26" East along said South line of lands described in document 1813514 and the South line of said Lot 2, a distance of 116.47 feet to said West Right of Way line;  
 thence South 17°45'46" West along said West Right of Way line, a distance of 144.07 feet;  
 thence South 23°28'24" West along said West Right of Way line, a distance of 100.50 feet;  
 thence South 17°45'46" West along said West Right of Way line, a distance of 100.00 feet;  
 thence South 13°36'13" West along said West Right of Way line, a distance of 401.06 feet;  
 thence South 17°51'59" West along said West Right of Way line, a distance of 347.48 feet;  
 thence South 17°37'41" West along said West Right of Way line, a distance of 0.53 feet to the South line of said lands recorded in document 1813514, the Northeast corner of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, said existing municipal boundary, and the Point of Beginning.

The land described above contains 124.435 acres (5,420,380 square feet) of land, more or less.

**Tax Parcel Nos.:** 59030454421; 59030454462;  
 59030454450; and 59030454460

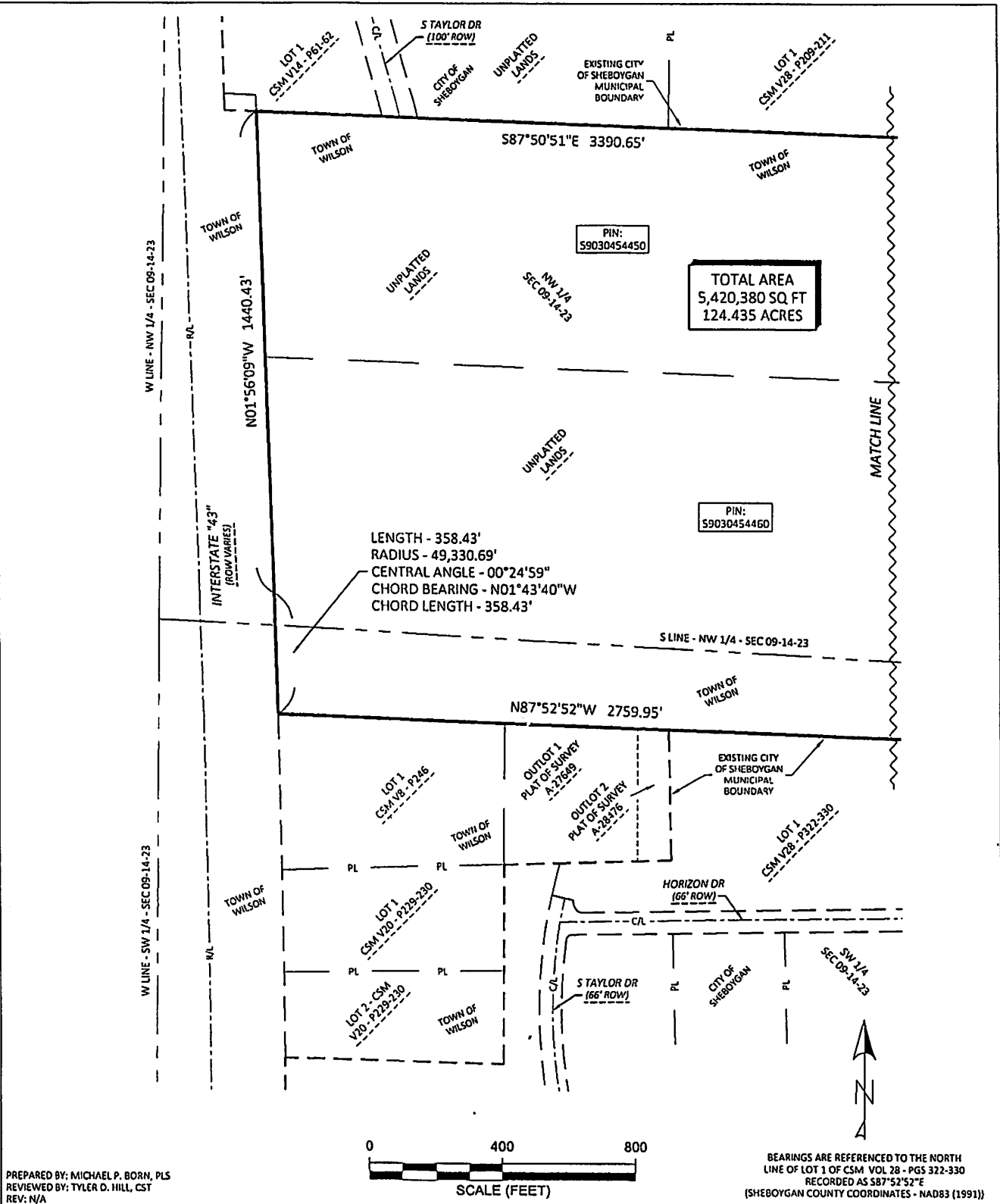
**EXHIBIT B**

**SCALE MAP OF TERRITORY**

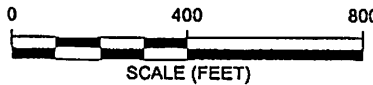
(Attached)

QB\130289.01293\84455599.1

FILE NAME : P:\ENGINEERING\LAND RECORDS\ANNEXATIONS\2021 - 2040\2023\40X - VACANT LAND - 5030 S BUSINESS DR VACANT LAND - 5030 S BUSINESS DR ANNEXATION.DWG  
 PLOTTED BY : Born, Michael  
 PLOT DATE : 9/14/2023



PREPARED BY: MICHAEL P. BORN, PLS  
 REVIEWED BY: TYLER D. HILL, CST  
 REV: N/A



BEARINGS ARE REFERENCED TO THE NORTH  
 LINE OF LOT 1 OF CSM VOL 28 - PGS 322-330  
 RECORDED AS S87°52'52\"/>

# CITY OF SHEBOYGAN PUBLIC WORKS

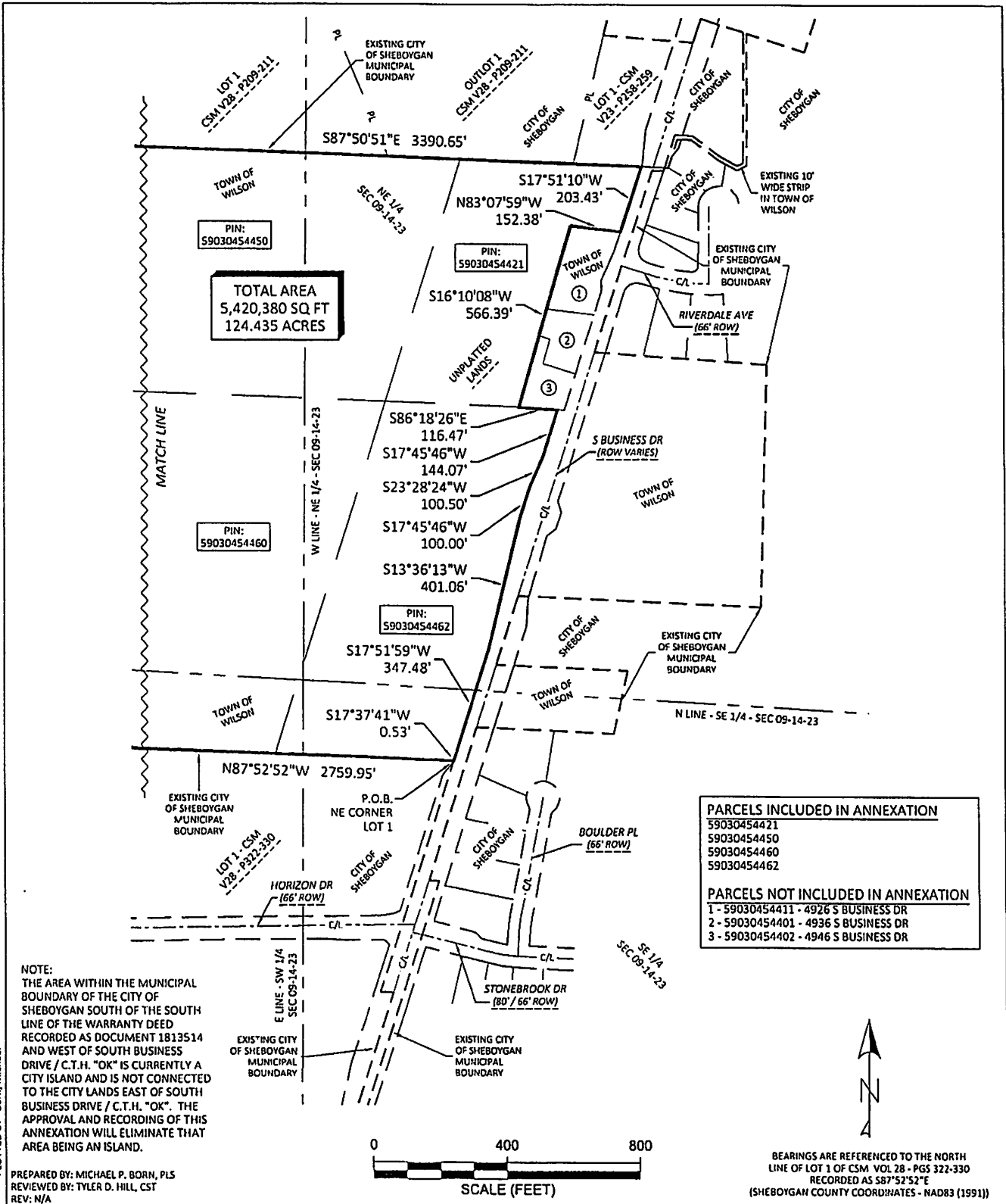
City of Sheboygan  
 Department of Public Works  
 Engineering Division  
 2026 New Jersey Avenue  
 Sheboygan, WI 53081

