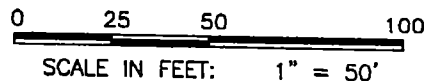


SHEET 1 OF 2

NORTH IS REFERENCED TO THE WISCONSIN
COORDINATE GRID SYSTEM, SOUTH ZONE.
THE SOUTH LINE OF THE NE 1/4 HAVING
A PUBLISHED BEARING OF S 89°28'00" W.

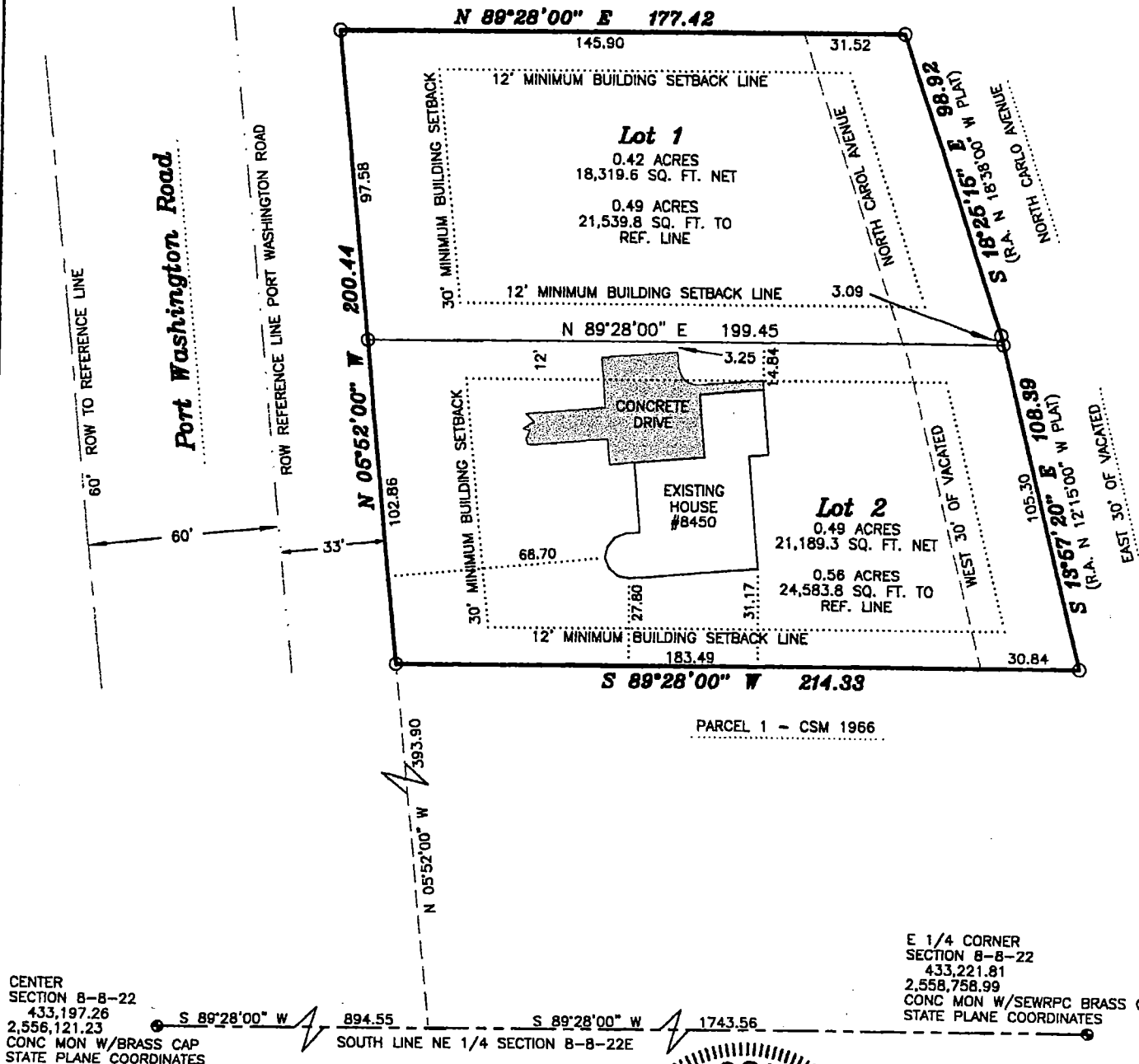
LARRY O. COOK
4497 PENISULA DRIVE
WEST BEND, WI 53095

○ - INDICATES A 1" X 18" IRON PIPE
WEIGHING NOT LESS THAN 1.13.LBS/FT SET.



SECTION 14.12 & 14.14 OF THE FOX
POINT ZONING ORDINANCE REQUIRES
20,000 SQUARE FEET OF LOT AREA FOR
A-3 ZONING, INCLUDING THE
RIGHT-OF-WAY AREA OF THE ADJACENT
ROAD. THIS IS MET FOR BOTH LOTS.

N 89°28'00" E 177.42



CENTER
SECTION 8-8-22
433,197.26
2,556,121.23
CONC MON W/BRASS CAP
STATE PLANE COORDINATES

E 1/4 CORNER
SECTION 8-8-22
433,221.81
2,558,758.99
CONC MON W/SEWRPC BRASS CAP
STATE PLANE COORDINATES

DATED THIS 9th DAY OF October, 2007.

-William G. Holme
WILLIAM G. HOLME, S-2772
REGISTERED LAND SURVEYOR



THIS INSTRUMENT WAS DRAFTED BY CONNIE L. BADER OF B & H SURVEYING LLC.

B & H. Surveying LLC 313. N. Main St., Suite A West Bend, WI 53095 (262)338-3600

JOB #070117/CL

Milwaukee County Certified Survey Map

SHEET 1 OF 2

Being all of Lot 14 and the West One Half of vacated North Carol Avenue adjacent to the said Lot 14 on the east in Fox Point Heights Subdivision in the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 8 North, Range 22 East in the Village of Fox Point, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE:

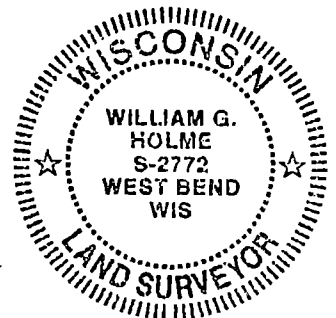
I, William G. Holme, Registered Land Surveyor, hereby certify that by the direction of Larry O. Cook, that I have surveyed, divided, and mapped the land shown and described hereon, being all of Lot 14 and the West One Half of vacated North Carol Avenue adjacent to the said Lot 14 on the east in Fox Point Heights Subdivision in the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 8 North, Range 22 East in the Village of Fox Point, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the East Quarter corner of Section 8; thence N 89°28'00" W along the south line of the NE 1/4 of said section, 1743.56 feet; thence N 05°52'00" W, 393.90 feet to a point on the south line of Lot 14 of Fox Point Heights Subdivision and being the place of beginning of lands herein described; thence continuing N 05°52'00" W along the west line of said Lot 14, 200.44 feet to a point on the north line of said Lot 14; thence N 89°28'00" E along said north line, 177.42 feet; thence S 18°25'15" E, 98.92 feet; thence S 13°57'20" E, 108.39 feet to a point on said south line of said Lot 14; thence S 89°28'00" W along said south line; 214.33 feet to the place of beginning.

Containing 0.91 acres (39,508.9 square feet more or less).

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Fox Point Land Division Ordinance in surveying, dividing, and mapping of said land, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

DATED THIS 9th DAY OF October, 2007. William G. Holme
WILLIAM G. HOLME, S-2772
REGISTERED LAND SURVEYOR



OWNER'S CERTIFICATE:

As owners, we hereby certify that I caused the land shown and described herein to be surveyed, divided, and mapped as represented on this Certified Survey Map. I also certify that this map is required by s.236.10 or s.236.12 to be submitted to the following for approval or rejection:

VILLAGE OF FOX POINT PLAN COMMISSION & VILLAGE OF FOX POINT VILLAGE BOARD

Larry O. Cook
LARRY O. COOK - OWNER

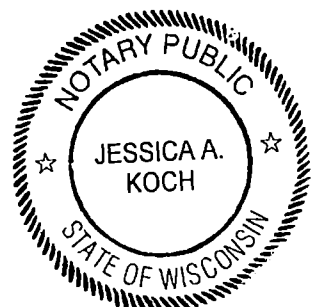
STATE OF WISCONSIN)

Washington COUNTY)ss

Subscribed and sworn to before me this 25 day of October, 2007.

Jessica A. Koch Notary Public, Washington County, Wisconsin.

My commission expires 5/1/2011.



CONSENT OF MORTGAGEE: (IF APPLICABLE)

As mortgagee of the land described on this map, we hereby consent to the surveying, dividing, and mapping of said land, and hereby consent to the certificate of the owner.

PRESIDENT (VICE)

SECRETARY (ASSISTANT)

STATE OF WISCONSIN)

COUNTY)ss

Subscribed and sworn to before me this _____ day of _____, 2007.

Notary Public, _____ County, Wisconsin.

My commission expires _____.

VILLAGE OF FOX POINT APPROVAL:

This land division is hereby approved by the Village of Fox Point Plan Commission as being in conformance with the Village Subdivision Ordinance this 16th day of November, 2007.

Michael A. West
MICHAEL A. WEST - VILLAGE PRESIDENT

Tanya O'Malley
VILLAGE CLERK

THIS INSTRUMENT WAS DRAFTED BY CONNIE L. BADER OF B & H SURVEYING LLC.

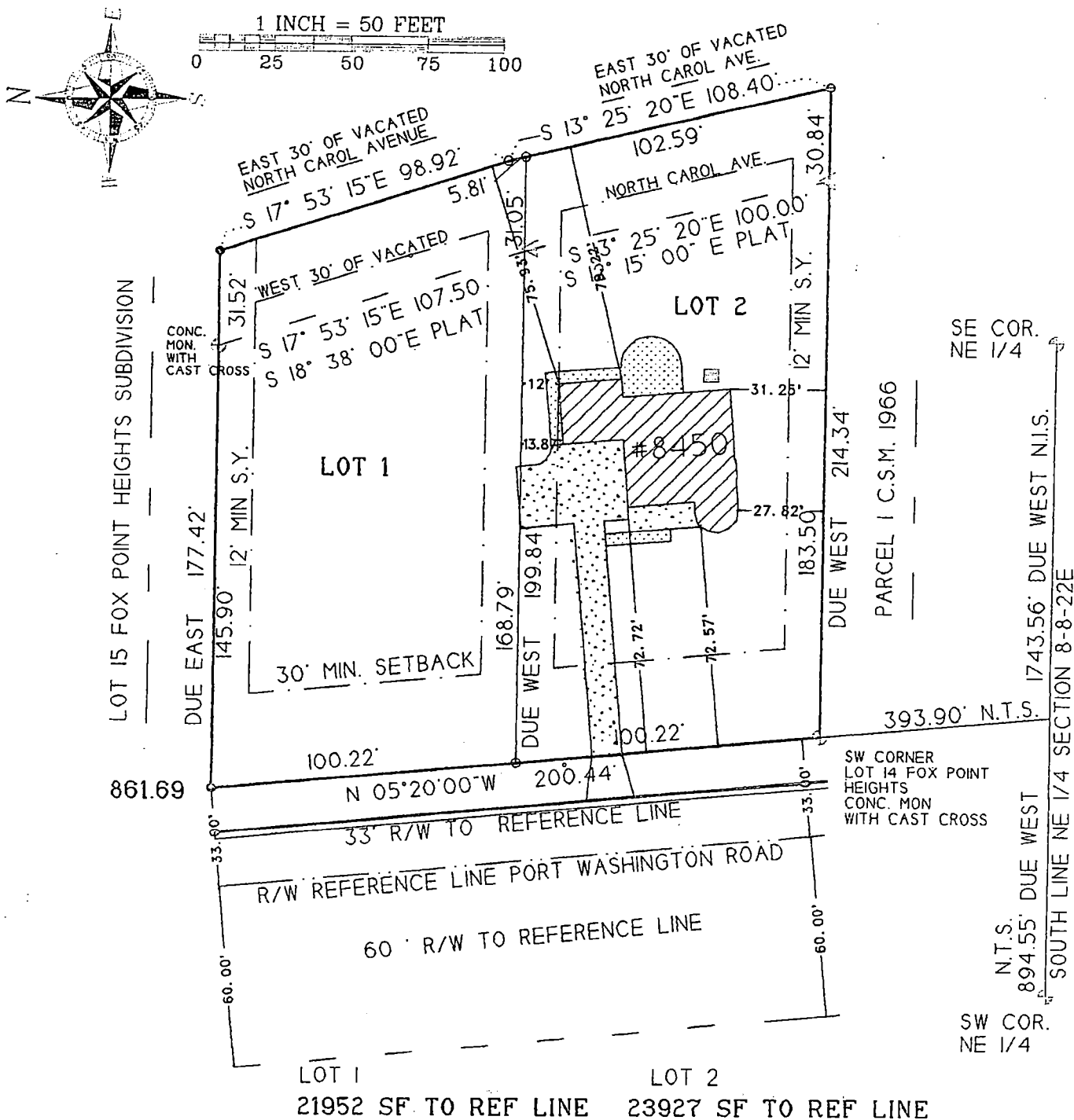
B & H Surveying LLC 313. N. Main St., Suite A West Bend, WI 53095 (262)338-3600

JOB #070117/CLB

CONCEPTUAL PLAT

CERTIFIED SURVEY MAP NUMBER _____

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 OWNER: LARRY OWEN COOK P.O. BOX 171005 MILWAUKEE WI 53217 414-352- 1682
 SURVEYOR: ROBERT N.RETZLAFF 4842 NORTH 88TH STREET. MILWAUKEE. WISCONSIN 53225 235-075



REGIONAL CONSULTING ENGINEERS, INC.
PROFESSIONAL ENGINEERS AND SURVEYORS

4842 NO. 88TH ST.

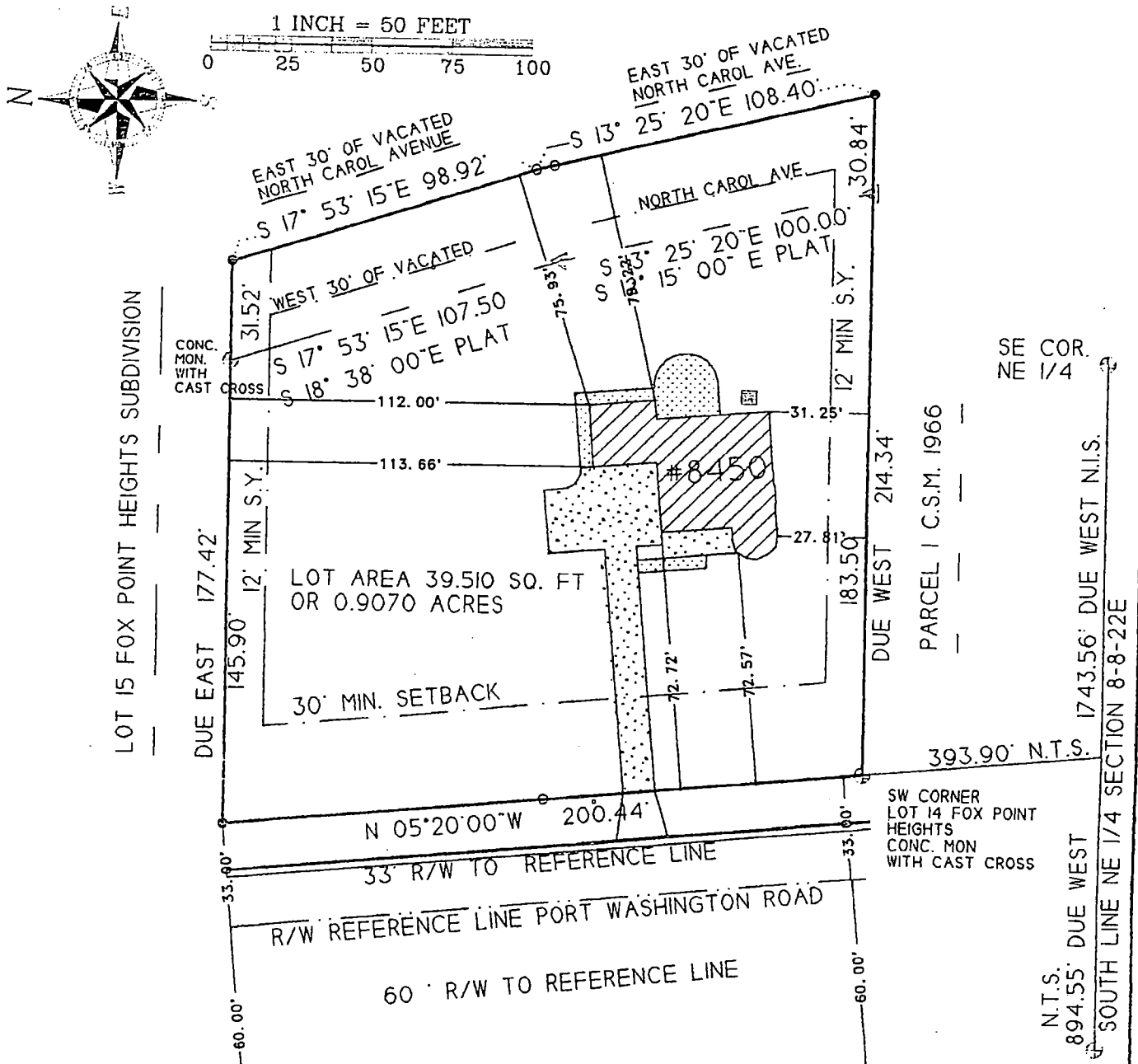
MILWAUKEE, WISCONSIN

PHONE 464-6101
FAX 464-6101
CELL 235-0752

Plat Of Survey

LEGAL DESCRIPTION

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4842 NO. 88TH ST.

