

NOTICE OF MEETING

VILLAGE OF FOX POINT PLAN COMMISSION

SCHWEMER HALL - MUNICIPAL BLDG.
7200 N. SANTA MONICA BLVD
FOX POINT, WI 53217

Tuesday
January 2, 2023
5:45 P.M.

NOTE: THE PLAN COMMISSION WILL BE MEETING IN PERSON AT VILLAGE HALL, WITH A REMOTE ATTENDANCE OPTION, PER THE HYBRID MEETING PROCEDURES FURTHER DESCRIBED IN SECTION 19-32 D. OF THE VILLAGE CODE. THIS MEETING IS OPEN TO ALL CITIZENS IN PERSON AT VILLAGE HALL, OR THROUGH THE ZOOM PARTICIPANT INFORMATION SHOWN BELOW, SUBJECT TO THE FOLLOWING: NO ASSURANCE IS PROVIDED TO THOSE PLAN COMMISSION MEMBERS AND CITIZENS INTENDING TO ATTEND REMOTELY THAT THE TECHNOLOGY WILL PERFORM SUFFICIENTLY TO ALLOW FOR THEIR PARTICIPATION AND THE MEETING WILL PROCEED REGARDLESS. PUBLIC OFFICIALS AND CITIZENS WISHING TO ENSURE THEY CAN PARTICIPATE ARE ENCOURAGED TO ATTEND IN PERSON. CITIZENS ARE ENCOURAGED TO SUBMIT ANY COMMENTS IN WRITING IN ADVANCE OF THE MEETING TO THE VILLAGE MANAGER AT sbotcher@villageoffoxpoint.com

Zoom Participant Information

<https://us02web.zoom.us/j/88960644469>

Dial: (312) 626-6799
Meeting ID: 820 6075 9265

AGENDA

1. Roll Call.
2. Approval of the minutes of the December 4, 2023 Plan Commission meeting.
3. Review and Recommendation RE: Land Combination for 6990 N Barnett Lane, Fox Point. Land Combination for 6990 N Barnett Lane, Fox Point. The Plan Commission will discuss, and may make a recommendation to the Village Board concerning a combination of lots at 6990 N Barnett Lane, tax key #129-0035-000.
4. Adjourn.

NEXT PLAN COMMISSION MEETING:

Monday, February 5, 2024

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request these services, contact the Village Clerk at 351-8900. It is possible that members of, and possibly a quorum of members of, other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

**VILLAGE OF FOX POINT
PLAN COMMISSION MEETING MINUTES
December 4, 2023**

A meeting of the Fox Point Plan Commission was held on Monday, December 4, 2023. President Symchych called the meeting to order at 5:45 p.m. and noted there was a quorum of Plan Commission members present.

The Plan Commission roll call was taken by Village Deputy Clerk-Treasurer Nathan Schafer:

Plan Commission:	President Christine Symchych, Chairman (Absent)
	Eric Fonstad, Commissioner, Acting Chair
	Robert Smith, Commissioner (Absent)
	Ted Durant, Commissioner
	Jay Craig, Commissioner
	William Langhoff, Commissioner
	Mark Freedman, Commissioner (Absent)

Staff present included Village Manager Scott Botcher and Deputy Clerk-Treasurer Nathan Schafer.

Notice of the meeting was provided to the North Shore Now as necessary, and to all others as required by State open meetings laws and posted on the official bulletin board at 7200 N Santa Monica Boulevard, as well as the village website at www.villageoffoxpoint.com, as per 2015 Wisconsin Act 79 and as described in Village Ordinance Chapter 116-2, 116-2(C).

Approval of the Minutes of the October 2nd, 2023 Plan Commission Meeting

Motion by Commissioner Craig, seconded by Commissioner Langhoff, and carried with a 4-0 vote, the Commission approved the minutes of the October 2nd, 2023 Plan Commission meeting.

Consideration by Plan Commission RE: Conditional Use Permit for 8797 N Port Washington Road – Good Land Fitness, LLC

Motion by Commissioner Langhoff, seconded by Commissioner Durant, and carried unanimously by roll call vote 4-0. The Commission recommended the Village Board approve the conditional use permit with an amendment to conditional use order to add language stating operate a CrossFit gym providing fitness classes to the general public and related services, including the incidental sale of related merchandise.