## EXHIBIT A1 - PROPOSED ANNEXATION

PART OF NW 1/4 - NW 1/4, NE 1/4 - NW 1/4, SW 1/4 - NW 1/4, NW 1/4 - SW 1/4, NE 1/4 - SW 1/4,  
 NW 1/4 - NE 1/4, SW 1/4 - NE 1/4, NW 1/4 - SE 1/4, AND ALL OF SE 1/4 - NW 1/4,  
 ALL IN SECTION 9, TOWN 14 NORTH, RANGE 23 EAST, TOWN OF WILSON, SHEBOYGAN COUNTY, WISCONSIN

Surveyed By	-
Drawn By	MPB
Checked By	TDH
Plot Date	9/14/2023
Project Date	9/14/2023
Sheet No.	1 OF 3

FILE NAME : P:\ENGINEERING\LAND RECORDS\ANNEXATIONS\2021 - 2040\2023\40X - VACANT LAND - 5030 S BUSINESS DR VACANT LAND - 5030 S BUSINESS DR ANNEXATION.DWG  
PLOT DATE - 9/14/2023  
PLOTTED BY - Born, Michael



# CITY OF SHEBOYGAN PUBLIC WORKS

City of Sheboygan  
Department of Public Works  
Engineering Division  
2026 New Jersey Avenue  
Sheboygan, WI 53081

## EXHIBIT A2 - PROPOSED ANNEXATION

PART OF NW 1/4 - NW 1/4, NE 1/4 - NW 1/4, SW 1/4 - NW 1/4, NW 1/4 - SW 1/4, NE 1/4 - SW 1/4,  
NW 1/4 - NE 1/4, SW 1/4 - NE 1/4, NW 1/4 - SE 1/4, AND ALL OF SE 1/4 - NW 1/4,  
ALL IN SECTION 9, TOWN 14 NORTH, RANGE 23 EAST, TOWN OF WILSON, SHEBOYGAN COUNTY, WISCONSIN

Surveyed By	-
Drawn By	MPB
Checked By	TDH
Plot Date	9/14/2023
Project Date	9/14/2023
Sheet No.	2 OF 3

## PROPOSED ANNEXATION LEGAL DESCRIPTION

PART OF NW 1/4 - NW 1/4, NE 1/4 - NW 1/4, SW 1/4 - NW 1/4, NW 1/4 - SW 1/4, NE 1/4 - SW 1/4,  
NW 1/4 - NE 1/4, SW 1/4 - NE 1/4, NW 1/4 - SE 1/4, AND ALL OF SE 1/4 - NW 1/4,  
ALL IN SECTION 9, TOWN 14 NORTH, RANGE 23 EAST, TOWN OF WILSON, SHEBOYGAN COUNTY, WISCONSIN