MILWAUKEE, WISCONSIN

PHONE 464-6101

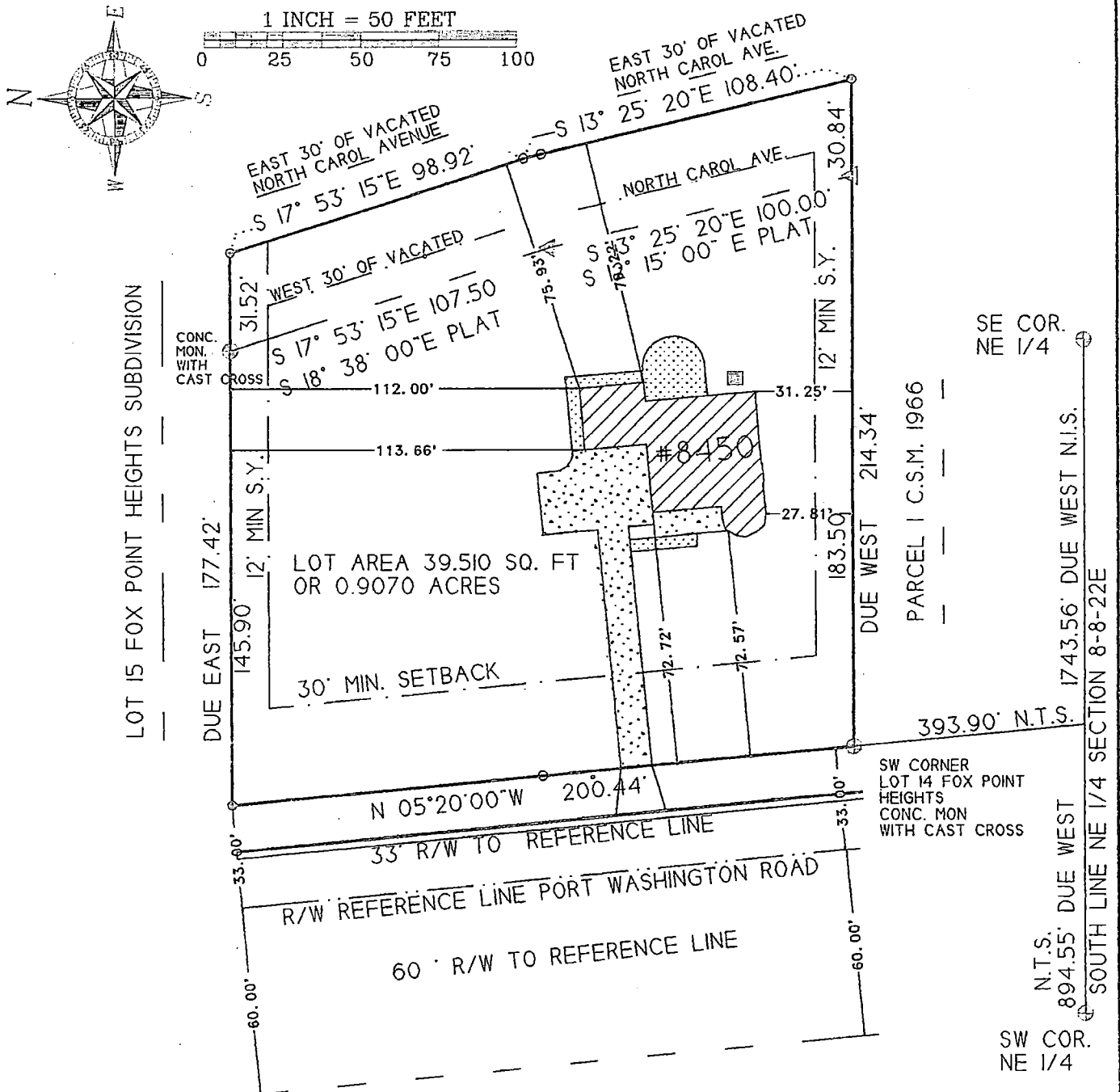
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CELL 235-0752

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OWNER: LARRY OWEN COOK P.O. BOX 171005 MILWAUKEE WI 53217 414-352-1682



STATE OF WISCONSIN } ss
COUNTY OF MILWAUKEE }

I HAVE SURVEYED THE ABOVE-DESCRIBED PROPERTY AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.
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DATED THIS 28TH DAY OF JANUARY 2006

WISCONSIN
ROBERT J. BETZLAFF
MILWAUKEE, WISCONSIN
SURVEYOR RLS-1035
JOB NO. 26040

REGIONAL CONSULTING ENGINEERS, INC.

PROFESSIONAL ENGINEERS AND SURVEYORS

4842 NO. 88TH ST.

MILWAUKEE, WISCONSIN

PHONE 464-6101

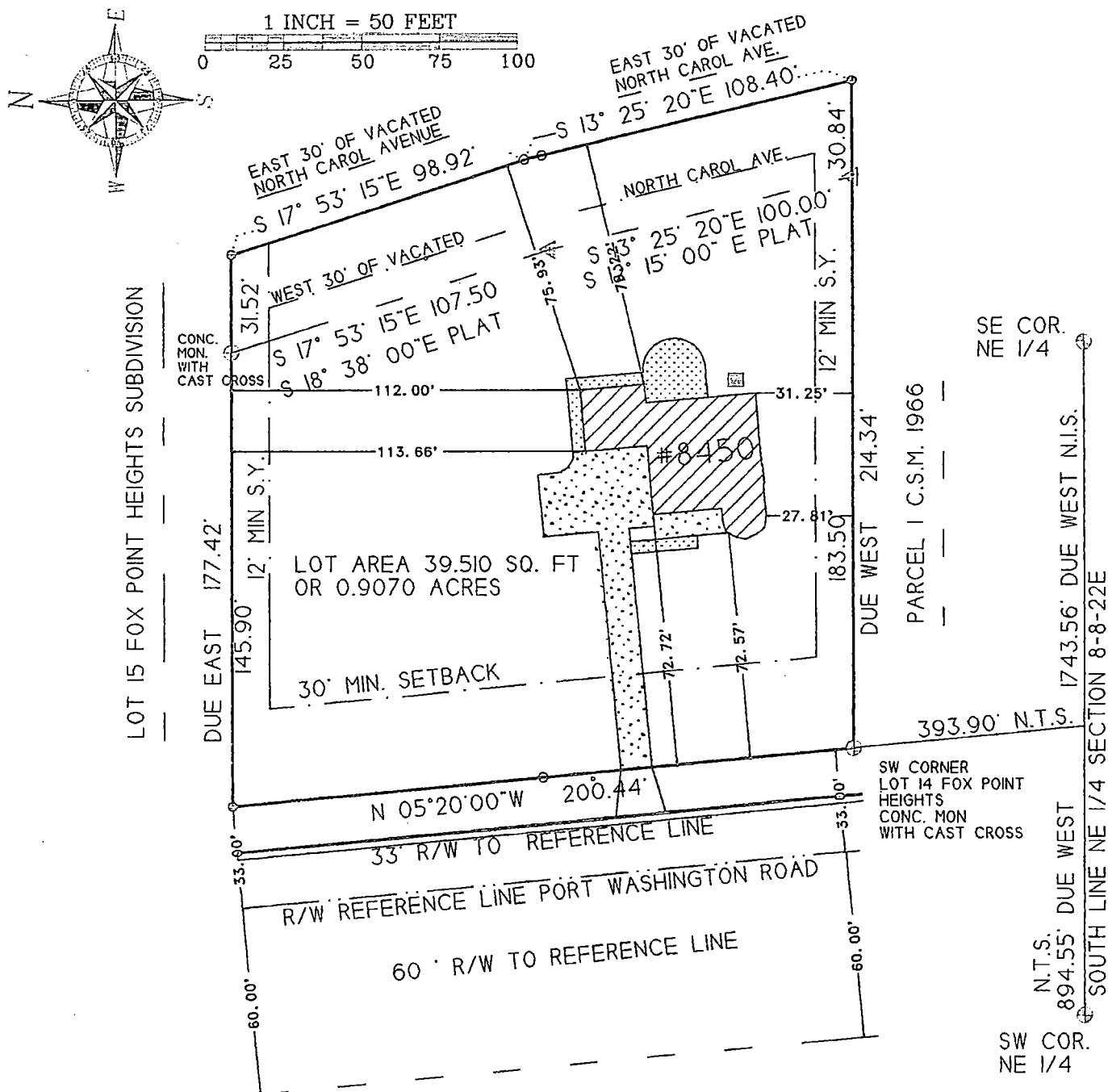
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CELL 235-0752

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STATE OF WISCONSIN }
COUNTY OF MILWAUKEE } SS

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DATED THIS 28TH DAY OF JANUARY 2006

WISCONSIN
MILWAUKEE
SURVEYOR RLS-1035
JOE R. KETZLOFF
JOB NO. 260105

REGIONAL CONSULTING ENGINEERS, INC.

PROFESSIONAL ENGINEERS AND SURVEYORS

4842 NO. 88TH ST.

MILWAUKEE, WISCONSIN

PHONE 464-6101

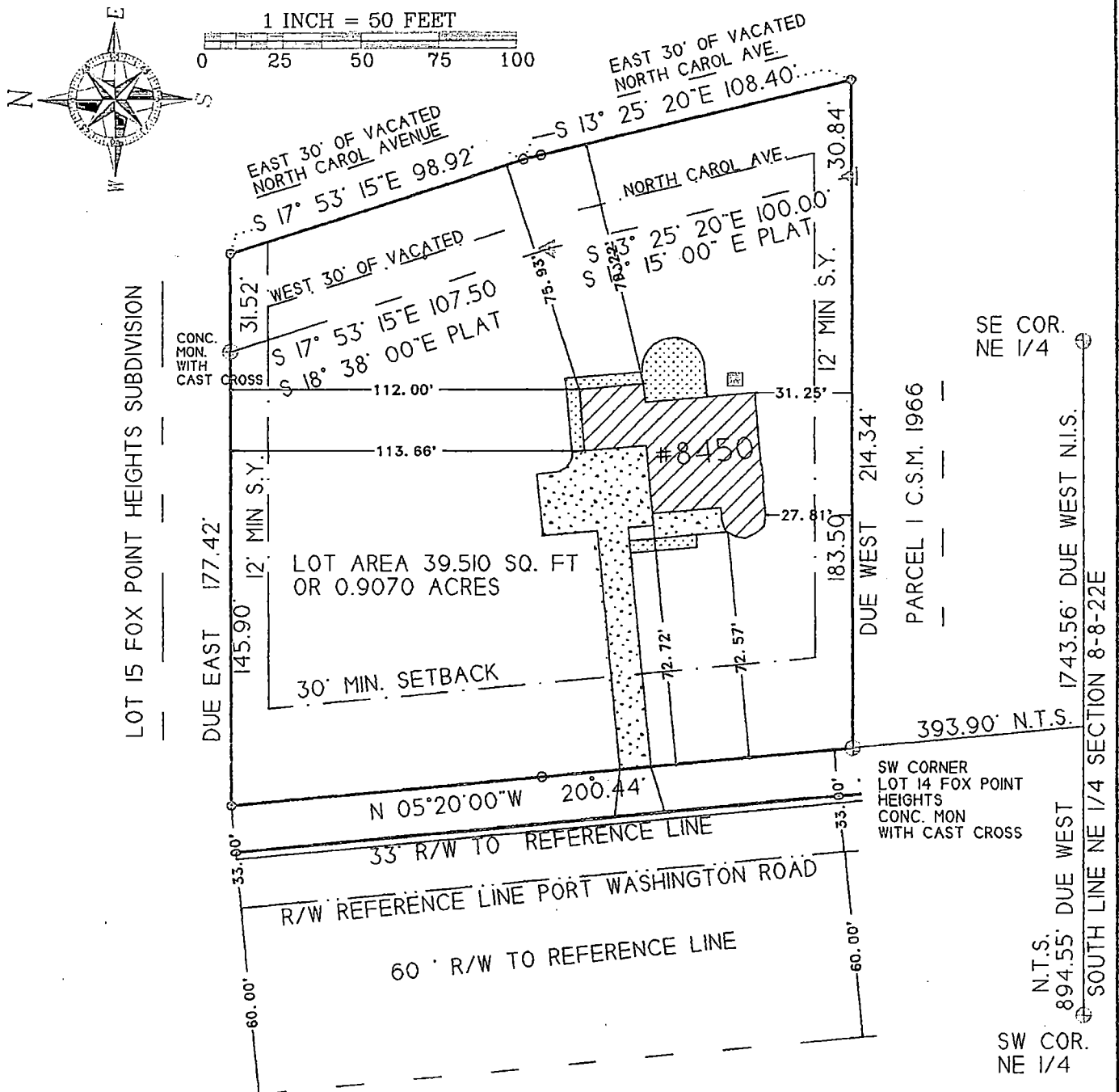
FAX 464-6101

CELL 235-0752

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STATE OF WISCONSIN }
COUNTY OF MILWAUKEE } SS

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DATED THIS 28TH DAY OF JANUARY 2006

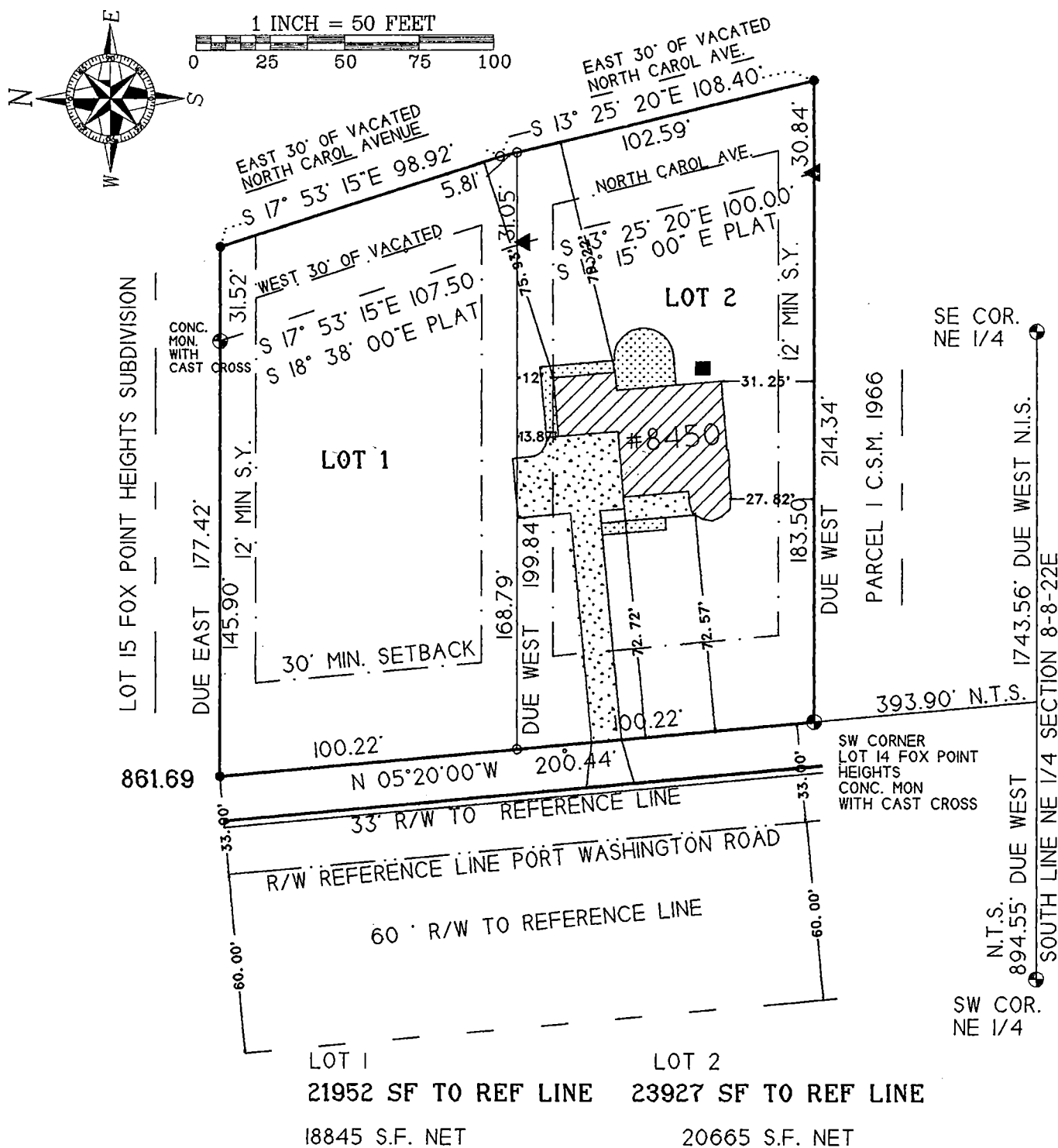
JOB NO.

