



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of August 20, 2015

Certified Survey Map

RECOMMENDATION: City Development Staff recommends approval of the proposed Certified Survey Map, subject to the conditions in the draft resolution.

Project Name:	Creative Homes, Inc. Certified Survey Map
Project Address:	Approximately 8011 South 76 th Street
Applicant:	Rick Przybyla, Creative Homes, Inc.
Owners (property):	Creative Homes, Inc.
Current Zoning:	R-6 Suburban Single Family Residence District
2025 Future Land Use:	Residential
Use of Surrounding Properties:	Single-family residential to the north, south and west and multi-family residential to the east
Applicant Action Requested:	Approval of the Certified Survey Map

INTRODUCTION:

On July 14, 2015, the applicant filed a Certified Survey Map (CSM) Application with the Department of City Development, requesting to divide a 2.04-acre property into four separate lots.

The existing parcel, Parcel 1 of Certified Survey Map No. 3504, was created in 1978. The property owner recently razed the buildings on the property, so the property is now vacant.

Proposed lots 1, 2 and 3 all have 92.12 feet of frontage adjacent to S. 76th Street and an area of 22,106 square feet. Proposed lot 4 is about the same size with frontage of 92.11 feet and an area of 22,103 square feet.

The proposed lots meet the minimum development standards of the R-6 District, including but not limited to, exceeding the 11,000 square foot minimum lot area and the 90-foot minimum lot width requirements. It can be noted that the adjacent lots zoned R-6 range in size from approximately 38,333 square feet to approximately 10,454 square feet. Seven of the nine lots directly abutting the subject parcel, are between 10,454 square feet and 12,197 square feet.

Utilities, Infrastructure and Access

Public sewer and water service is located adjacent to this property within the right-of-way of South 76th Street. Connection to these services will be required for any new development.

Private utilities (gas, electric, telephone, etc.) are also located adjacent to the subject property.

The applicant has provided an email from the Milwaukee County Department of Transportation indicating that the County does not object to four new ingress/egress locations to South 76th Street at this location. Please note that this does not constitute final approval, which will be required prior to the issuance of a permit from Milwaukee County for work within the right-of-way.

Natural Resource Protection Plan

The applicant has provided a letter, dated June 12, 2015, from Wetland & Waterway Consulting, LLC stating that the site does not contain any protected natural resources including, steep slopes, woodlands, lakes, ponds, streams, shore buffers, floodplains, and wetlands.

Consistency with the Comprehensive Master Plan

The proposed Certified Survey Map is consistent with the City of Franklin Comprehensive Master Plan. It can be noted that the Plan's Future Land Use Map identifies the subject area's future land use as single-family residential.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the proposed Certified Survey Map, subject to the conditions in the draft resolution.

RESOLUTION NO. 2015-_____

A RESOLUTION CONDITIONALLY APPROVING A 4 LOT CERTIFIED SURVEY MAP, BEING A RE-DIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 3504, BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN
(CREATIVE HOMES, INC., APPLICANT)
(8011 SOUTH 76TH STREET)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a re-division of Parcel 1 of Certified Survey Map No. 3504, being a part of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 8011 South 76th Street, bearing Tax Key No. 803-9980-001, Creative Homes, Inc., applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Creative Homes, Inc., as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the

CREATIVE HOMES, INC. – CERTIFIED SURVEY MAP
RESOLUTION NO. 2015-_____

Page 2

City of Franklin Design Standards and Construction Specifications and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

4. Creative Homes, Inc., successors and assigns, and any developer of the Creative Homes, Inc. 4 lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Creative Homes, Inc. and the 4 lot certified survey map project for the property located at 8011 South 76th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

6. [other conditions, etc.]