Unplatted lands being part of the Northwest 1/4 of the Northwest 1/4, Northeast 1/4 of the Northwest 1/4, Southwest 1/4 of the Northwest 1/4, Northwest 1/4 of the Southwest 1/4, Northeast 1/4 of the Southwest 1/4, Northwest 1/4 of the Northeast 1/4, Southwest 1/4 of the Northeast 1/4, Northwest 1/4 of the Southeast 1/4, and all of the Southeast 1/4 of the Northwest 1/4, all in Section 9, Town 14 North, Range 23 East, Town of Wilson, Sheboygan County, Wisconsin and being more particularly described as follows:

Beginning at the Northeast corner of Lot 1 of a Certified Survey Map recorded in Volume 28 of Certified Survey Maps on Pages 322 to 330 as document 2061658 in the Sheboygan County Register of Deeds Office, the West Right of Way line of South Business Drive / C.T.H. "OK", and the existing municipal boundary for the City of Sheboygan, thence North 87°52'52" West along the North line of said Lot 1, the South line of lands described in a warranty deed recorded as document 1813514 in said Register of Deeds Office, and the North line of lands described in a warranty deed recorded as document 2001715 in said Register of Deeds Office, a distance of 2,759.95 feet to the East line of lands described in an award of damages document recorded in Volume 520 of Records on Pages 399 to 400 as document 894860 in said Register of Deeds Office and the East Right of Way line of Interstate "43"; thence Northerly 358.43 feet along said East line of lands described in Volume 520 on Pages 399 to 400, the East Right of Way line of Interstate "43", and the arc of a curve to the left having a radius of 49,330.69 feet and a chord which bears North 01°43'40" West a distance of 358.43 feet to a point of tangency; thence North 01°56'09" West along said East line of lands described in Volume 520 on Pages 399 to 400, the East line of lands described in a warranty deed recorded in Volume 513 of Records on Pages 236 to 237 as document 892250 in said Register of Deeds Office, and said East Right of Way line of Interstate "43", a distance of 1440.43 feet to the North line of said lands described in document 1813514, the South line of Lot 1 of a Certified Survey Map recorded in Volume 14 of Certified Survey Maps on Pages 61 to 62 as document 1477612 in said Register of Deeds Office, and said existing municipal boundary; thence South 87°50'51" East along said North line of lands described in document 1813514, said South line of Lot 1 of a Certified Survey Map recorded in Volume 14 on Pages 61 to 62, the Southerly terminus of the South Taylor Drive Right of Way, the South lines of Lot 1 and Outlot 1 of a Certified Survey Map recorded in Volume 28 of Certified Survey Maps on Pages 209 to 211 as document 2052767 in said Register of Deeds Office, the South line of Lot 1 of Certified Survey Map recorded in Volume 23 of Certified Survey Maps on Pages 258 to 259 as document 1848155 in said Register of Deeds Office, and said existing municipal boundary, a distance of 3,390.65 feet to said West Right of Way line of South Business Drive / C.T.H. "OK"; thence South 17°51'10" West along said West Right of Way line, a distance of 203.43 feet to the South line of said lands described in document 1813514 and the North line of lands described in a warranty deed recorded as document 1343820 in said Register of Deeds Office; thence North 83°07'59" West along said South line of lands described in document 1813514 and said North line of lands described in document 1343820, a distance of 152.38 feet to the East line of said lands described in document 1813514 and the Northwest corner of said lands described in document 1343820; thence South 16°10'08" West along said East line of lands described in document 1813514, the West line of said lands described in document 1343820, and the West line of a Certified Survey Map recorded in Volume 20 of Certified Survey Maps on Pages 86 to 87 as document 1714724 in said Register of Deeds Office, a distance of 566.39 feet to the South line of said lands described in document 1813514 and the Southwest corner of Lot 2 of said Certified Survey Map recorded in Volume 20 on Pages 86 to 87; thence South 86°18'26" East along said South line of lands described in document 1813514 and the South line of said Lot 2, a distance of 116.47 feet to said West Right of Way line; thence South 17°45'46" West along said West Right of Way line, a distance of 144.07 feet; thence South 23°28'24" West along said West Right of Way line, a distance of 100.50 feet; thence South 17°45'46" West along said West Right of Way line, a distance of 100.00 feet; thence South 13°36'13" West along said West Right of Way line, a distance of 401.06 feet; thence South 17°51'59" West along said West Right of Way line, a distance of 347.48 feet; thence South 17°37'41" West along said West Right of Way line, a distance of 0.53 feet to the South line of said lands recorded in document 1813514, the Northeast corner of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, said existing municipal boundary, and the Point of Beginning.