WISCONSIN
ROBERT N. S. 1035
MILWAUKEE
SURVEYOR WISCONSIN 1035
260101
SURVEYOR

CONCEPTUAL PLAT

CERTIFIED SURVEY MAP NUMBER _____

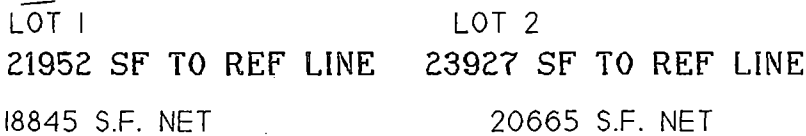
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 SURVEYOR: ROBERT N.RETZLAFF 4842 NORTH 88TH STREET. MILWAUKEE. WISCONSIN 53225 235-0752



SECTION 14.12 AND 14.14 OF THE FOX POINT ZONING ORDINANCE REQUIRES 20,000 SQUARE FEET OF LOT AREA FOR A-3 ZONING INCLUDING THE RIGHT OF WAY AREA OF THE ADJACENT ROAD. THIS IS MET FOR BOTH LOTS

1/28/2006

OWNER: LARRY OWEN COOK P.O. BOX 171005 MILWAUKEE WI 53217 414-352- 1682
SURVEYOR: ROBERT N.RETZLAFF 4842 NORTH 88TH STREET. MILWAUKEE. WISCONSIN 53225 235-075

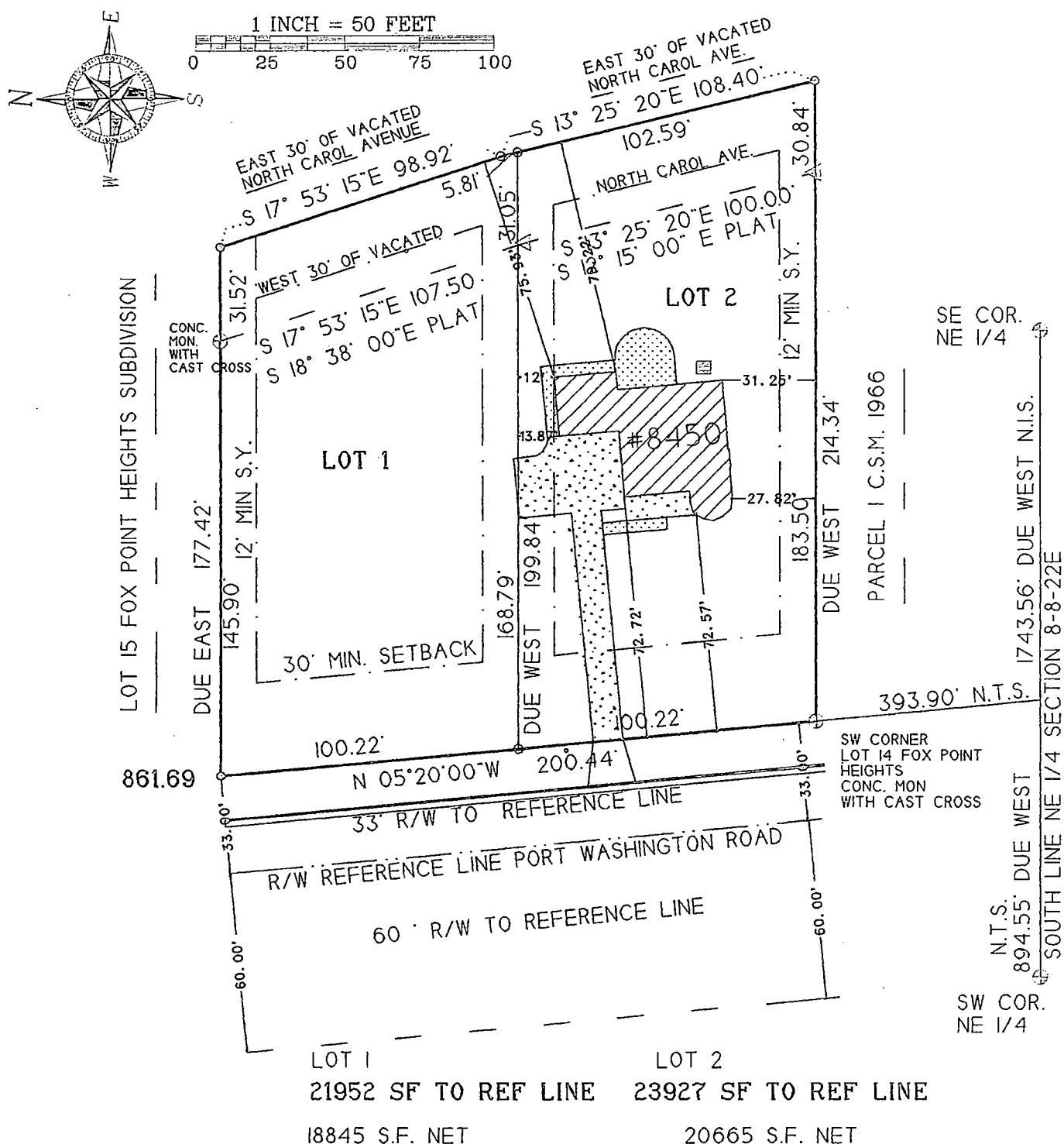


1/28/2006

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1/28/2006

REGIONAL CONSULTING ENGINEERS, INC.

PROFESSIONAL ENGINEERS AND SURVEYORS

4842 NO. 88TH ST.

MILWAUKEE, WISCONSIN

PHONE 464-6101

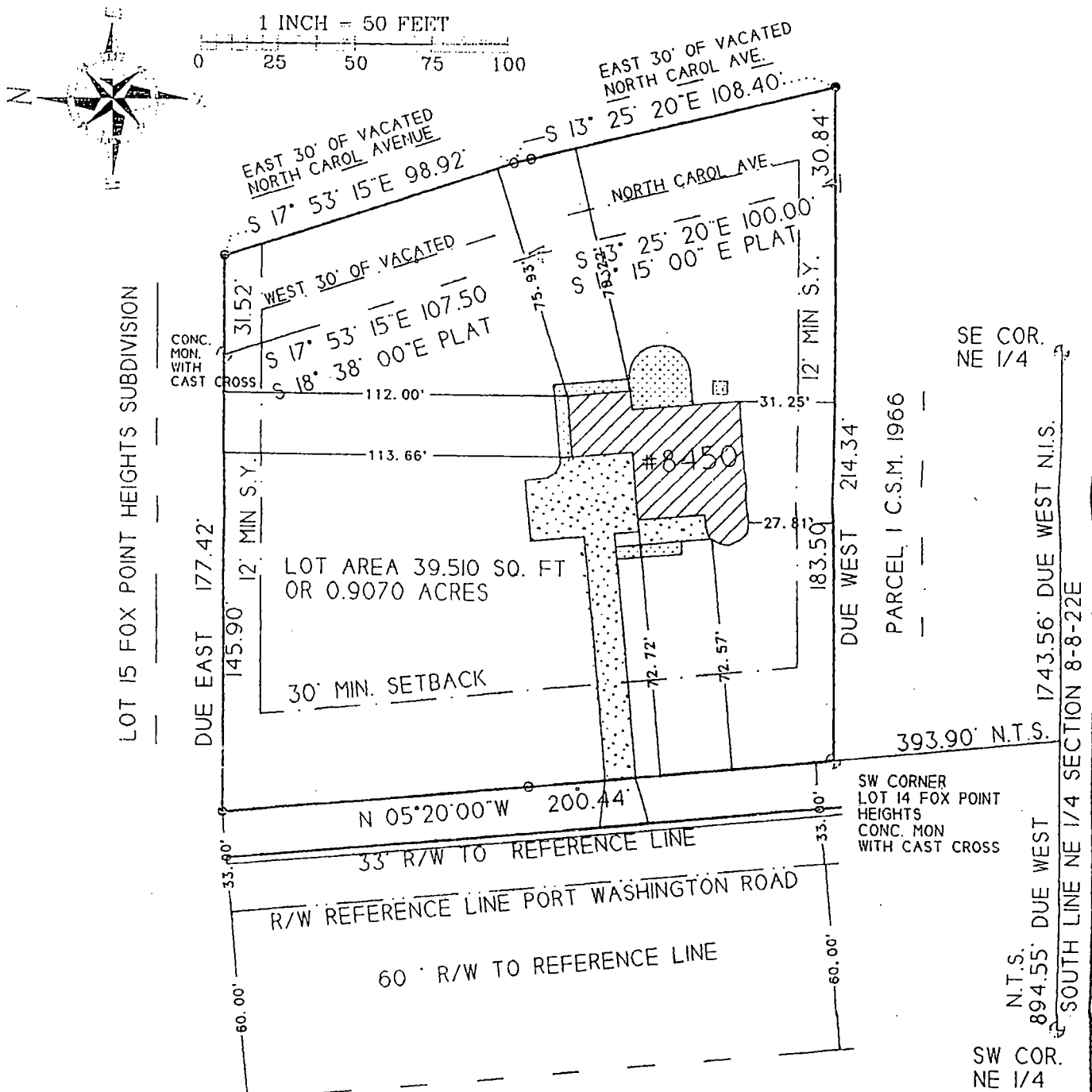
FAX 464-6101

CELL 235-0752

Plat Of Survey

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STATE OF WISCONSIN }
COUNTY OF MILWAUKEE } ss

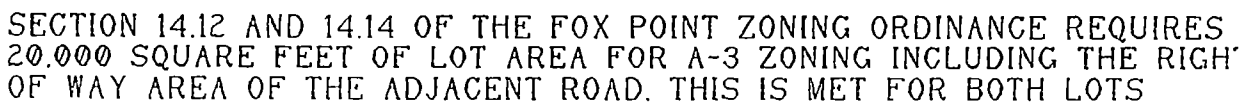
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DATED THIS 28TH DAY OF JANUARY 2006

WISCONSIN
Robert N. Pitzloff
SURVEYOR RLS-1035
JOB NO. 260401

IN THE VILLAGE OF FOX POINT, MILWAUKEE COUNTY, WISCONSIN

SURVEYOR: ROBERT N. RETZLAFF 4842 NORTH 88TH STREET, MILWAUKEE, WISCONSIN 53225 235-075



1/28/2006

REGIONAL CONSULTING ENGINEERS, INC.

PROFESSIONAL ENGINEERS AND SURVEYORS

4842 NO. 88TH ST.

MILWAUKEE, WISCONSIN

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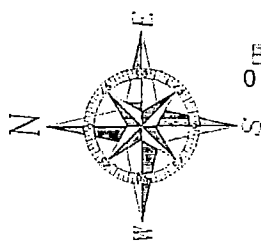
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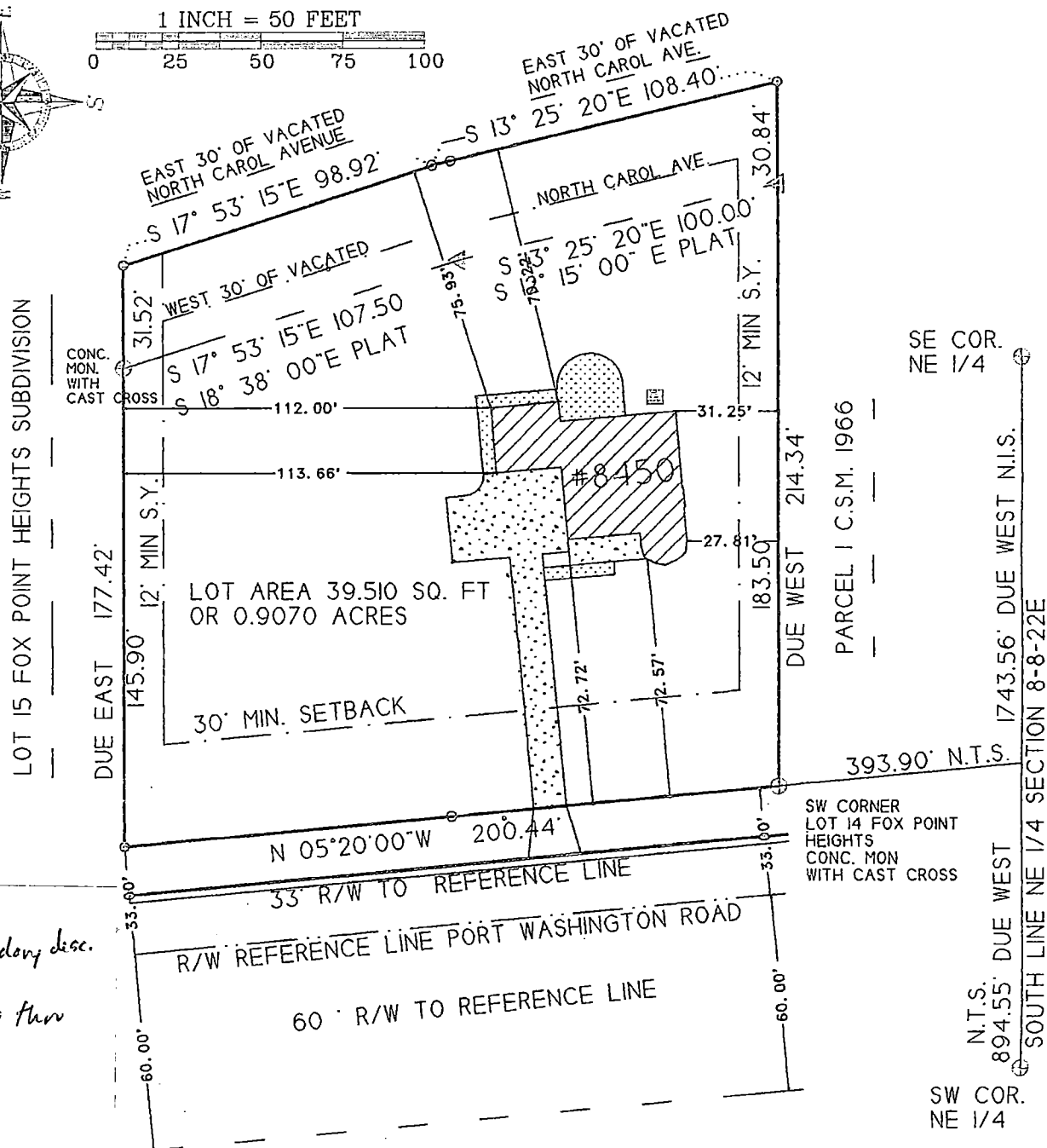
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OWNER: LARRY OWEN COOK P.O. BOX 171005 MILWAUKEE WI 53217 414-352-1682



1 INCH = 50 FEET
0 25 50 75 100



Concerns -

- ① Survey boundary desc.
- ② House size
- ③ Lot line going thru drive

STATE OF WISCONSIN }
COUNTY OF MILWAUKEE } SS

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DATED THIS 28TH DAY OF JANUARY 2006

Robert N. Retzlaff
SURVEYOR RLS-1035
WISCONSIN
JOB NO. 260101

REGIONAL CONSULTING ENGINEERS, INC.