Consideration by Plan Commission Re: Conditional Use Permit for 7950 N Santa Monica Blvd. – The Town Club

Motion by Acting Chair Fonstad, seconded by Commissioner Langhoff, and carried unanimously by roll call vote 4-0. The Commission recommended the Village Board approve conditional approval of the conditional use permit with an amendment to the language of the conditional use order adding that the continued use of tennis be allowed. In addition, the use of windscreens be used to reduce the sound by half. The commission found that the four standards of village ordinances have been met and is appropriate in the location proposed, that it is compatible with the neighborhood, that it is not detrimental to property

**VILLAGE OF FOX POINT
PLAN COMMISSION MEETING MINUTES
December 4, 2023**

values, and keeps with the residential character and quality of the Village.

Consideration by Plan Commission RE: Land Combination for The Town Club, 7950 N Santa Monica Blvd., Fox Point.

Motion by Commissioner Durant, seconded by Trustee Fonstad, and carried unanimously by roll call vote 4-0; the Commission recommended the Village Board approve the combination of the parcels, subject to the Town Club submitting an appropriate plat of survey for each parcel as they currently exist and that the preliminary Certified Survey Map (CSM) be considered as final.

Adjourn

On motion of Commissioner Langhoff, seconded by Commissioner Durant and carried unanimously by roll call vote 7-0, the Plan Commission meeting adjourned at 6:28 PM.

Respectfully Submitted,

Nathan Schafer
Deputy Clerk-Treasurer



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

To: Village of Fox Point Plan Commission
From: Scott Brandmeier, Director of Public Works
Through: Scott Botcher, Village Manager *SMB*
Date: December 20, 2023
Re: Land Combination – 6990 North Barnett Lane

An application was submitted by Samantha Hill and Jason Givan, owners of the property at 6990 North Barnett Lane, to combine the lots on their properties. The parcels include the original lot as well as the vacated portion of Green Tree Road. The Applicant is requesting that the two parcels as shown on the Plat of Survey (Attachment A) be combined and that one lot be created as shown on the Certified Survey Map (CSM) (Attachment B). The Applicant has submitted this application in accordance with Section 738 of the Village Code.

Based upon correspondence from the Village Attorney, it is my understanding that the application requires a filing fee (\$300) and the appropriate CSM but does not require an appraisal as it is a land combination nor notice to property owners within 500 feet of the proposed land combination. As the filing fee has been paid and the Plat of Survey and CSM have been submitted depicting the land combination, it appears that the requirements for the land combination have been met and, therefore, is referred to the Plan Commission for action on the matter.

PAGE 1 OF 3

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between Maria E. Hong

and Jason D. Givan and Samantha E. Hill ("Grantor," whether one or more)

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Milwaukee County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Lot, 1 except the Southwesterly 83 feet thereof, Block 1 in Lake View Highlands, being a part of the Lots 2 and 3 in Fractional Section 21, Township 8 North, Range 22 East, in the Village of Fox Point, County of Milwaukee, State of Wisconsin together with that portion of vacated E Green Tree Road adjacent to the North Except that portion of said E Green Tree Road described in Document No. 5219930

DOC # 11365738
RECORDED
09/11/2023 12:01 PM
ISRAEL RAMON
REGISTER OF DEEDS
Milwaukee County, WI
AMOUNT: 30.00
TRANSFER FEE: 45,000.00
FEE EXEMPT: 0.00
This document has been electronically recorded and returned to the submitter.