The land described above contains 124.435 acres (5,420,380 square feet) of land, more or less.

End of description.

PREPARED BY: MICHAEL P. BORN, PLS      REVIEWED BY: TYLER D. HILL, CST

### CITY OF SHEBOYGAN PUBLIC WORKS

City of Sheboygan  
Department of Public Works  
Engineering Division  
2026 New Jersey Avenue  
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## EXHIBIT B - PROPOSED ANNEXATION

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PLOT DATE - 9/14/2023  
PLOTTED BY - Born, Michael

**CITY OF SHEBOYGAN  
R. O. 48-23-24**

**BY CITY CLERK.**

**OCTOBER 2, 2023.**

Submitting a Petition for Direct Annexation by Unanimous Approval regarding certain lands within the Town of Wilson that are to be annexed to the City of Sheboygan (Tax Parcel Nos: 59030454421, 59030454462, 59030454450, and 59030454460).



411 East Wisconsin Avenue  
Suite 2400  
Milwaukee, Wisconsin 53202-4428  
414.277.5000  
Fax 414.271.3552  
www.quarles.com

Direct Dial: (414) 277-5133  
E-Mail: Noelle.Granitz@quarles.com

Attorneys at Law in  
Chicago  
Denver  
Indianapolis  
Madison  
Milwaukee  
Minneapolis  
Naples  
Phoenix  
San Diego  
Tampa  
Tucson  
Washington, D.C.

Item 7.

September 19, 2023

**VIA UPS OVERNIGHT**

City of Sheboygan  
City Clerk's Office  
City Hall  
828 Center Avenue, Suite 103  
Sheboygan, WI 53081  
Attn: Meredith DeBruin, City Clerk

**Re:   Annexation Petition**

Dear Ms. DeBruin:


Enclosed for filing in the City of Sheboygan is a Petition for Direct Annexation by Unanimous Approval regarding certain lands within the Town of Wilson that are to be annexed to the City of Sheboygan. Please note that, as required by Wisconsin Statutes §66.0217(2), this petition and the accompanying map have also been filed with the Town of Wilson and a copy will be mailed to the Wisconsin Department of Administration within five (5) days of this letter.

Please let me know if you have questions about the enclosed.

Thank you.

Very truly yours,

**QUARLES & BRADY LLP**



Noelle A. Granitz

Enclosure

**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL**

TO: The Honorable Common Council of the City of Sheboygan

c/o City Clerk  
City Hall  
828 Center Avenue, Suite 103  
Sheboygan, Wisconsin 53081

The Boerke Company, Inc. ("Petitioner") hereby respectfully petitions the Common Council of the City of Sheboygan, Sheboygan County, Wisconsin, pursuant to §66.0217(2) of the Wisconsin Statutes, for the direct annexation to the City of Sheboygan, Sheboygan County, Wisconsin (the "City"), and the detachment from the Town of Wilson, Sheboygan County, Wisconsin (the "Town"), of the territory described below in Paragraph 6 (the "Territory").

In support of this petition, the Petitioner alleges and represents the following:

1. The Petitioner is the sole owner of all the land within the Territory.
2. There is one (1) elector residing in the Territory, Gary Rammer. Gary Rammer and his legal guardian, Michael Rammer, also join in the execution of this Petition below.
3. The population of the Territory is one (1).
4. The purpose of this petition for direct annexation of the Territory to the City is to obtain the benefits to be derived from owning land located within the limits of the City, including, but not limited to, having Petitioner's property receive municipal services (e.g. water and sewer) within the same municipality. The Petitioner believes it to be in its own best interests and the best interests of the affected communities to have the Territory annexed to the City.
5. The Territory is contiguous to the City.
6. The legal description of the Territory is set forth on the attached Exhibit A.
7. Attached to this Petition as Exhibit B is a scale map which reasonably shows the boundaries of the Territory.