PROFESSIONAL ENGINEERS AND SURVEYORS

4842 NO. 88TH ST.

MILWAUKEE, WISCONSIN

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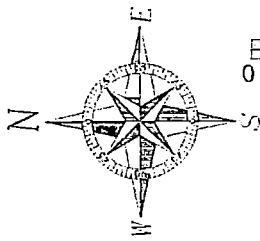
FAX 464-6101

CELL 235-0752

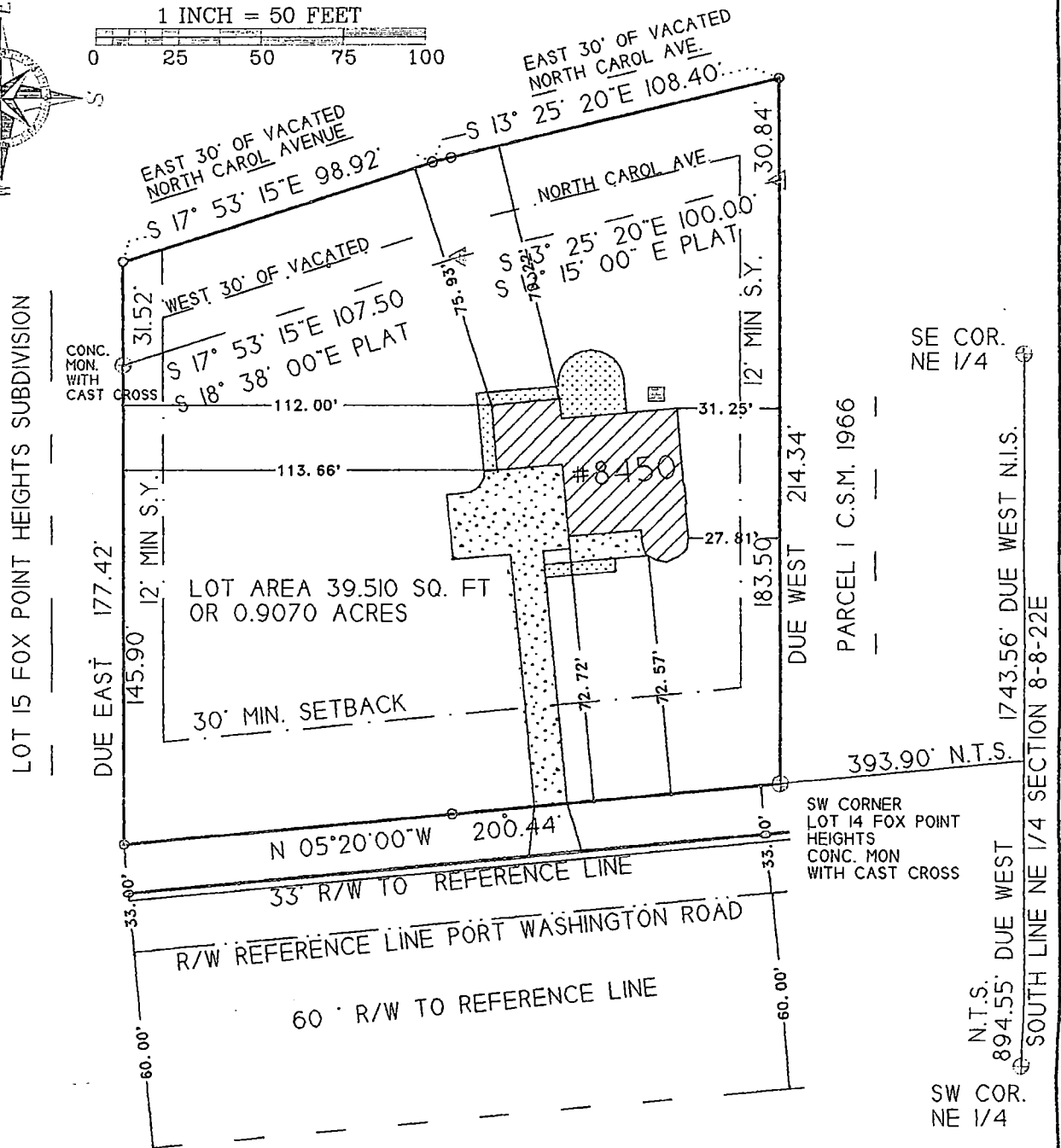
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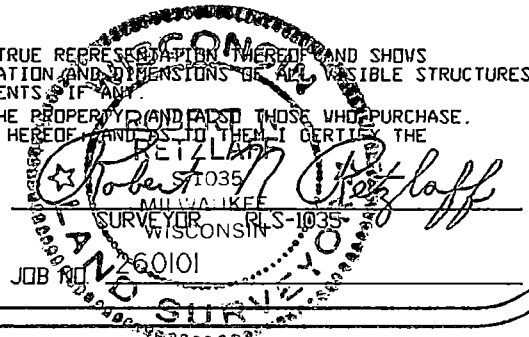
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STATE OF WISCONSIN }
COUNTY OF MILWAUKEE } SS

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REGIONAL CONSULTING ENGINEERS, INC.

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MILWAUKEE, WISCONSIN

PHONE 464-6101

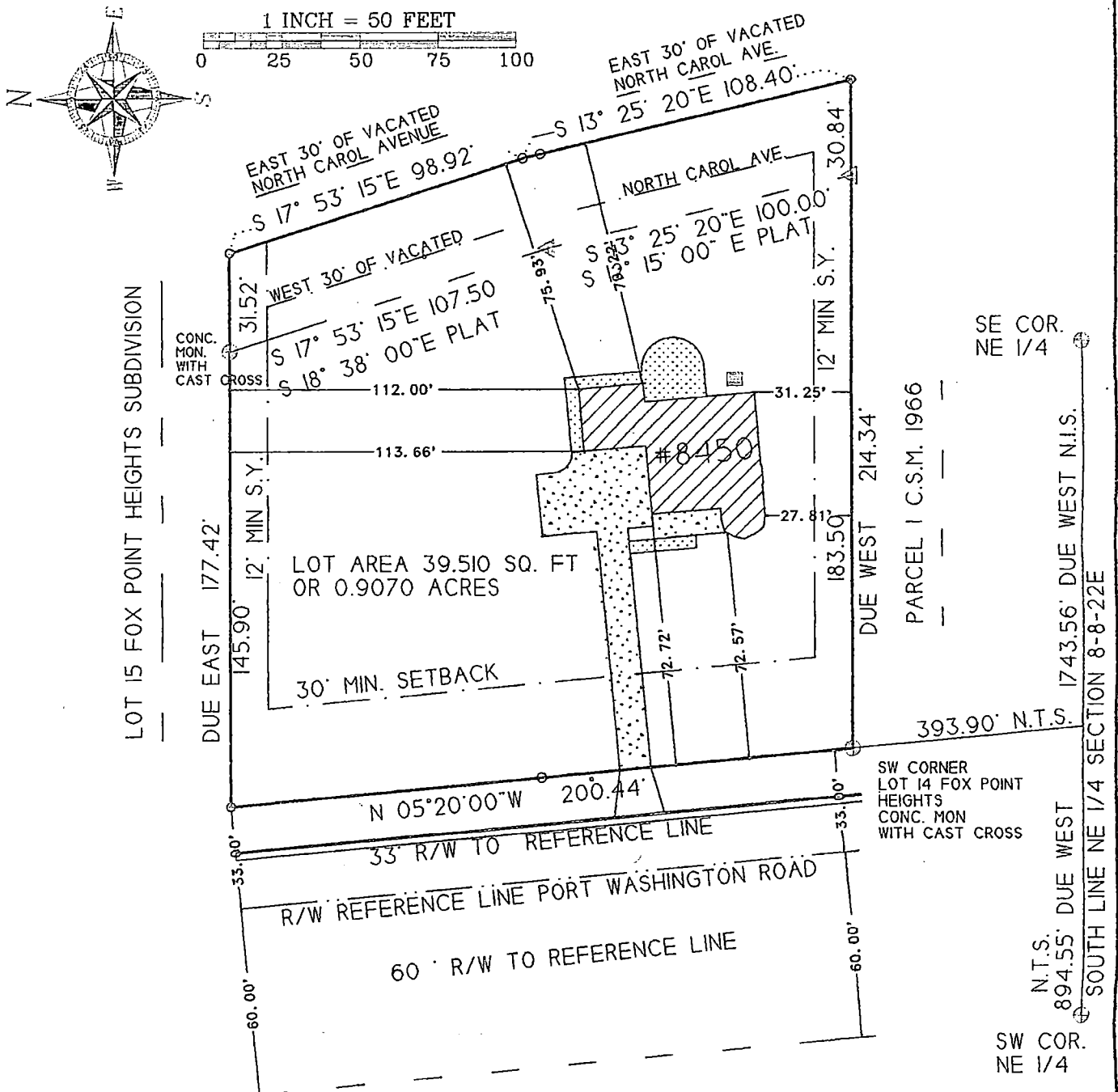
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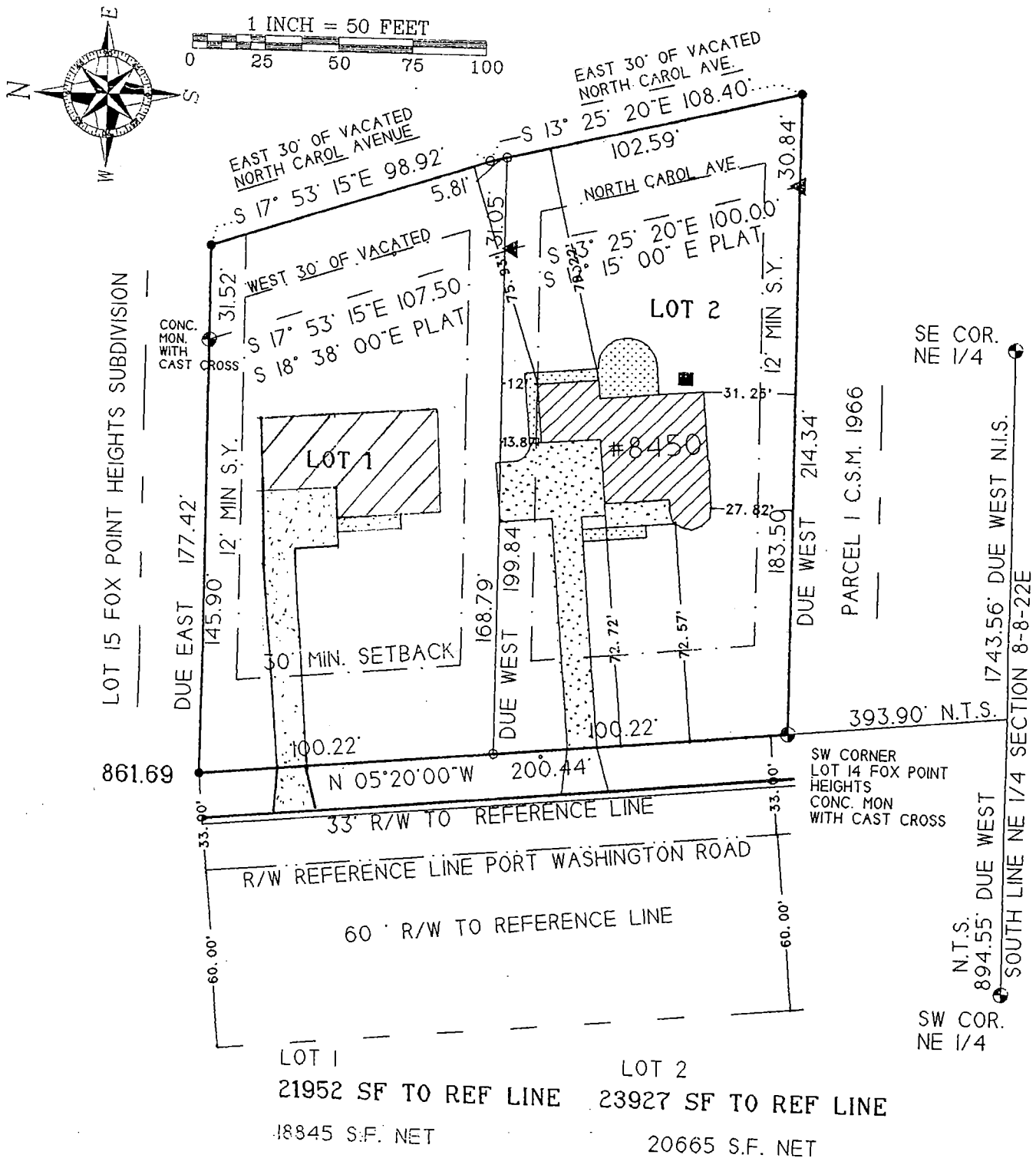
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WISCONSIN
Robert N. Retzlaff
SURVEYOR RLS-1035
JOB NO. 26019

CONCEPTUAL PLAT CERTIFIED SURVEY MAP NUMBER _____

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SURVEYOR: ROBERT N. RETZLAFF 4842 NORTH 88TH STREET. MILWAUKEE, WISCONSIN 53225 235-0752

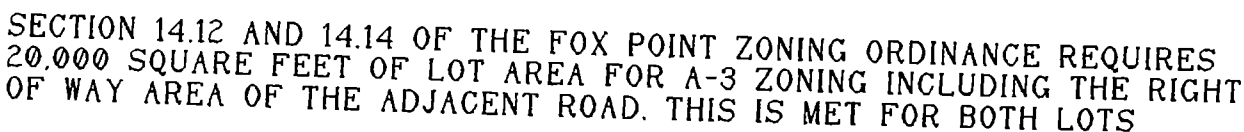


SECTION 14.12 AND 14.14 OF THE FOX POINT ZONING ORDINANCE REQUIRES 20,000 SQUARE FEET OF LOT AREA FOR A-3 ZONING INCLUDING THE RIGHT OF WAY AREA OF THE ADJACENT ROAD. THIS IS MET FOR BOTH LOTS

Proposed lay out for land division at 8450 N. Pt Washington Rd.

I propose to construct a 2 story single family residence of approximately 2,100 square feet with an attached 2-1/2 car garage constructed in a style complementary to the surrounding homes.

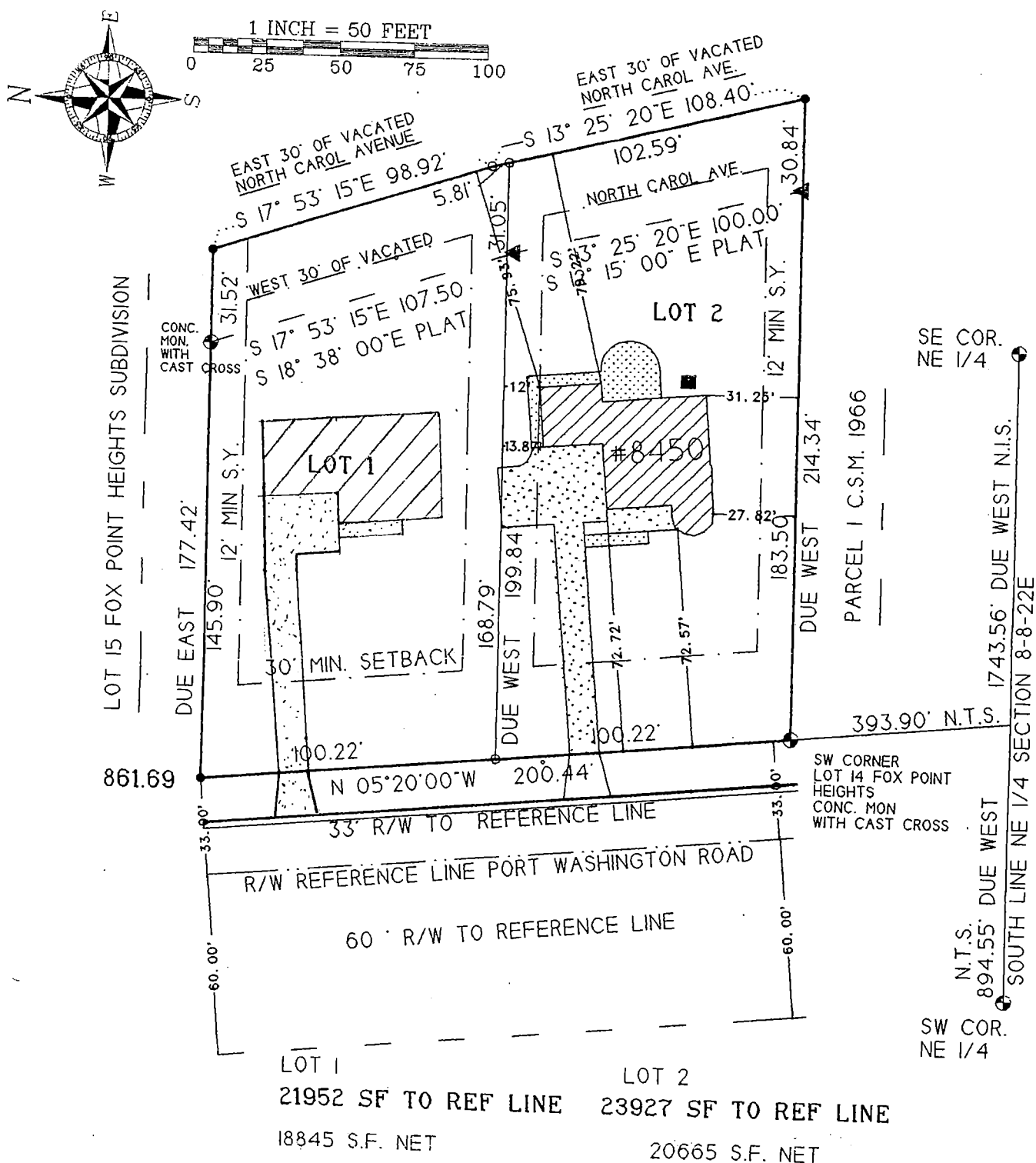
OWNER: LARRY OWEN COOK P.O. BOX 171005 MILWAUKEE WI 53217 414-352-1682
SURVEYOR: ROBERT NREIZLAE 1812 NORTH EAST AVE



I propose to construct a 2 story single family residence of approximately 2,100 square feet with an attached 2-1/2 car garage constructed in a style complementary to the surrounding homes.