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, Creative Homes, Inc., be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owner, Creative Homes, Inc., with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

CREATIVE HOMES, INC. – CERTIFIED SURVEY MAP
RESOLUTION NO. 2015-_____

Page 3

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

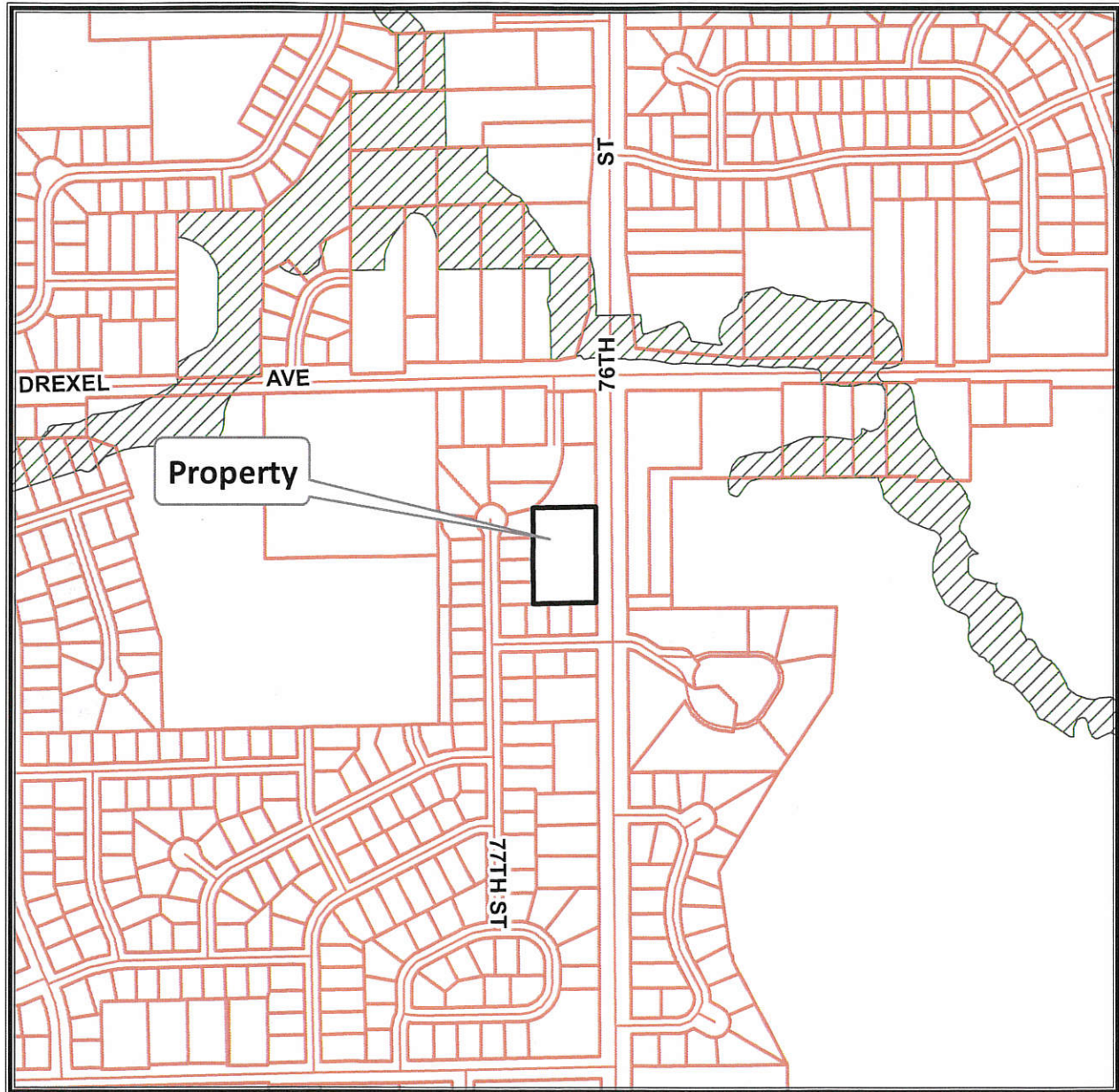
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