8. Pursuant to §66.0217(8) of the Wisconsin Statutes, Petitioner hereby requests that the Territory be given a temporary zoning classification of Rural Agricultural (RA-35ac) under the City zoning code until such time as a permanent zoning classification for the Territory can be applied for by Petitioner and approved by the City.

10. The filing of this Petition was duly authorized by the undersigned Petitioner.

*[signature pages follow]*

IN WITNESS WHEREOF, the undersigned Petitioner hereby executes this Petition.

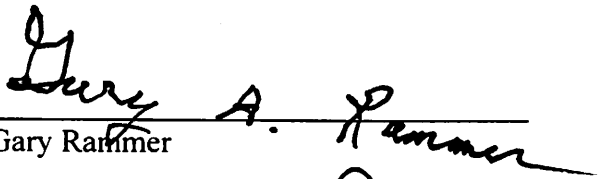
**THE BOERKE COMPANY, INC.**

By: Kevin T Riordan  
Print Name: Kevin T Riordan  
Title: Manager Partner



**SIGNATURE PAGE TO PETITION -  
PETITIONER**

The below identified elector joins in the execution of this Petition in compliance with the requirements of Wis. Stat. §66.0217(2).

  
\_\_\_\_\_  
Gary Rammer

  
\_\_\_\_\_  
Michael Rammer  
Guardian for Gary Rammer P.O.A.

**SIGNATURE PAGE TO PETITION -  
ELECTOR**

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF TERRITORY**

PART OF NW 1/4 - NW 1/4, NE 1/4 - NW 1/4, SW 1/4 - NW 1/4, NW 1/4 - SW 1/4, NE 1/4 - SW 1/4,  
NW 1/4 - NE 1/4, SW 1/4 - NE 1/4, NW 1/4 - SE 1/4, AND ALL OF SE 1/4 - NW 1/4,  
ALL IN SECTION 9, TOWN 14 NORTH, RANGE 23 EAST, TOWN OF WILSON,  
SHEBOYGAN COUNTY, WISCONSIN

Unplatted lands being part of the Northwest 1/4 of the Northwest 1/4, Northeast 1/4 of the Northwest 1/4, Southwest 1/4 of the Northwest 1/4, Northwest 1/4 of the Southwest 1/4, Northeast 1/4 of the Southwest 1/4, Northwest 1/4 of the Northeast 1/4, Southwest 1/4 of the Northeast 1/4, Northwest 1/4 of the Southeast 1/4, and all of the Southeast 1/4 of the Northwest 1/4, all in Section 9, Town 14 North, Range 23 East, Town of Wilson, Sheboygan County, Wisconsin and being more particularly described as follows:

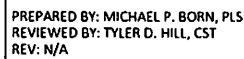
Beginning at the Northeast corner of Lot 1 of a Certified Survey Map recorded in Volume 28 of Certified Survey Maps on Pages 322 to 330 as document 2061658 in the Sheboygan County Register of Deeds Office, the West Right of Way line of South Business Drive / C.T.H. "OK", and the existing municipal boundary for the City of Sheboygan, thence North 87°52'52" West along the North line of said Lot 1, the South line of lands described in a warranty deed recorded as document 1813514 in said Register of Deeds Office, and the North line of lands described in a warranty deed recorded as document 2001715 in said Register of Deeds Office, a distance of 2,759.95 feet to the East line of lands described in an award of damages document recorded in Volume 520 of Records on Pages 399 to 400 as document 894860 in said Register of Deeds Office and the East Right of Way line of Interstate "43";  
thence Northerly 358.43 feet along said East line of lands described in Volume 520 on Pages 399 to 400, the East Right of Way line of Interstate "43", and the arc of a curve to the left having a radius of 49,330.69 feet and a chord which bears North 01°43'40" West a distance of 358.43 feet to a point of tangency;  
thence North 01°56'09" West along said East line of lands described in Volume 520 on Pages 399 to 400, the East line of lands described in a warranty deed recorded in Volume 513 of Records on Pages 236 to 237 as document 892250 in said Register of Deeds Office, and said East Right of Way line of Interstate "43", a distance of 1440.43 feet to the North line of said lands described in document 1813514, the South line of Lot 1 of a Certified Survey Map recorded in Volume 14 of Certified Survey Maps on Pages 61 to 62 as document 1477612 in said Register of Deeds Office, and said existing municipal boundary;  
thence South 87°50'51" East along said North line of lands described in document 1813514, said South line of Lot 1 of a Certified Survey Map recorded in Volume 14 on Pages 61 to 62, the Southerly terminus of the South Taylor Drive Right of Way, the South lines of Lot 1 and Outlot 1 of a Certified Survey Map recorded in Volume 28 of Certified Survey Maps on Pages 209 to 211 as document 2052767 in said Register of Deeds Office, the South line of Lot 1 of Certified Survey Map recorded in Volume 23 of Certified Survey Maps on Pages 258 to 259 as document