CONCEPTUAL PLAT CERTIFIED SURVEY MAP NUMBER _____

BEING ALL OF LOT 14 AND THE WEST ONE HALF OF VACATED NORTH CAROL AVENUE ADJACENT TO THE SAID LOT 14 ON THE EAST IN FOX POINT HEIGHTS SUBDIVISION IN THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 8. TOWNSHIP 8 NORTH. RANGE 22 EAST IN THE VILLAGE OF FOX POINT. MILWAUKEE COUNTY, WISCONSIN
OWNER: LARRY OWEN COOK P.O. BOX 171005 MILWAUKEE WI 53217 414-352- 1682
SURVEYOR: ROBERT N. RETZLAFF 4842 NORTH 88TH STREET. MILWAUKEE, WISCONSIN 53225 235-0752



Proposed lay out for land division at 8450 N. Pt Washington Rd.

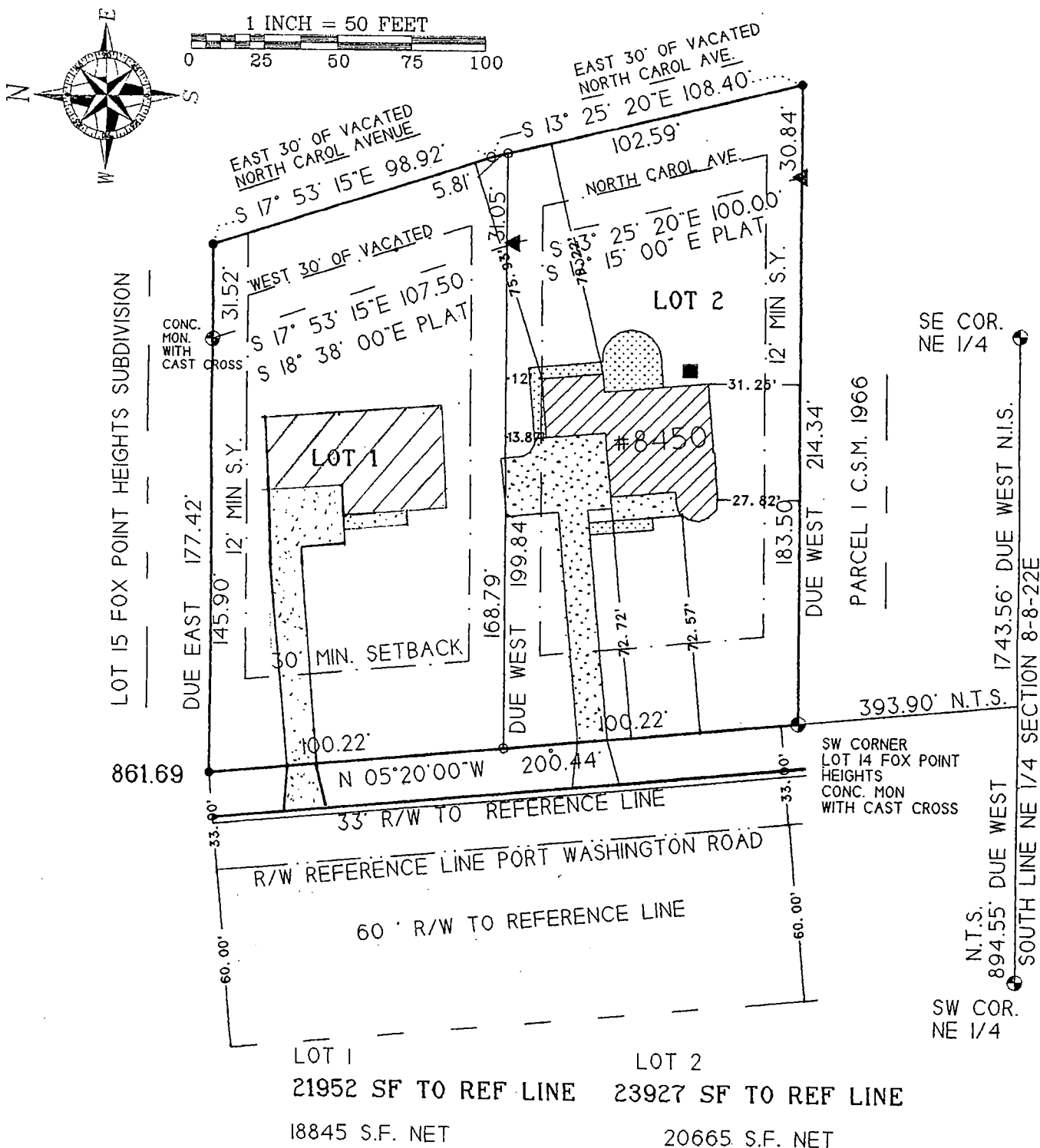
I propose to construct a 2 story single family residence of approximately 2,100 square feet with an attached 2-1/2 car garage constructed in a style complementary to the surrounding homes.

CONCEPTUAL PLAT

CERTIFIED SURVEY MAP NUMBER _____

BEING ALL OF LOT 14 AND THE WEST ONE HALF OF VACATED NORTH CAROL AVENUE ADJACENT TO THE SAID LOT 14 ON THE EAST IN FOX POINT HEIGHTS SUBDIVISION IN THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 8, TOWNSHIP 8 NORTH, RANGE 22 EAST IN THE VILLAGE OF FOX POINT, MILWAUKEE COUNTY, WISCONSIN

OWNER: LARRY OWEN COOK P.O. BOX 171005 MILWAUKEE WI 53217 414-352- 1682
SURVEYOR: ROBERT N.RETZLAFF 4842 NORTH 88TH STREET, MILWAUKEE, WISCONSIN 53225 235-0752



SECTION 14.12 AND 14.14 OF THE FOX POINT ZONING ORDINANCE REQUIRES 20,000 SQUARE FEET OF LOT AREA FOR A-3 ZONING INCLUDING THE RIGHT OF WAY AREA OF THE ADJACENT ROAD. THIS IS MET FOR BOTH LOTS

9/15/2006

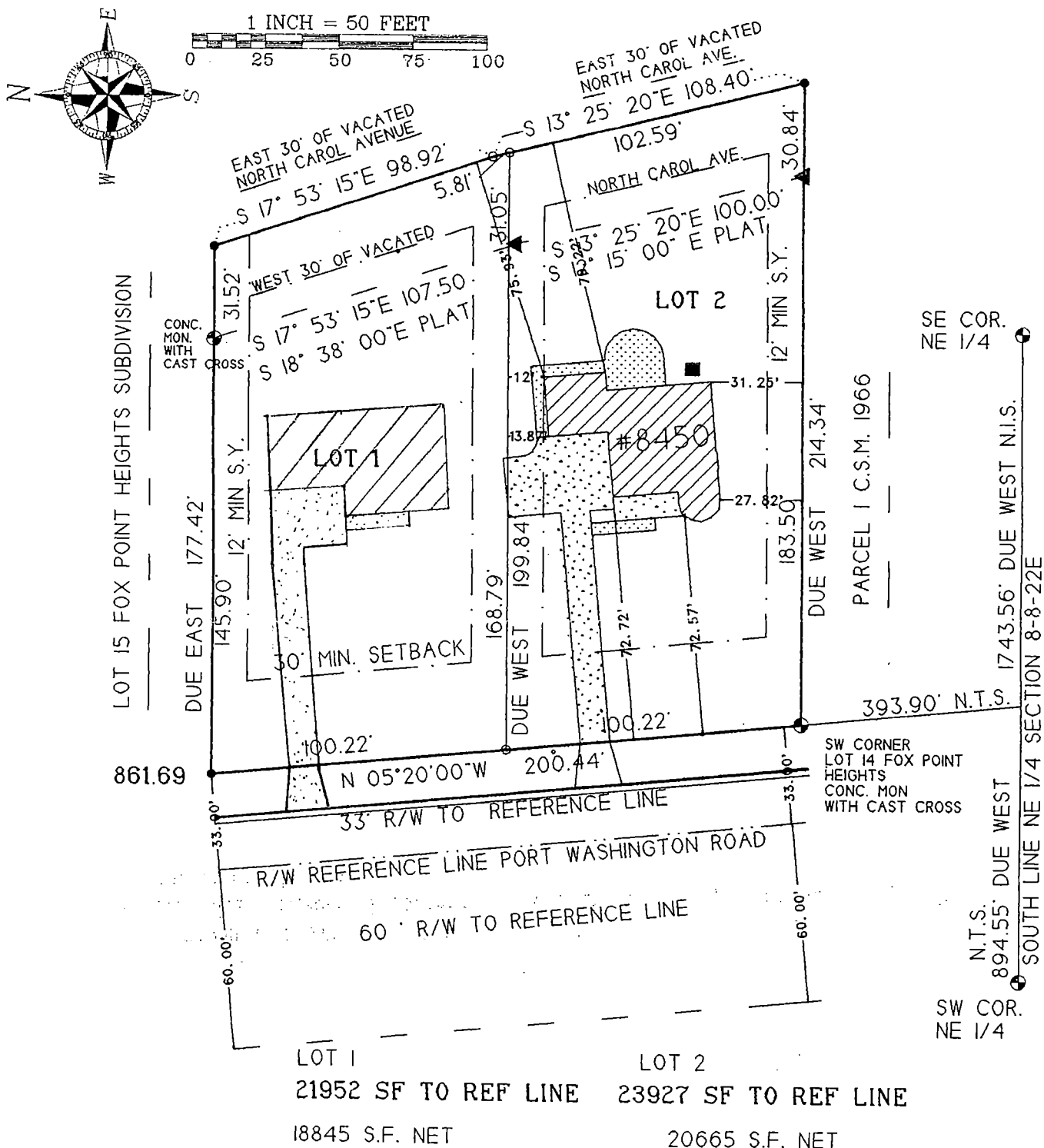
Proposed lay out for land division at 8450 N. Pt Washington Rd.

I propose to construct a 2 story single family residence of approximately 2,100 square feet with an attached 2-1/2 car garage constructed in a style complementary to the surrounding homes.

CONCEPTUAL PLAT

CERTIFIED SURVEY MAP NUMBER _____

BEING ALL OF LOT 14 AND THE WEST ONE HALF OF VACATED NORTH CAROL AVENUE ADJACENT TO THE SAID LOT 14 ON THE EAST IN FOX POINT HEIGHTS SUBDIVISION IN THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 8. TOWNSHIP 8 NORTH. RANGE 22 EAST IN THE VILLAGE OF FOX POINT. MILWAUKEE COUNTY, WISCONSIN
 OWNER: LARRY OWEN COOK P.O. BOX 171005 MILWAUKEE WI 53217 414-352- 1682
 SURVEYOR: ROBERT N.RETZLAFF 4842 NORTH 88TH STREET. MILWAUKEE. WISCONSIN 53225 235-0752



SECTION 14.12 AND 14.14 OF THE FOX POINT ZONING ORDINANCE REQUIRES 20,000 SQUARE FEET OF LOT AREA FOR A-3 ZONING INCLUDING THE RIGHT OF WAY AREA OF THE ADJACENT ROAD. THIS IS MET FOR BOTH LOTS

9/15/2006

Proposed lay out for land division at 8450 N. Pt Washington Rd.

I propose to construct a 2 story single family residence of approximately 2,100 square feet with an attached 2-1/2 car garage constructed in a style complementary to the surrounding homes.

8450 W. Post Washington



* 10408697 *

DOC.# 10408697

State Bar of Wisconsin Form 3-2003
QUIT CLAIM DEED

Document Number

Document Name

RECORDED 11/03/2014 08:37AM

JOHN LA FAVE

REGISTER OF DEEDS

Milwaukee County, WI

AMOUNT 30.00

FEE EXEMPT #: 77.25(16)

THIS DEED, made between James P. Albrecht and Jeri A. Albrecht, Husband and Wife

(“Grantor,” whether one or more),
and James and Jeri Albrecht, as trustees of the Albrecht Joint Revocable Trust

(“Grantee,” whether one or more)

Grantor quit claims 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 14 and the West 1/2 of Vacated North Carol Avenue adjacent to the said Lot 14 on the East in Fox Point Heights Subdivision in the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 8 North, Range 22 East, in the Village of Fox Point, Milwaukee County, Wisconsin

Recording Area

Name and Return Address

Angela M. Dean
11414 W. Park Place, Suite 202
Milwaukee, WI 53224

0531040001 and

~~000000~~ 0531040002

Parcel Identification Number (PIN)

This is _____ homestead property
(is) (is not)

Dated

10/10/14

(SEAL)

(SEAL)

JAMES P. ALBRECHT

* JERI A. ALBRECHT

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) James Albrecht and Jeri Albrecht

authenticated on

10/10/14

* Atty. Angela M. Dean

TITLE MEMBER STATE BAR OF WISCONSIN

(If not, _____)

authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY

Atty. Angela M. Dean

ACKNOWLEDGMENT

STATE OF WISCONSIN

COUNTY

Personally came before me on _____,
the above-named _____

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 _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

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

QUIT CLAIM DEED

© 2003 STATE BAR OF WISCONSIN

FORM NO. 3-2003

* Type name below signatures

CERTIFIED SURVEY MAP No. 8044

Milwaukee County Certified Survey Map

SHEET 1 OF 2

Being all of Lot 14 and the West One Half of vacated North Carol Avenue adjacent to the said Lot 14 on the east in Fox Point Heights Subdivision in the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 8 North, Range 22 East in the Village of Fox Point, Milwaukee County, Wisconsin.