City of Franklin

TKN 803-9980-001
8011 South 76th Street



Planning Department
(414) 425-4024

0 370 740 1,480 Feet

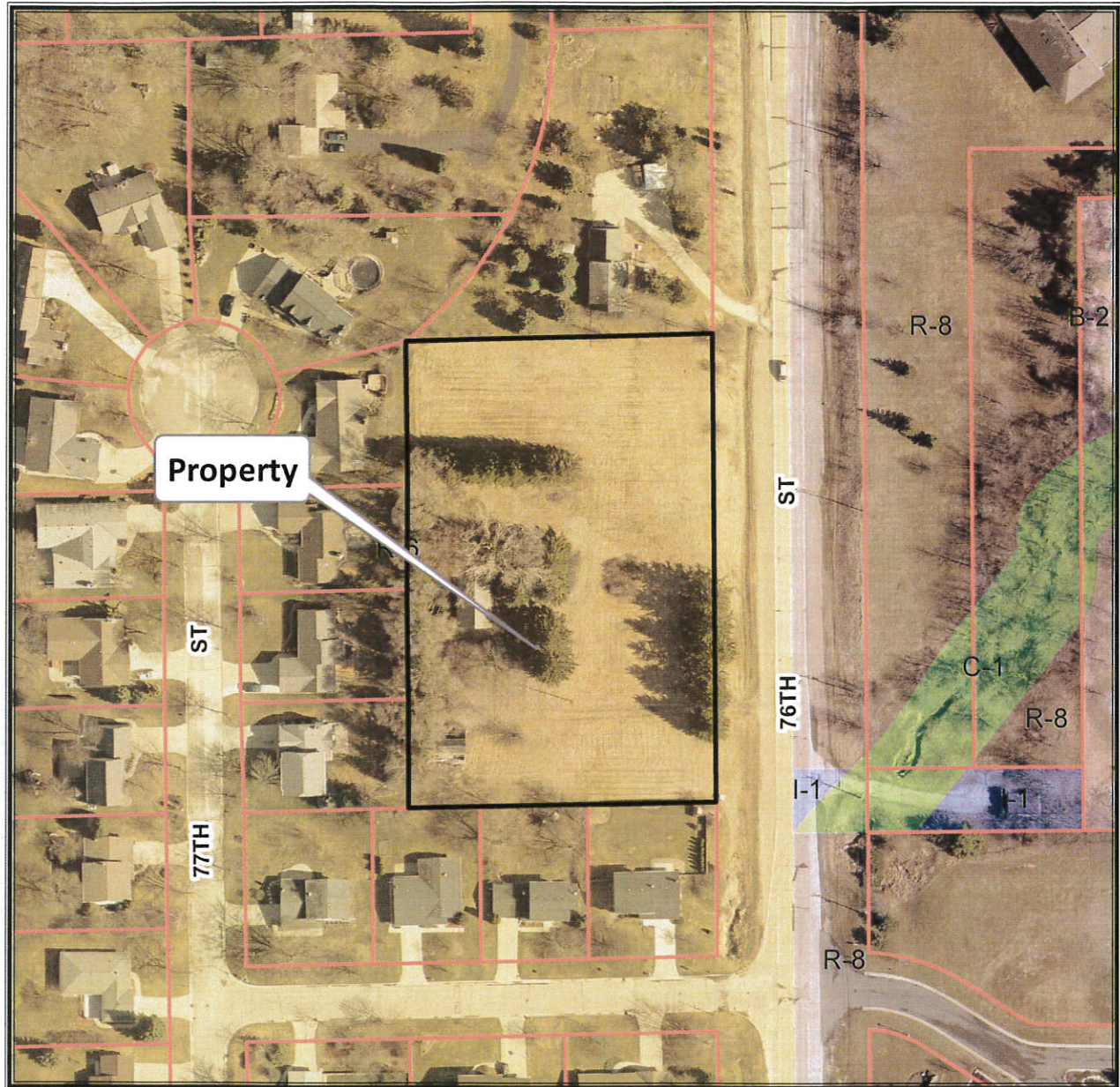
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



2013 Aerial Photo



TKN 803-9980-001
8011 South 76th Street



Planning Department
(414) 425-4024

0 75 150 300 Feet

This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



2013 Aerial Photo

From: Singleton, Vernon
Sent: Monday, August 10, 2015 8:45 AM
To: 'rickprzybyla@hotmail.com' <rickprzybyla@hotmail.com>
Subject: FW: 8011 S. 76th St - Ingress and Egress

Rick,

See previous thread.

From: Singleton, Vernon
Sent: Monday, August 10, 2015 7:58 AM
To: 'creativehomesinc@wi.rr.com' <creativehomesinc@wi.rr.com>
Subject: 8011 S. 76th St - Ingress and Egress

Rick,

Milwaukee County does not have any objections to granting four Ingress and Egress locations at 8011 S. 76th Street. For final approval you must submit a complete plan set for any proposed installations, removals, relocations or abandonment of structures and/or facilities under, upon, or over any public way listed in Section 68.01 of the Milwaukee County Ordinances. The plan(s) must be submitted and approved as required by the Director of Transportation prior to the issuance of a permit for work within Milwaukee County Right of Way.