1848155 in said Register of Deeds Office, and said existing municipal boundary, a distance of 3,390.65 feet to said West Right of Way line of South Business Drive / C.T.H. "OK";  
 thence South 17°51'10" West along said West Right of Way line, a distance of 203.43 feet to the South line of said lands described in document 1813514 and the North line of lands described in a warranty deed recorded as document 1343820 in said Register of Deeds Office;  
 thence North 83°07'59" West along said South line of lands described in document 1813514 and said North line of lands described in document 1343820, a distance of 152.38 feet to the East line of said lands described in document 1813514 and the Northwest corner of said lands described in document 1343820;  
 thence South 16°10'08" West along said East line of lands described in document 1813514, the West line of said lands described in document 1343820, and the West line of a Certified Survey Map recorded in Volume 20 of Certified Survey Maps on Pages 86 to 87 as document 1714724 in said Register of Deeds Office, a distance of 566.39 feet to the South line of said lands described in document 1813514 and the Southwest corner of Lot 2 of said Certified Survey Map recorded in Volume 20 on Pages 86 to 87;  
 thence South 86°18'26" East along said South line of lands described in document 1813514 and the South line of said Lot 2, a distance of 116.47 feet to said West Right of Way line;  
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The land described above contains 124.435 acres (5,420,380 square feet) of land, more or less.

**Tax Parcel Nos.: 59030454421; 59030454462;  
 59030454450; and 59030454460**

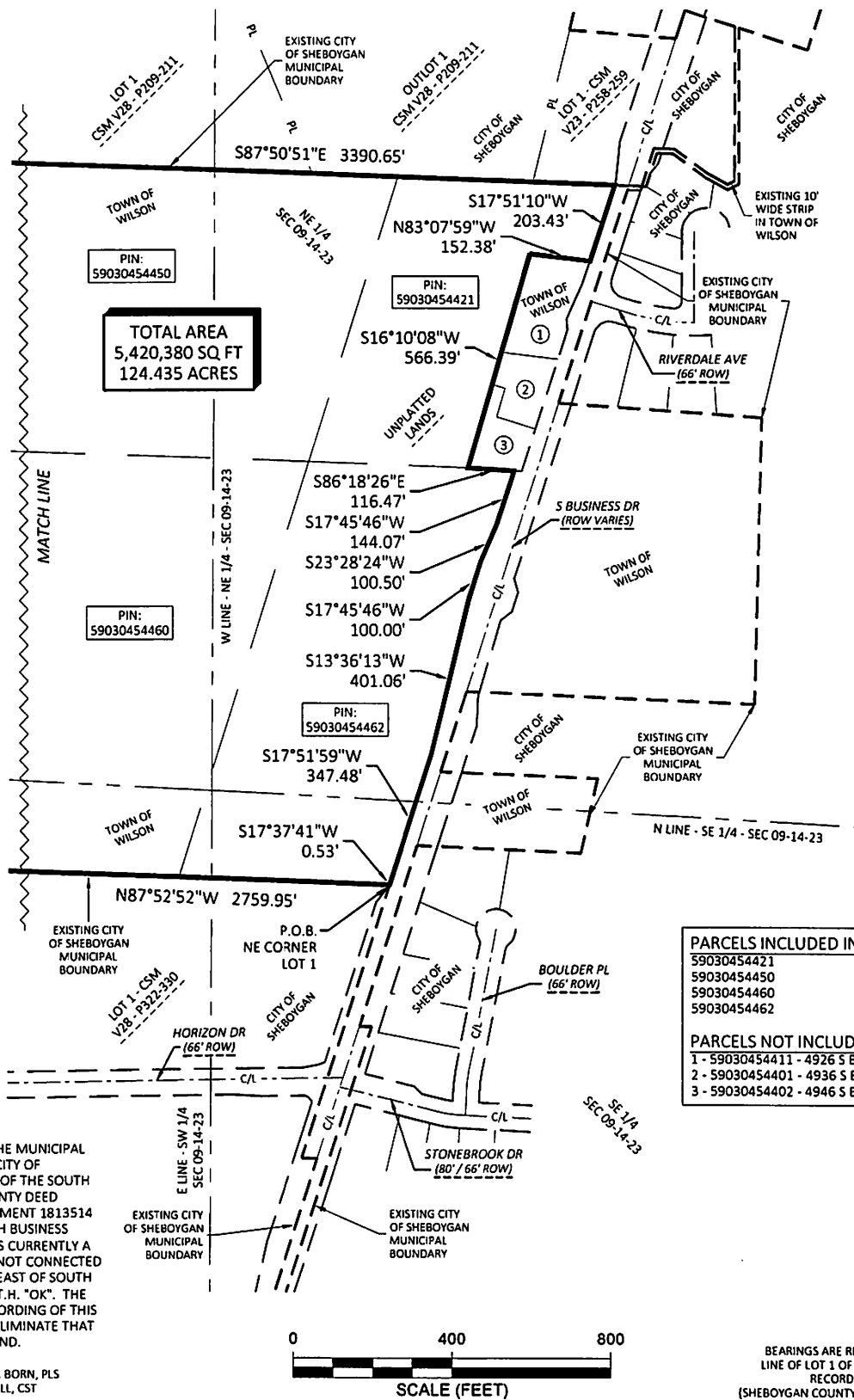
**EXHIBIT B**  
**SCALE MAP OF TERRITORY**  
(Attached)