DOC.# 09589587

OWNER:
LARRY O COOK
4497 PENISULA DRIVE
WEST BEND, WI 53095

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED 04/22/2008 10.37AM
Reel 6841
JOHN LA FAVE
REGISTER OF DEEDS
AMOUNT 13 00

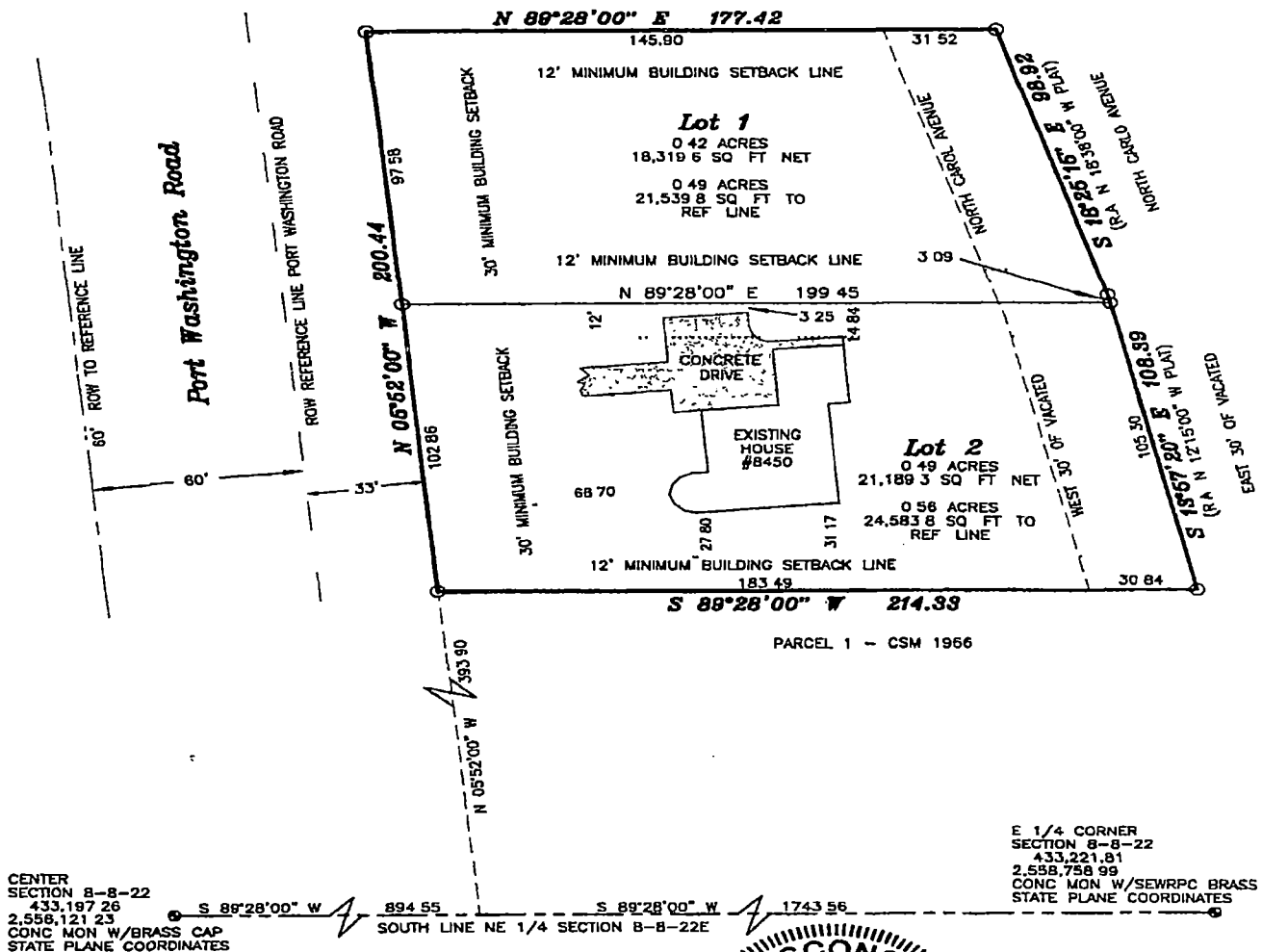
NORTH IS REFERENCED TO THE WISCONSIN
COORDINATE GRID SYSTEM, SOUTH ZONE
THE SOUTH LINE OF THE NE 1/4 HAVING
A PUBLISHED BEARING OF S 89°28'00" W

○ - INDICATES A 1" X 18" IRON PIPE
WEIGHING NOT LESS THAN 1 13 LBS/FT SET

0 25 50 100
SCALE IN FEET 1" = 50'

NOTE:
SECTION 14.12 & 14.14 OF THE FOX
POINT ZONING ORDINANCE REQUIRES
20,000 SQUARE FEET OF LOT AREA FOR
A-3 ZONING, INCLUDING THE
RIGHT-OF-WAY AREA OF THE ADJACENT
ROAD THIS IS MET FOR BOTH LOTS

LOT 15 FOX POINT HEIGHTS SUBDIVISION



DATED THIS 9TH DAY OF October, 2007

William G. Holme
WILLIAM G HOLME, S-2772
REGISTERED LAND SURVEYOR



THIS INSTRUMENT WAS DRAFTED BY CONNIE L BADER OF B & H SURVEYING LLC
B & H Surveying LLC 313 N Main St, Suite A West Bend, WI 53095 (262)338-3600

JOB #070117/CLB

TAX ROLL YEAR

2008

UNIT

Village of Fox Point

KEY NUMBER

053-1040-002

NAME & DESCRIPTION

ELIMINATE
KEY NUMBERS

OWNER: COOK, LARRY O

CERTIFIED SURVEY MAP NO 8044 NE 8-8-22 LOT 2

053-1040

8450 n. Port Washington Home

Date: 5/12/2008 S. Kroll

09589587

PREPARED IN TRIPLICATE

**MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE
TAX LISTING DIVISION**

TAX ROLL YEAR

2008

UNIT

Village of Fox Point

KEY NUMBER

053-1040-001

NAME & DESCRIPTION

ELIMINATE
KEY NUMBERS

OWNER: COOK, LARRY O

CERTIFIED SURVEY MAP NO 8044 NE 8-8-22 LOT 1

053-1040

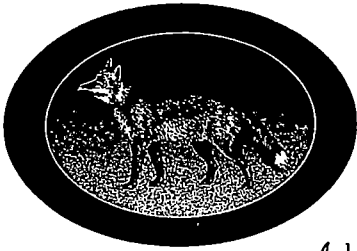
Date: 5/12/2008 S. Kroll

09589587

PREPARED IN TRIPLICATE

**MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE
TAX LISTING DIVISION**

THIS NOTICE WAS DELIVERED BY CERTIFIED & REGULAR MAIL



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

PROPERTY MAINTENANCE
COMPLIANCE NOTICE

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

Property Owner: A/brecht

Date: 8/24/11

Address: 8450 N Pt Wash Rd

The exterior of your property was inspected for code compliance. The inspection revealed the following item(s) of noncompliance:

DESCRIPTION

COMMENTS/CODE REFERENCE

- ☐ Fences
- ☐ Decks
- ☐ Retaining Walls
- ☐ Accessory Buildings
- ☐ Dwelling Exterior
- ☐ Litter
- ☐ Grass
- ☐ Dead Trees
- ☐ Exterior Storage
- ☐ Unenclosed Storage
- ☐ Other

ok

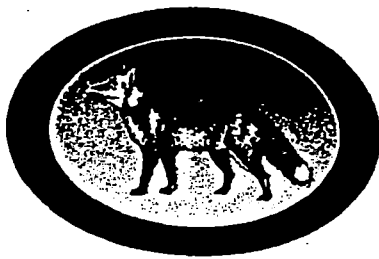
Pursuant to Chapter 33 of the Village code, the Village is hereby requiring you bring the above items into code compliance by _____. Please be advised that failure to comply with this notice will result in further action being taken by this department.

Please feel free to contact me should you have any questions concerning this notice.

Sincerely,

Property Maintenance Inspector

***PLEASE BE AWARE THAT FAILURE TO COMPLY WITH THIS NOTICE MAY RESULT IN THE VILLAGE ARRANGING TO HAVE THIS WORK DONE, AT YOUR EXPENSE, PURSUANT TO SECTION 33.8(1)(d) OF THE VILLAGE CODE.**



VILLAGE OF FOX POINT
MILWAUKEE COUNTY
WISCONSIN
VILLAGE OF FOX POINT
PROPERTY MAINTENANCE
COMPLIANCE NOTICE

VILLAGE HALL
7200 N. SANTA MONICA E
FOX POINT 53217-3500
414-351-8900
FAX 414-351-8909

Property Owner: Albrecht
Address: 8450 N Pt Wash Rd

Date 8/6/09

The exterior of your property was inspected for code compliance. The inspection revealed the following item(s) of noncompliance:

<u>Description</u>	<u>Comments/Code Reference</u>
<input type="checkbox"/> Fences	
<input type="checkbox"/> Decks	
<input type="checkbox"/> Retaining Walls	
<input type="checkbox"/> Accessory Buildings	
<input type="checkbox"/> Dwelling Exterior	
<input type="checkbox"/> Litter	
<input type="checkbox"/> Grass	
<input type="checkbox"/> Dead Trees	
<input type="checkbox"/> Exterior Storage	
<input type="checkbox"/> Unenclosed Storage	
<input type="checkbox"/> Other	

Pursuant to Chapter 33 of the Village code, the Village is hereby requiring you bring the above items into code compliance by . Please be advised that failure to comply with this notice will result in further action being taken by this department.

Please feel free to contact me should you have any questions concerning this notice.

Sincerely,

Property Maintenance Inspector

***PLEASE BE AWARE THAT FAILURE TO COMPLY WITH THIS NOTICE WILL RESULT IN THE VILLAGE ARRANGING TO HAVE THIS WORK DONE, AT YOUR EXPENSE, PURSUANT TO SECTION 33.8(1)(d) OF THE VILLAGE CODE.**

DOCUMENT NO

WARRANTY DEED



DOC.# 09595732

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED 05/02/2008 03:56PM

JOHN LA FAVE
REGISTER OF DEEDSAMOUNT: 13.00
TRANSFER FEE: 960.00

RECORDING

Return to

James P Albrecht and Jeri A Albrecht

8450 North Port Washington Rd

Fox Point, WI 53217

THIS DEED, made between Larry Owen Cook a/k/a Larry O. Cook, a single person, ("Grantor," whether one or more), and James P. Albrecht and Jeri A. Albrecht, husband and wife,

("Grantee," 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):

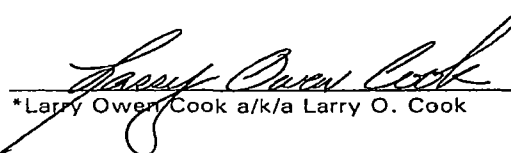
Parcel Identification Number (PIN): 053-1040

See legal description on reverse

This is homestead property

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 and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, and general taxes levied in the year hereof, and will warrant and defend the same

Dated this 18 day of April, 2008.


*Larry Owen Cook a/k/a Larry O. Cook

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____, 20____

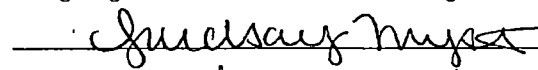
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Larry O. Cook

ACKNOWLEDGMENT

STATE OF WISCONSIN)
Milwaukee County)

I, Personally came before me this 18 day of April, 2008 the above named Larry Owen Cook a/k/a Larry O. Cook to me known to be the person(s) who executed the foregoing instrument and acknowledge the same


* Lindsay Myska

Notary Public, Milwaukee County, Wis.
My Commission is permanent (If not state expiration date 02/28/2010)

* Names of persons signing in any capacity should be typed or printed below their signatures

STATE BAR OF WISCONSIN
FORM No 1 - 2003



8450 n. Port Washington

DOCUMENT NO.

7485212

STATE BAR OF WISCONSIN FORM 5—1982
PERSONAL REPRESENTATIVE'S DEED

THIS SPACE RESERVED FOR RECORDING DATA

REEL 4239 IMAG 107

REGISTER'S OFFICE } ss
Milwaukee County, WI }
RECORDED AT -8 30 AM

FEB - 6 1998

REEL 4239 IMAGE 107

where a change REGISTER
OF DEEDS

053-1040

Victoria M. Steffes

as Personal Representative of the estate of
Madeline Glanz, Deceased, A SINGLE PERSON

("Decedent"),
for a valuable consideration conveys, without warranty, to Larry Owen
Cook

Grantee,
the following described real estate in Milwaukee County,
State of Wisconsin (hereinafter called the "Property"):

RETURN TO

Larry Owen Cook
715 N. Reside Dr. Apt 5
Milwaukee WI 53223
Tax Parcel No. 053-1040-000

Lot Fourteen (14), and the West One-half (1/2) of Vacated N. Carol Avenue adjacent to said Lot Fourteen (14) on the East, in Fox Point Heights Subdivision, being that part of the South West Quarter (1/4) of the North East Quarter (1/4) of Section numbered Eight (8), in Township numbered Eight (8) North, of Range numbered Twenty-two (22) East, in the Village of Fox Point, County of Milwaukee, State of Wisconsin.

NAME CHANGE

7485212
RECORD 101.00
RTX 450.00

TRANSFER

\$450.00
FEE

Personal Representative by this deed does convey to Grantee all of the estate and interest in the Property which the Decedent had immediately prior to Decedent's death, and all of the estate and interest in the Property which the Personal Representative has since acquired.

Dated this 9th day of January, 1998

Victoria M. Steffes (SEAL)

(SEAL)

Victoria M. Steffes

Personal Representative

Personal Representative

AUTHENTICATION

Signature(s) Victoria M. Steffes

authenticated this 9th day of JANUARY, 1998

JOLIE M. SEMENCICK
TITLE: MEMBER STATE BAR OF WISCONSIN

(If not,
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

ATTORNEY DANIEL J. RAYMONDS

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

ss.

County.

Personally came before me this day of
19 the above named

to me known to be the person who executed the
foregoing instrument and acknowledge the same.

Notary Public County, Wis.
My Commission is permanent. (If not, state expiration
date: 19)

*Names of persons signing in any capacity should be typed or printed below their signatures.



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

VILLAGE OF FOX POINT PROPERTY MAINTENANCE COMPLIANCE NOTICE

Property Owner Larry Owen Cook
Address 8450 N. Port Washington Rd

Date 15 Aug 02

The Village's goal is to inspect the exterior of all properties within the Village to ensure compliance with the Village's Property Maintenance Code. An inspection of your property has revealed that your property does not adhere to Village code in the following area(s):

<u>Description</u>	<u>Comments</u>
<input type="checkbox"/> Fences	OK
<input type="checkbox"/> Decks	
<input type="checkbox"/> Retaining Walls	
<input type="checkbox"/> Accessory Buildings	
<input type="checkbox"/> Dwelling Exterior	
<input type="checkbox"/> Litter	
<input type="checkbox"/> Grass	
<input type="checkbox"/> Dead Trees	
<input type="checkbox"/> Exterior Storage	
<input type="checkbox"/> Other	

Pursuant to section 33.7 of the Village code, the Village hereby requests that you bring the above referenced items into code compliance by _____. Please be aware that failure to comply with this notice will result in a citation to appear in municipal court.

Please feel free to contact the Village should you have any questions concerning this notice.

Sincerely,

Property Maintenance Inspector

PROBATE DIVISION

File No. 447-857

Deceased

5884927

JAN 31 1963 10
FEB 1 1963 10

Wheat County **REGISTRATION**
OF DEEDS

FILED
OCT 12 1973

PETITION for final settlement of this estate having been heard, and the petitioner having appeared in person and by attorney, and the public administrator of this County and Donald C. Haberman

5584927 #

~~RECORD~~ 8.00

— having appeared.

SUBTOTAL	8.00
----------	------

TOTAL	8.00
-------	------

And on all evidence, records and proceedings herein, the Court finds that:

1. The petition came on for hearing ~~upon notice~~ ~~as provided by law~~ ~~to all persons~~
upon waiver of notice by all persons entitled thereto B CASH B
~~excluded persons~~

B CASH B	8.00
----------	------

#357940 C002 R01 T09:25

2. Notice has been published for determination of the heirs of the decedent:

3. The expenses of administration, funeral, last sickness, and the claims against the estate have been

paid; the certificate of the Department of Revenue is on file and there is no unpaid income tax; the estate (is subject to inheritance tax which has been paid ~~XXXXXX not subject to inheritance tax~~

4. The decedent died seized of the following real property in joint tenancy with

Madeline Glanz _____ who survived decedent:

Lot 14 in Fox Point Heights
Subdivision, Milwaukee County, Wisconsin

Also known as: Lot numbered Fourteen (14) in Fox Point Heights Subdivision, being that part of the South West Quarter (SW ¼) of the North East Quarter (NE ¼) of Section numbered Eight (8), in Township numbered Eight (8) North, of Range numbered Twenty-two (22) East in the Town of Milwaukee, County of Milwaukee, State of Wisconsin.

5. The decedent at the time of death owned personal property in joint tenancy as set forth in the inventory on file.

6. The decedent at the time of death had a life estate in the following property: NONE

7. The net probate income is \$ 12,722.17, of which \$ 12,722.17 has distributed. (Complete if required by S. 231.40.)

8. Distributions have been heretofore made as follows:

(a) Automobile as described in inventory, "CONCERN"

(b) Clothing and Personal Effects

(c) Cash \$1,500.00

*Strike as appropriate

I certify that this is a true and correct copy of a document in the possession of the Register in Probate for Milwaukee County. THIS CERTIFICATE IS NOT VALID UNLESS COURT SEAL IS AFFIXED HEREON.