Plans shall also include any existing structures and/or facilities used, occupied, maintained or abandoned in pursuance of a permit, resolution, ordinance upon or over any public way listed in Section 68.01 of the Milwaukee County Ordinances as requested by the Director of Transportation.

The plans shall include all drawings, profiles, plans and detail drawings necessary to clearly indicate the limits of the work, the number, location, character, extent and amount of space occupied by the structure and/or facility. The site plan shall show all driveways, intersections and median openings, and existing utilities such as storm sewer inlets and manholes, street lighting, utility poles and hydrants in the vicinity of the site.

We anticipate and would appreciate your full cooperation in this matter. Contact me at this office if you have any questions.

Your continued cooperation is appreciated,

Vernon D. Singleton

Construction Coordinator

Milwaukee County DOT - Transportation Services

10437 W Innovation Dr., Suite 560

Wauwatosa, WI 53226

Phone: 414-257-5947

Fax: 414-257-5950

Email: vernon.singleton@milwaukeecountywi.gov

This message is intended for the sole use of the individual and entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended addressee, nor authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, disclose or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email and delete the message.

Franklin

AUG 6 2015

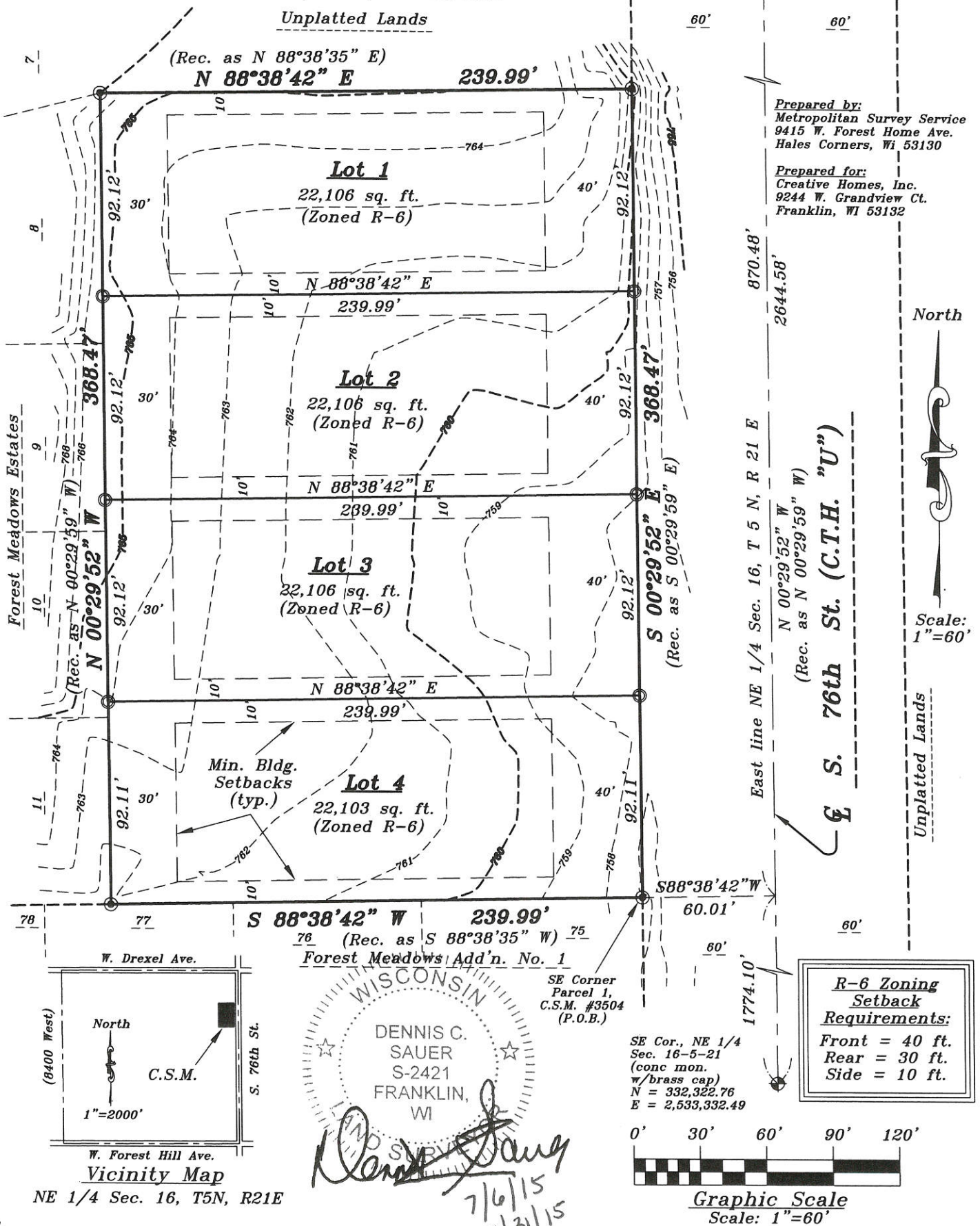
City Development

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Parcel 1 of Certified Survey Map No. 3504,
being a part of the Northeast 1/4 of the Northeast 1/4 of
Section 16, Township 5 North, Range 21 East, in the City of Franklin,
Milwaukee County, Wisconsin.

Notes:

- — Denotes iron pipe found and accepted.
 - — Denotes 1" x 24" iron pipe set.
- Map bearings refer to Grid North of the Wisconsin State Plane Co-ordinate System, South Zone (NAD-27), with the East line of the NE 1/4 of Sec. 16, T5N, R21E having an assumed bearing of N 0°29'52" W.
Lands in this map are served by Sanitary Sewer and Water.



CERTIFIED SURVEY MAP NO. _____

Being a redivision of Parcel 1 of Certified Survey Map No. 3504, being a part of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:


That I have surveyed, a redivision of Parcel 1 of Certified Survey Map No. 3504, being a part of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; Commencing at the Southeast corner of said Northeast 1/4; thence N 00° 29' 52" W along the East line of said Northeast 1/4 and centerline of South 76th Street, 1774.10 feet to a point; thence S 88° 38' 42" W, 60.01 feet to a point on the West line of South 76th Street and the Southeast corner of Parcel 1 of said Certified Survey Map No. 3504, said point being the point of beginning of lands to be described; thence continuing S 88° 38' 42" W, 239.99 feet to a point; thence N 00° 29' 52" W, 368.47 feet to a point; thence N 88° 38' 42" E, 239.99 feet to a point on the West line of said South 76th Street, thence S 00° 29' 52" E along said West line, 368.47 feet to the point of beginning. Said lands containing 88,421 square feet (2.03 acres).

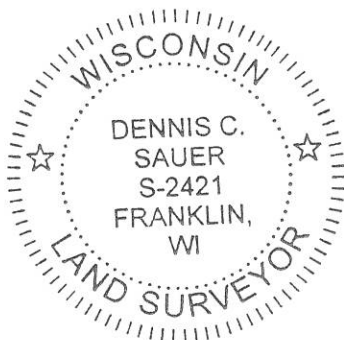
That I have made such survey, land division and map by the direction of, Creative Homes, Inc., owner of said land.

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

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the Unified Development Ordinance - Division 15, of the City of Franklin Municipal Code in surveying, dividing and mapping the same.

JULY 6, 2015
Date


Dennis C. Sauer
Professional Land Surveyor S-2421



PREPARED FOR:
Creative Homes, Inc.
9244 W. Grandview Ct
Franklin, WI 53132

PREPARED BY: Dennis C. Sauer
Metropolitan Survey Service
9415 W Forest Home Ave #202
Hales Corners, WI 53130

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Parcel 1 of Certified Survey Map No. 3504, being a part of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

As owner, Creative Homes, Inc., do hereby certify that I have caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of Chapter 236.34 of the Wisconsin State Statutes and Unified Development Ordinance - Division 15, of the City of Franklin Municipal Code.

WITNESS the hand and seal of said owners this _____ day of _____, 20____.

Rick Przybyla, President

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20____ Rick Przybyla, President, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public
State of Wisconsin
My Commission Expires: _____

COMMON COUNCIL APPROVAL

APPROVED and accepted by the Common Council of the City of Franklin, Resolution No. _____, on this _____ day of _____, 20____.

Stephen Olson, Mayor
City of Franklin

Sandra L. Wesolowski, Clerk
City of Franklin

THIS INSTRUMENT WAS DRAFTED BY:
Dennis C Sauer, P.L.S. S-2421