Recording Area

Name and Mailing Address
Jason Givan
6900N Broadway
Box 9040 - WIS 53217

1200035000

Record Identification Number (PIN)

Electronic Recording
(if not, please print)

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except municipal and zoning ordinances, recorded building and use restrictions and covenants and taxes levied in the year of closing

Dated 8/14/23

(SEAL) Johnny C. Hong (SEAL) Maria E. Hong
(SEAL) (SEAL)

AUTHENTICATION

Signature(s) _____
authenticated on _____

TITLE MEMBER STATE BAR OF WISCONSIN
(If not, authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY
Mary Oldenburg - Reactive Life Solutions LLC

ACKNOWLEDGEMENT

STATE OF WISCONSIN)
See Attached)
COUNTY)

Personally came before me on _____
the above named Maria E. Hong
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

PAGE 2 of 3

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between Johnny C. Hong

and Jason D. Givan and Samantha E. Hill ("Grantor," whether one or more)

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Milwaukee County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Lot, 1 except the Southwesterly 83 feet thereof, Block 1 in Lake View Highlands, being a part of the Lots 2 and 3 in Fractional Section 21, Township 8 North, Range 22 East, in the Village of Fox Point, County of Milwaukee, State of Wisconsin, together with that portion of vacated E Green Tree Road adjacent to the North Except that portion of said E Green Tree Road described in Document No. 5219930.

Recording Fee:

Name and Return Address:

Jason Givan

68808 - North Lake

Box 4000 - WI 53207

1250185000

Parcel Identification Number (PIN)

Use is Not

Designate Property:

(A) (B) (C)

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except municipal and zoning ordinances, recorded building and use restrictions and covenants and taxes levied in the year of closing.

Dated 8-12-2023

* Johnny C. Hong

(SEAL)

(SEAL)

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) _____

authenticated on _____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Mary Oldenburg - Proactive Title Solutions, LLC

ACKNOWLEDGEMENT

STATE OF WISCONSIN

Lebanon

COUNTY

Personally came before me on 12 August 2023
the above-named Johnny C. Hong

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same as the Commonwealth of Pennsylvania - Notary Public

Kristen L. Phillips Notary Public, State of Wisconsin
My Commission Expires January 15, 2027
Commission Number 1247611

My Commission (is permanent) (expires: January 15, 2027)

(Signatures may be authenticated by acknowledgment. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

Page 3 of 3

CLEAR

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Los Angeles)

On August 14, 2023 before me, Powel Vartanian, Notary Public

Date

Here Insert Name and Title of the Officer

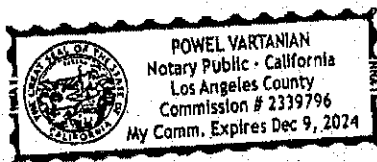
Personally appeared _____

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature _____

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document Warranty Deed Document Date _____

Number of Pages _____ Signer(s) Other Than Named Above _____

Capacity(ies) Claimed by Signer(s)

Signer's Name _____

- ☐ Corporate Officer—Title(s) _____
☐ Partner ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other _____

Signer's Name _____

- ☐ Corporate Officer—Title(s) _____
☐ Partner ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other _____