29A (Rev. 1970) FINAL JUDGMENT

ORIGINAL JAN 30 1986

Robert R. Knoll

6630-1

9. There remains property for distribution as follows:

~~(A) Real Estate~~

~~(B) Secured Interest in Real Property~~

~~(C) Personal Property~~

~~Including Undistributed~~

~~Non-Probate Interest~~

Assets as shown on hand per
Supplemental Final Account
(Stated as of April 4, 1972
and at carrying value)

\$180,586.76

NOW, THEREFORE, IT IS DETERMINED AND ADJUDGED THAT

Victor H. Glanz

died testate

on October 26, 1970

and the following were the heirs of the decedent:

Madeline Glanz
Victoria Steffes
Rosalie Glanz

Wife
Daughter
Daughter

IT IS FURTHER ADJUDGED THAT

All accounts of the personal representative on file are approved.

The property described at finding No. 8 is assigned to the distributee(s) as of the date of distribution.

The property described at finding No. 9 is assigned as follows:

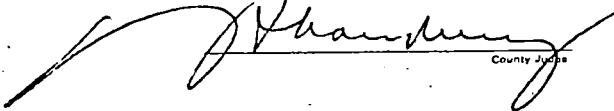
To the Marshall & Ilsley Bank,
Milwaukee, Wisconsin, as Trustee
of the Trusts created under the
Last Will and Testament of the
Deceased.

The interest of the decedent as joint tenant in real and personal property terminated at death.

~~The interest of the decedent in the real and personal property terminated at death.~~

Dated OCT 12 1973, 1973

By the Court,


County Judge

Return

Gregory B. Heys

Attorney

7635 West Bluemound Road

Milwaukee, Wisconsin 53213

Address

Recorded in Vol. _____ Page _____

APPRAISAL OF



PROPOSED LAND DIVISION

LOCATED AT:

8450 N. Port Washington Road
Fox Point, WI 53217

FOR:

Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

AS OF:

July 23, 2007

BY:

Robert S. Schley, Jr., SRA
State of Wisconsin certified residential appraiser #195

July 23, 2007

Mr. Scott J. Brandmeier, P.E.
Director of Public Works
Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

RE: Proposed land division of 8450 N. Port Washington Road by owner, Mr. Larry Cook

Dear Mr. Brandmeier:

You have requested my opinion as to whether or not the proposed land division of 8450 N. Port Washington Road will preserve the established residential values of existing development in the immediate neighborhood. In accordance with your request on July 23, 2007 I walked the proposed lot, viewed only the exterior of the existing improvements to the property, studied the attached surveys and plat maps, and considered the immediate neighborhood. I offer the following comments and conclusions.

LEGAL DESCRIPTION OF SUBJECT PROPERTY:

All of Lot 14 and the West 1/2 of Vacated North Carol Avenue adjacent to the said Lot 14 on the East in Fox Point Heights Subdivision in the Southwest One Quarter of the Northeast One Quarter of Section 8, Township 8 North, Range 22 East in the Village of Fox Point, Milwaukee County, Wisconsin.

PROPOSED LEGAL DESCRIPTIONS OF SUBJECT PROPERTY:

Lot 1 and lot 2 of as shown on the attached conceptual plat of proposed Certified Survey Map

NEIGHBORHOOD:

The subject neighborhood is the northwest corner of Fox Point and is bounded by the Village of Bayside on the north; railroad tracks on the east; Bradley Road on the south and I-43 on the west. Though it is primarily a single family area this neighborhood is the most diverse portion of the village as it also contains commercial land use on portions of Port Washington Rd, two large apartment complexes, some condominiums, a school, places of worship, and what I believe is the last remaining billboard. This billboard is located on the otherwise vacant lot adjacent to the subject property to the north. Single family dwellings typically range in value from about \$170,000 to well over \$600,000 for some of the houses near Nokomis Ct and Indian Creek Parkway. The average and median values are in the \$250,000 to \$280,000 range.

PHYSICAL DESCRIPTION OF SUBJECT PROPERTY:

Lot 1 as proposed is a vacant parcel containing a net area of 18,845 square feet or 21,952 square feet including the right of way of Port Washington Road according to the conceptual plat. This road has been recently resurfaced and a concrete curb now runs along the road for the entire width of the subject property except where cut for the existing driveway. Utility lines also run along the west edge of the entire site. The proposed lot would measure 100.22' along the road, 177.42' on the north, 98.92' + 5.81' on the east and 199.84' on the south. It is irregular in shape and slopes down from south to north and less significantly from west to east. There is a small, well planted berm along the road and a heavily wooded drainage swale along the north and east lot lines, which provides additional seclusion. The site is not located in a FEMA identified special flood hazard area. There appears to be ample space for an appropriate future house within the defined setback lines. Municipal water, sewer, electricity, telephone, and natural gas are all immediately available to a future building site here.

Lot 2, as proposed, is now improved with a brick and stucco bungalow style single family residence with an attached two car garage which according to public records was built in 1935 and remodeled in 1999. The dwelling contains about 2,314 square feet of living area. The exterior of the house appears well maintained and the land around it is well landscaped. This section of the property also has a berm along the road and a wooded edge near the back lot line. Proposed lot 2 would contain about 20,665 square feet net and 23,927 square feet of gross area including the right of way according to the

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The improved portion of the subject property including lot 2 as now proposed is currently being offered for sale by the owner at the price of \$349,000 subject to accomplishing the proposed land division.

ZONING AND HIGHEST AND BEST USE:

The entire parcel is zoned A-3. A-3 is a single family district requiring an open lot area of not less than 20,000 square feet including the road right of way, a setback from the center line of the road as prescribed by the official zoning map but not less than 30 feet, side yard offsets of not less than 12 feet, and a minimum lot width of 90 feet at the building line.

There are parcels in the village which could be divided or have been divided yet are still maintained as a single property under common ownership. With a few exceptions most of these properties are found east of Lake Drive where the dwellings are typically large and of high value. It is generally true that if a property can be divided in such a manner as to create a second building site maximum proceeds at time of sale are typically realized by selling the property as two separate entities. Given the value structure and lot sizes in the immediate neighborhood it is my opinion that the highest and best use of the subject property would be to divide it in a manner similar to that now proposed. This would create two single family sites-one improved and one vacant. This opinion is supported by past history in this area. As can be seen on the attached plat map there appear to have been about nine similar land divisions in the past within a radius of two or three blocks from the subject. These include the two properties to the south of the subject as well as others on Bergen Dr, Fox Croft Lane, and Dean Road.

CONCLUSION:

It is usually true that most owners of single family dwellings, which benefit from adjacent or nearby vacant or oversized sites tend to oppose the development of such sites. This is understandable because such vacant sites typically enhance the appeal of nearby properties with no related cost to such a benefit. However, it is not true that sites which are improved with single family dwellings of appropriate and compatible design are detrimental to adjoining properties because such use must be viewed as the customary and expected use of vacant land. Any reasonably prudent prospective buyer of a property adjacent to a vacant site or one which could be divided should realistically expect that the site would ultimately be developed to its highest and best legal use. Again, such development is generally not detrimental provided that the improvements are reasonably compatible with and sympathetic to the immediate neighborhood.

It has been my experience that when vacant or newly created sites in established neighborhoods in Fox Point and competing nearby communities are developed with houses, those new houses usually are larger and more valuable than the typical house in the immediate neighborhood. This is clearly demonstrated by the many houses built in recent years on Thorne Lane, Beach Drive, Birch Hill Court, Barnett Lane, Links Circle, Allen Lane, Regent Rd, Dean Rd, Club Circle and others. None of these newer houses in established neighborhoods have had a detrimental impact on the value of nearby properties in my judgment. The one possible exception would be the imprudent and illegal recontouring of the lot at 6586 N Birch Hill Ct and, until it was razed, the house which was built on that site.

In conclusion it is my opinion based on over 35 years of real estate appraisal work in the north shore area that the proposed land division of the subject property and the eventual construction of an appropriate new house on the proposed lot 1 would in fact preserve the established residential market values of the existing development in the immediate neighborhood. It would also have a favorable effect on the village's tax base.

MARKET VALUE:

The term market value (or value) as used in this report is defined as follows: The most probable price which a property should bring in a competitive and open market under all

conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1) buyer and seller typically motivated;
- 2) both parties are well informed or well advised, and acting in what they consider their owner interest;
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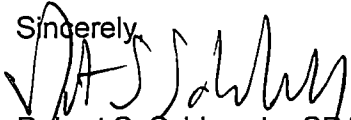
Source: Uniform Standards of Professional Appraisal Practice 2006 Edition Page 194.

CERTIFICATION:

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions in this letter of opinion are limited only by any stated assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this letter of opinion, and I have no personal interest or bias with respect to the parties involved.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined opinion that favors the cause of the client or anyone else, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this letter of opinion.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- I have made a personal inspection of the property that is the subject of this report though I have not inspected the interior of any structures.
- No one provided significant real property appraisal assistance to me relative to this assignment.
- This report has been prepared in conformance with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
- Use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report Robert S. Schley, Jr., SRA has completed the requirements of the continuing education program of the Appraisal Institute.

Sincerely,



Robert S. Schley, Jr., SRA
State of Wisconsin certified residential appraiser #195.

Date report signed: July 26, 2007

Attachments:

Photographs
Plat of Survey
Conceptual Plat
Plat Map
Location Map
Appraiser qualifications

SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: Owner: Mr. Larry Cook		File No.: PORTWASH8450
Property Address: 8450 N. Port Washington Road		Case No.:
City: Fox Point	State: WI	Zip: 53217
Lender: Village of Fox Point		



FRONT VIEW OF
SUBJECT PROPERTY

Appraised Date: July 23, 2007



REAR VIEW OF
SUBJECT PROPERTY



STREET SCENE

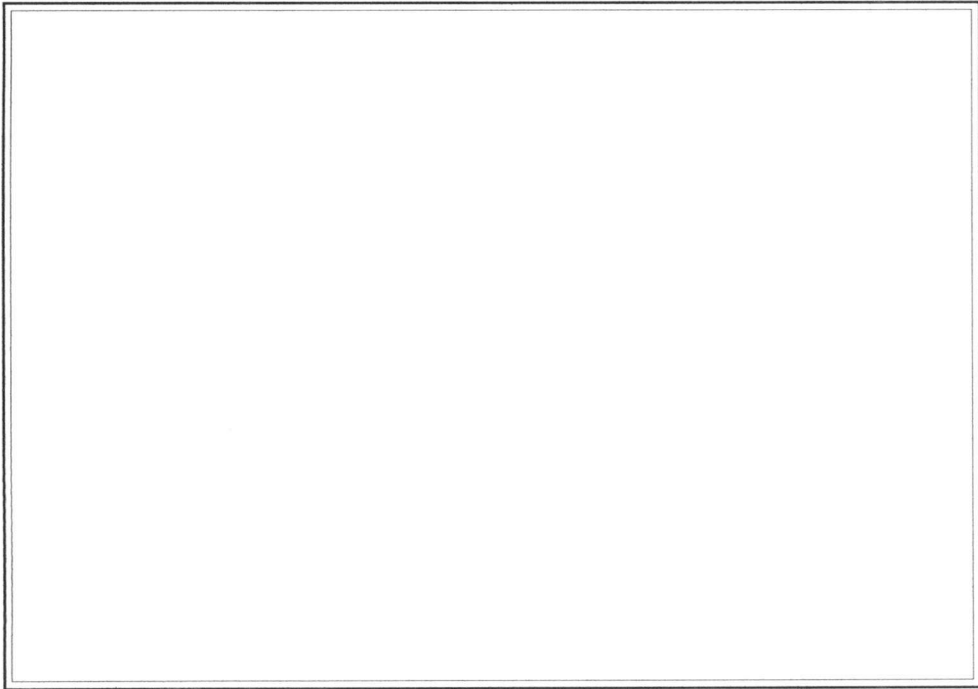
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View of improved portion of
8450 N Port Washington



Across road



REGIONAL CONSULTING ENGINEERS, INC.

PROFESSIONAL ENGINEERS AND SURVEYORS

4842 NO. 88TH ST.

MILWAUKEE, WISCONSIN

PHONE 464-6101

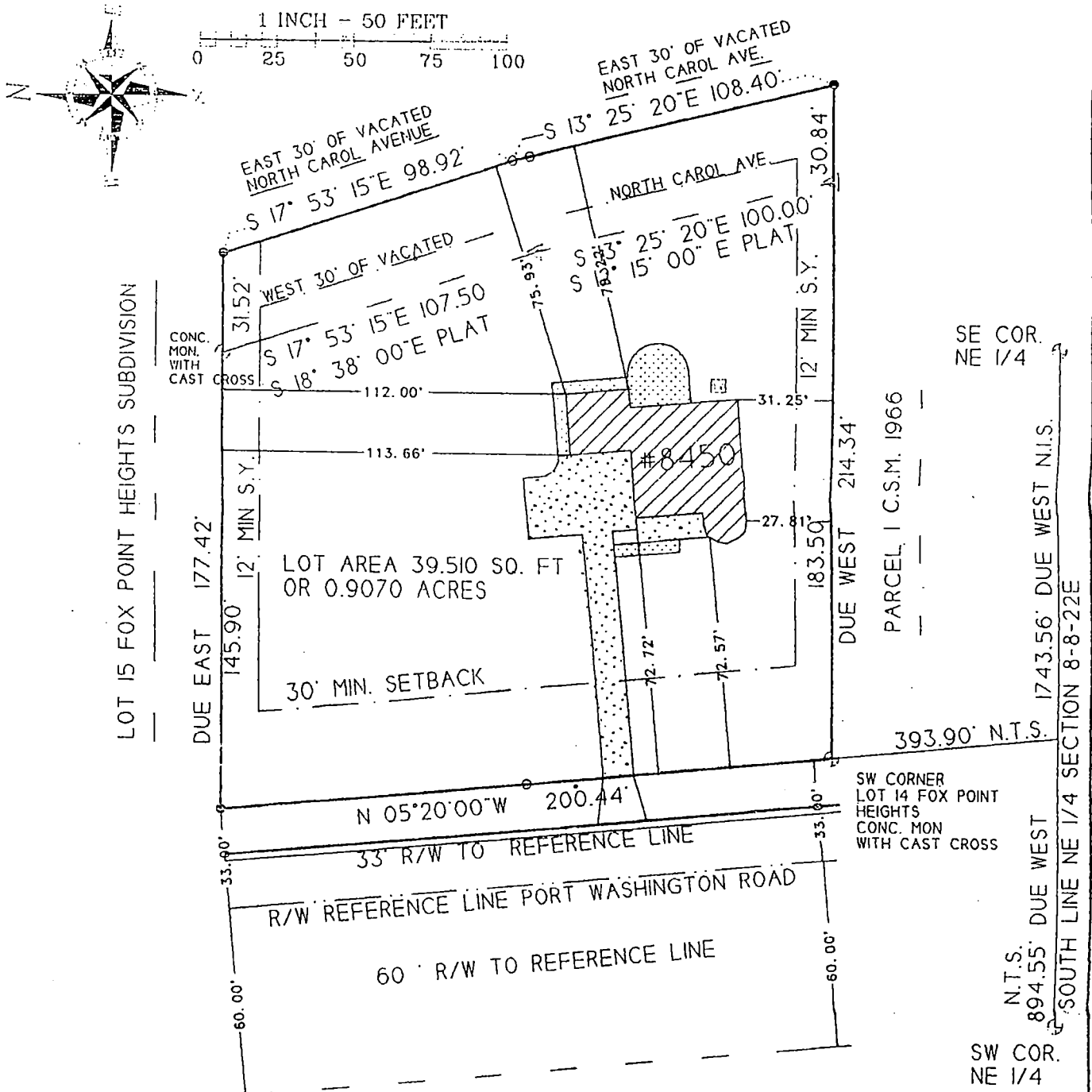
FAX 464-6101

CELL 235-0752

Plat Of Survey

LEGAL DESCRIPTION

ALL OF LOT 14 AND THE WEST ONE HALF OF VACATED NORTH CAROL AVENUE ADJACENT TO THE SAID LOT 14 ON THE EAST IN FOX POINT HEIGHTS SUBDIVISION IN THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 8, TOWNSHIP 8 NORTH, RANGE 22 EAST IN THE VILLAGE OF FOX POINT, MILWAUKEE COUNTY, WISCONSIN
OWNER: LARRY OWEN COOK P.O. BOX 171005 MILWAUKEE WI 53217 414-352- 1682



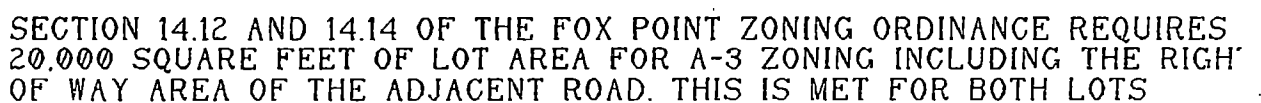
STATE OF WISCONSIN }
COUNTY OF MILWAUKEE } ss

I HAVE SURVEYED THE ABOVE-DESCRIBED PROPERTY AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.
THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF AND AS TO THEM I CERTIFY THE ACCURACY OF SAID SURVEY AND MAP.