City of Sheboygan  
Department of Public Works  
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2026 New Jersey Avenue  
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PART OF NW 1/4 - NW 1/4, NE 1/4 - NW 1/4, SW 1/4 - NW 1/4, NW 1/4 - SW 1/4, NE 1/4 - SW 1/4,  
NW 1/4 - NE 1/4, SW 1/4 - NE 1/4, NW 1/4 - SE 1/4, AND ALL OF SE 1/4 - NW 1/4,  
ALL IN SECTION 9, TOWN 14 NORTH, RANGE 23 EAST, TOWN OF WILSON, SHEBOYGAN COUNTY, WISCONSIN

30



**TOTAL AREA**  
5,420,380 SQ FT  
124.435 ACRES

- PARCELS INCLUDED IN ANNEXATION**
- 59030454421
  - 59030454450
  - 59030454460
  - 59030454462
- PARCELS NOT INCLUDED IN ANNEXATION**
- 1 - 59030454411 - 4926 S BUSINESS DR
  - 2 - 59030454401 - 4936 S BUSINESS DR
  - 3 - 59030454402 - 4946 S BUSINESS DR

**NOTE:**  
THE AREA WITHIN THE MUNICIPAL BOUNDARY OF THE CITY OF SHEBOYGAN SOUTH OF THE SOUTH LINE OF THE WARRANTY DEED RECORDED AS DOCUMENT 1813514 AND WEST OF SOUTH BUSINESS DRIVE / C.T.H. "OK" IS CURRENTLY A CITY ISLAND AND IS NOT CONNECTED TO THE CITY LANDS EAST OF SOUTH BUSINESS DRIVE / C.T.H. "OK". THE APPROVAL AND RECORDING OF THIS ANNEXATION WILL ELIMINATE THAT AREA BEING AN ISLAND.

PREPARED BY: MICHAEL P. BORN, PLS  
REVIEWED BY: TYLER D. HILL, CST  
REV: N/A

BEARINGS ARE REFERENCED TO THE NORTH  
LINE OF LOT 1 OF CSM VOL 28 - PGS 322-330  
RECORDED AS S87°52'52"E  
(SHEBOYGAN COUNTY COORDINATES - NAD83 (1991))

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## PROPOSED ANNEXATION LEGAL DESCRIPTION

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PREPARED BY: MICHAEL P. BORN, PLS      REVIEWED BY: TYLER D. HILL, CST

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