Signer Is Representing _____

Signer Is Representing _____

Exhibit A
Plat of Survey

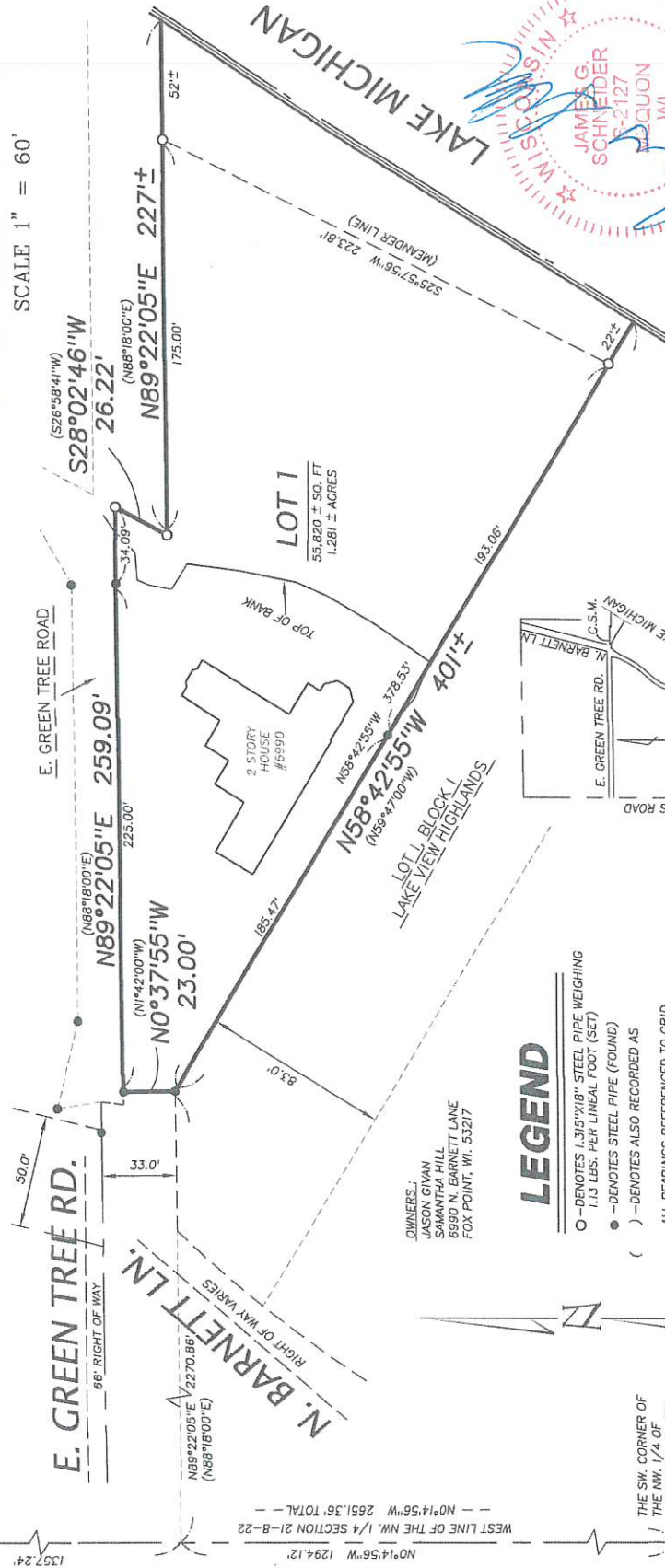
Exhibit B
Certified Survey Map

NISE
NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Pearl Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337
www.northshoreengineering.net

THE NW. CORNER OF
THE NW. 1/4 OF
SECTION 21-8-22
CONC. MONUMENT
WITH BRASS CAP



SCALE 1" = 60'



NOTES:

1. THIS PROPERTY IS ALSO SUBJECT TO EASEMENTS OF RECORD.
2. THIS PROPERTY IS PRESENTLY ZONED A-1 (RESIDENTIAL DISTRICT)

LOCATION MAP

NORTHWEST 1/4 SEC. 21-8-22
(SCALE 1"=2000')

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 1 OF 4 SHEETS

LEGEND

- — DENOTES 1.315"X18" STEEL PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT (SET)
● — DENOTES STEEL PIPE (FOUND)
) — DENOTES ALSO RECORDED AS

ALL BEARINGS REFERENCED TO GRID
NORTH OF THE WISCONSIN STATE
PLANE COORDINATE SYSTEM, SOUTH ZONE
(WEST LINE OF THE NW. 1/4 OF SECTION
21-8-22 WHICH BEARS N0°14'56"W)
(DATUM NAD83/2011)



CERTIFIED SURVEY MAP NO. _____

PART OF LOT 1, BLOCK 1 IN "LAKE VIEW HIGHLANDS" AND THE VACATED PORTION OF E. GREEN TREE ROAD LYING NORTH AND ADJACENT TO SAID LOT 1, BEING PART OF THE SOUTHEAST 1/4 OF THE FRACTIONAL NORTHWEST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4 OF SECTION 21, TOWN 8 NORTH, RANGE 22 EAST, IN THE VILLAGE OF FOX POINT, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped the following parcel of land:

Part of Lot 1, Block 1, Lake View Highlands and the vacated portion of E. Green Tree Road lying North and adjacent to said Lot 1, being a part of the Southeast 1/4 of the Fractional Northwest 1/4 and part of the Southwest 1/4 of the Fractional Northeast 1/4 of Section 21, Town 8 North, Range 22 East, in the Village of Fox Point, Milwaukee County, Wisconsin, bounded and described as follows:

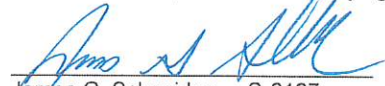
Commencing at the Southwest corner of the Fractional Northwest 1/4 of said Section 21; thence N0°14'56"W along the West line of said 1/4 Section, 1294.12 feet; thence N89°22'05"E, 2270.86 feet to a point on the North line of the aforementioned Lot 1, said point also being the Southwest corner of vacated E. Green Tree Road right of way and the point of beginning of lands to be described; thence N0°37'55"W along the west end of said vacated right of way, 23.00 feet; thence N89°22'05"E along the north line of said vacated right of way and parallel with the North line of the aforementioned Lot 1, 259.09 feet; thence S28°02'46"W, 26.22 feet to a point in the North line of said Lot 1; thence N89°22'05"E along the north line of said Lot 1, 175.00 feet to a meander point 52± feet from the West edge of Lake Michigan; thence S25°57'56"W along a meander line, 223.81 feet to a meander point 22± feet from the West edge of Lake Michigan, said point being 83.00 feet northeasterly as measured at right angles to the South line of the aforementioned Lot 1; thence N58°42'55"W, 83.00 feet from and parallel with the South line of said Lot 1, 378.53 feet to the point of beginning.

Said lands containing 1.281 acres of land, more or less, inclusive of lands lying between the meander line and the West edge of Lake Michigan.

That I have made such survey, land division, and plat at the direction of Jason D. Givan and Samantha E. Hill, OWNERS of said lands.

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 complied with, Chapter 236.34 of the Wisconsin Statutes and the Village of Fox Point Municipal Code in surveying and mapping the same.


James G. Schneider S-2127

12-15-2023



This instrument was drafted by James G. Schneider

CERTIFIED SURVEY MAP NO. _____

PART OF LOT 1, BLOCK 1 IN "LAKE VIEW HIGHLANDS" AND THE VACATED
PORTION OF E. GREEN TREE ROAD LYING NORTH AND ADJACENT TO SAID LOT
1, BEING PART OF THE SOUTHEAST 1/4 OF THE FRACTIONAL NORTHWEST 1/4
AND PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4 OF
SECTION 21, TOWN 8 NORTH, RANGE 22 EAST, IN THE VILLAGE OF FOX POINT,
MILWAUKEE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

We, Jason D. Givan and Samantha E. Hill, OWNERS, do hereby certify: THAT We have
caused the lands described in the foregoing certificate of James G. Schneider, Surveyor,
to be surveyed, divided and mapped.

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

Witness

Jason D. Givan

Witness

Samantha E. Hill

STATE OF WISCONSIN)

MILWAUKEE COUNTY)^{ss}

PERSONALLY came before me on this _____ day of _____, 20____
the above named Jason D. Givan and Samantha E. Hill to me known to be the persons
who executed the foregoing certificate and acknowledged the same.

Notary Public

My Commission expires. _____

CONSENT OF MORTGAGEE

JOHNSON BANK, existing under and by virtue of the laws of the State of Wisconsin,
mortgagee of the above-described land does hereby consent to the surveying, dividing
and mapping of the land described on this Certified Survey Map and does hereby
consent to the above certificate of Jason D. Givan and Samantha E. Hill, OWNERS.

In witness whereof, the said JOHNSON BANK has caused these presents to be signed
by _____, it's _____ at _____
_____, Wisconsin, this _____ day of _____, 20____.

IN THE PRESENCE OF:

JOHNSON BANK

By: _____

STATE OF WISCONSIN)

MILWAUKEE COUNTY)^{ss}

PERSONALLY came before me on this _____ day of _____, 20____
the above named by _____, to me known to be the person who
executed the foregoing certificate and acknowledged the same.

Notary Public

My Commission expires. _____

This instrument was drafted by James G. Schneider

Sheet 3 of 4 Sheets