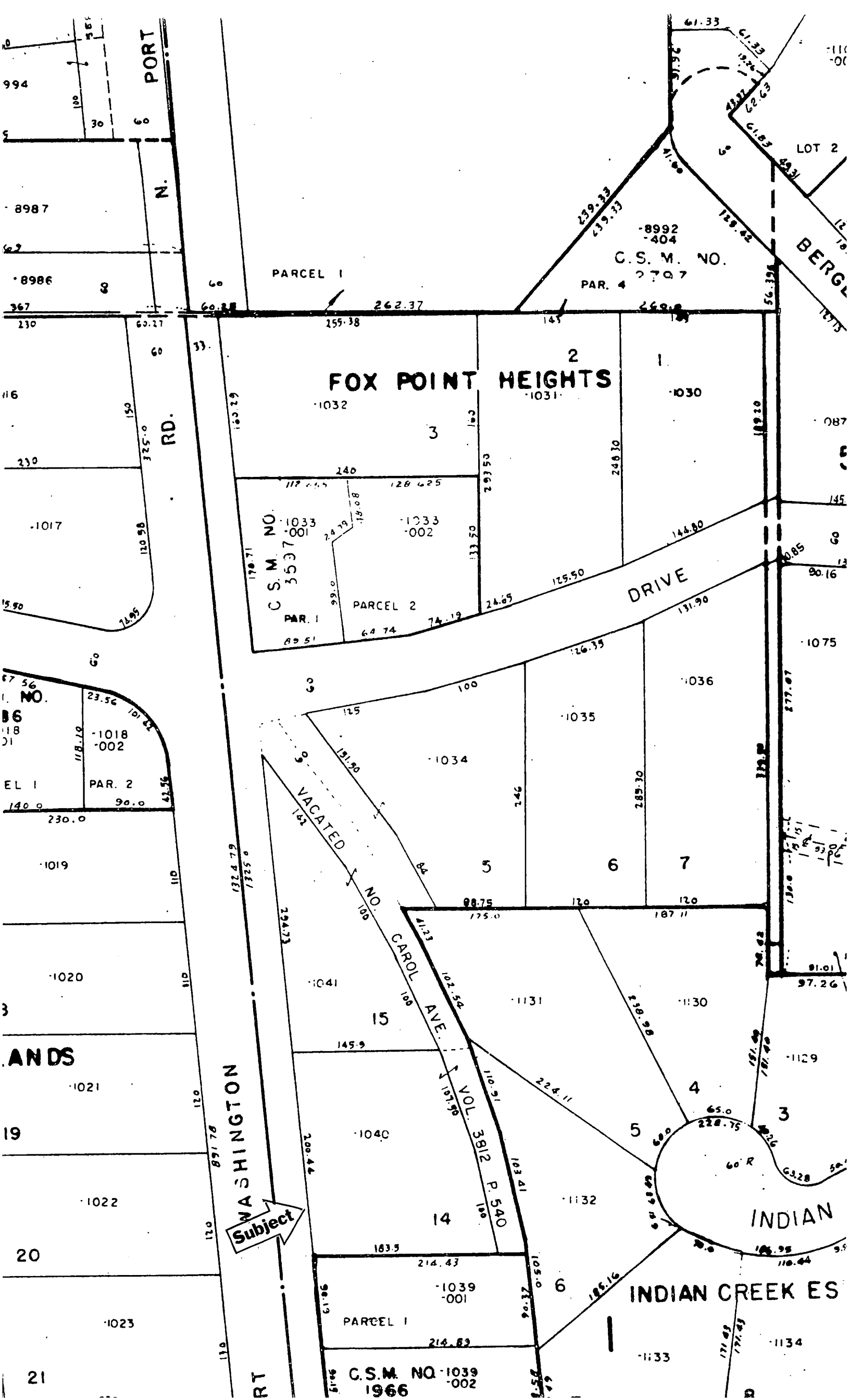
DATED THIS 28TH DAY OF JANUARY 2006

Robert N. Pitzloff
SURVEYOR RLS-1035
JOB NO. 260401

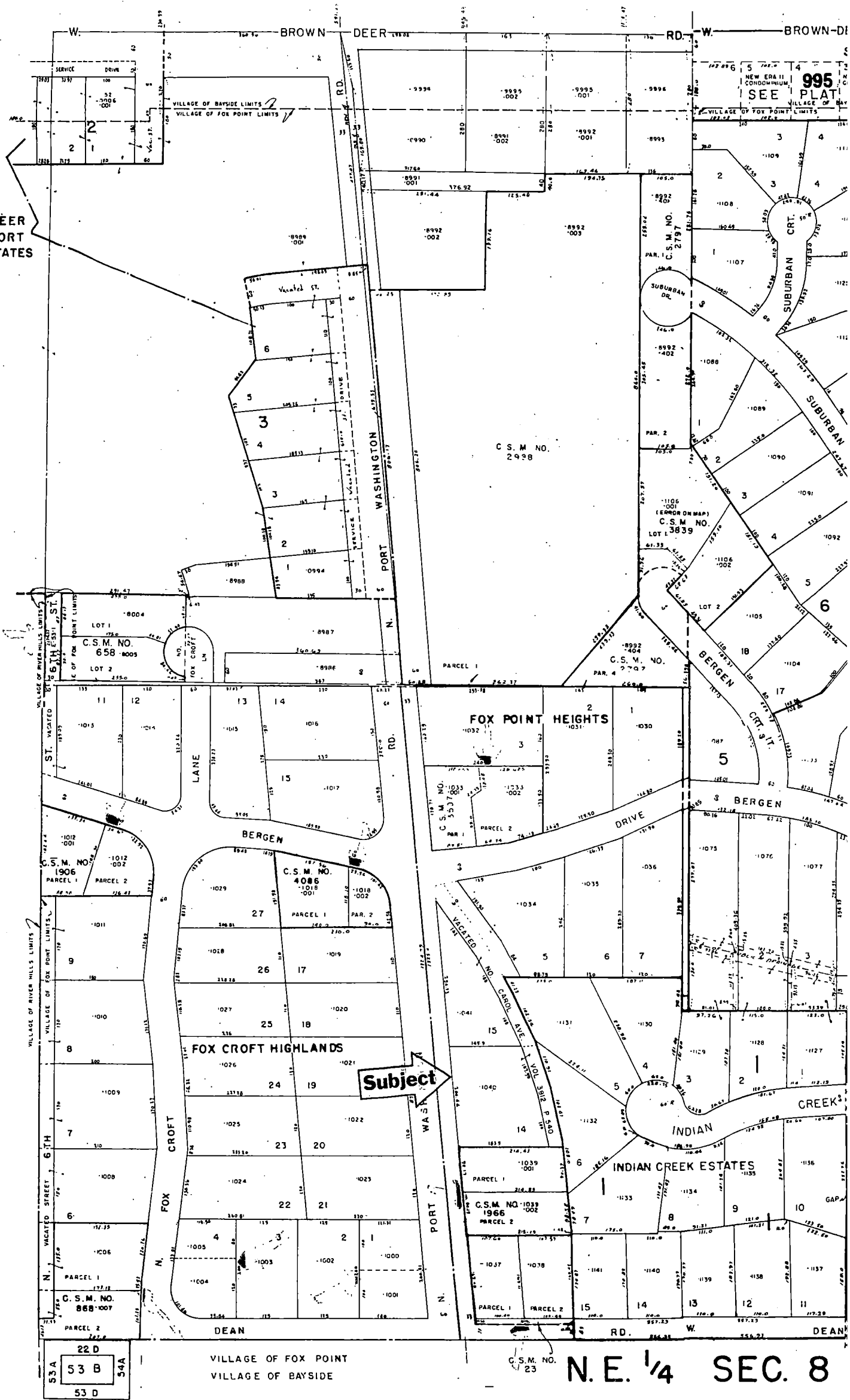
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SURVEYOR: ROBERT N.RETZLAFF 4842 NORTH 88TH STREET, MILWAUKEE, WISCONSIN 53225 235-075



1/28/2006



DEER
PORT
ESTATES



LOCATION MAP

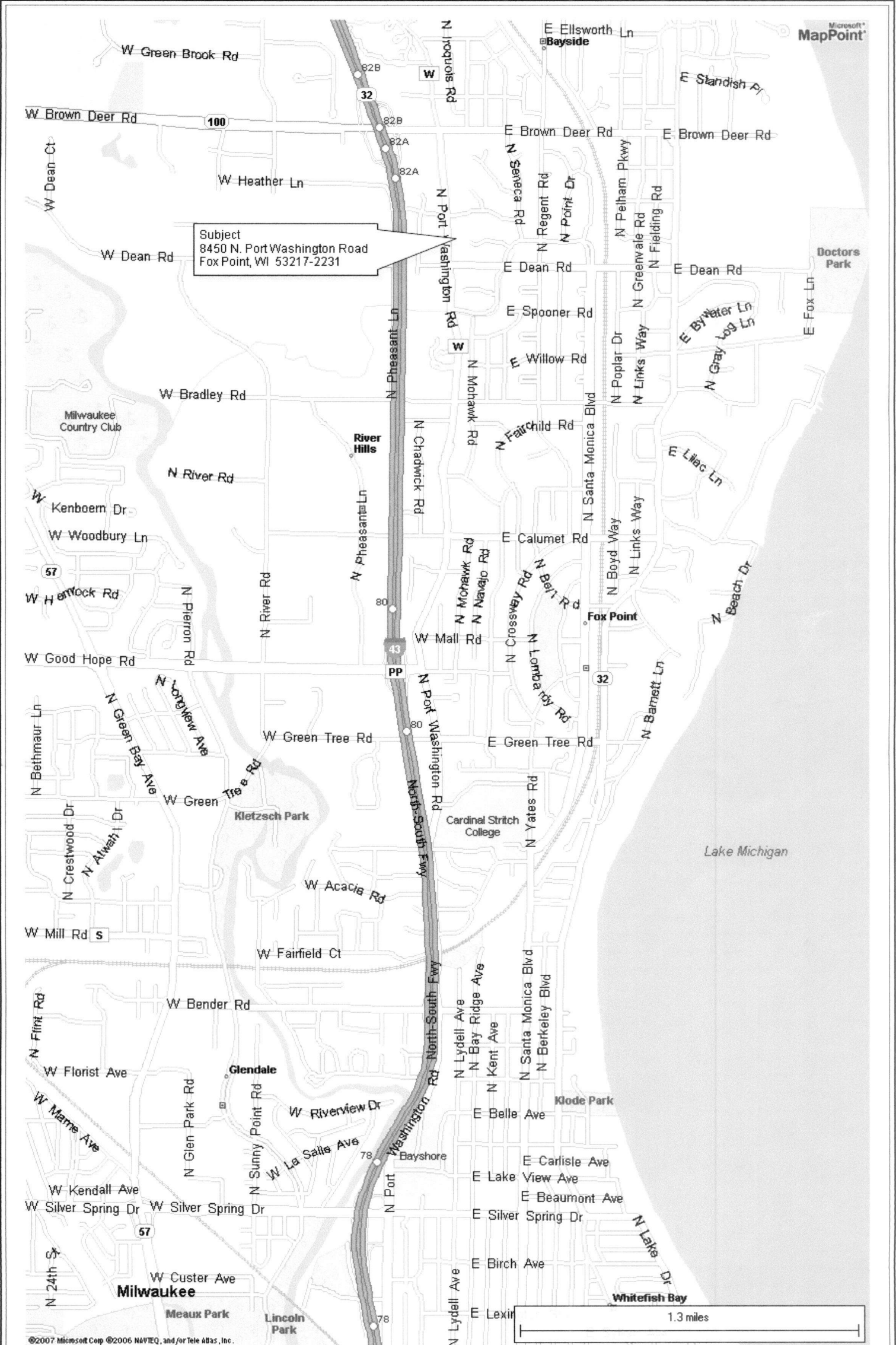
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Case No.:

State: WI

Zip: 53217



ROBERT S. SCHLEY & ASSOCIATES, INC.

Real Estate Appraisers

5205 N. Ironwood Road
Milwaukee, WI 53217

Telephone: 414-962-2200
e-mail: robertsschley@ameritech.net
Fax: 414-962-5380

QUALIFICATIONS OF APPRAISER

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Cendant Mobility Services
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City of Mequon
Community Bank & Trust
Continental Savings Bank
Fannie Mae
Fidelity Valuation
Foley & Lardner
Godfrey & Kahn, S.C.
GMAC Mortgage Corp.
Grafton State Bank
Great Midwest Bank
Irwin Union Bank
Johnson Bank
LaSalle Bank
Merit Financial Services, LLC
M & I Marshall & Ilsley Bank
M & I Mortgage Corp.

Northern Trust
North Shore Bank
Ozaukee Bank
Park Bank
Quarles & Brady, LLC
Reinhart, Boerner, VanDeuren
Salvation Army
Shelter Mortgage
Sirva Relocation
Shelter Mortgage
Summit Mobility
The Private Bank
Tri-City National Bank
U.S. Bank
Village of Fox Point
Wachovia Mortgage
Waukesha State Bank
Wauwatosa Savings Bank
Wells Fargo Bank
Whyte, Hirschboeck, Dudek, S.C.
Weichart Relocation

APPRAISAL OF



PROPOSED LAND DIVISION

LOCATED AT:

8450 N. Port Washington Road
Fox Point, WI 53217

FOR:

Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

AS OF:

July 23, 2007

BY:

Robert S. Schley, Jr., SRA
State of Wisconsin certified residential appraiser #195

July 23, 2007

Mr. Scott J. Brandmeier, P.E.
Director of Public Works
Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

RE: Proposed land division of 8450 N. Port Washington Road by owner, Mr. Larry Cook

Dear Mr. Brandmeier:

You have requested my opinion as to whether or not the proposed land division of 8450 N. Port Washington Road will preserve the established residential values of existing development in the immediate neighborhood. In accordance with your request on July 23, 2007 I walked the proposed lot, viewed only the exterior of the existing improvements to the property, studied the attached surveys and plat maps, and considered the immediate neighborhood. I offer the following comments and conclusions.

LEGAL DESCRIPTION OF SUBJECT PROPERTY:

All of Lot 14 and the West 1/2 of Vacated North Carol Avenue adjacent to the said Lot 14 on the East in Fox Point Heights Subdivision in the Southwest One Quarter of the Northeast One Quarter of Section 8, Township 8 North, Range 22 East in the Village of Fox Point, Milwaukee County, Wisconsin.

PROPOSED LEGAL DESCRIPTIONS OF SUBJECT PROPERTY:

Lot 1 and lot 2 of as shown on the attached conceptual plat of proposed Certified Survey Map

NEIGHBORHOOD:

The subject neighborhood is the northwest corner of Fox Point and is bounded by the Village of Bayside on the north; railroad tracks on the east; Bradley Road on the south and I-43 on the west. Though it is primarily a single family area this neighborhood is the most diverse portion of the village as it also contains commercial land use on portions of Port Washington Rd, two large apartment complexes, some condominiums, a school, places of worship, and what I believe is the last remaining billboard. This billboard is located on the otherwise vacant lot adjacent to the subject property to the north. Single family dwellings typically range in value from about \$170,000 to well over \$600,000 for some of the houses near Nokomis Ct and Indian Creek Parkway. The average and median values are in the \$250,000 to \$280,000 range.

PHYSICAL DESCRIPTION OF SUBJECT PROPERTY:

Lot 1 as proposed is a vacant parcel containing a net area of 18,845 square feet or 21,952 square feet including the right of way of Port Washington Road according to the conceptual plat. This road has been recently resurfaced and a concrete curb now runs along the road for the entire width of the subject property except where cut for the existing driveway. Utility lines also run along the west edge of the entire site. The proposed lot would measure 100.22' along the road, 177.42' on the north, 98.92' + 5.81' on the east and 199.84' on the south. It is irregular in shape and slopes down from south to north and less significantly from west to east. There is a small, well planted berm along the road and a heavily wooded drainage swale along the north and east lot lines, which provides additional seclusion. The site is not located in a FEMA identified special flood hazard area. There appears to be ample space for an appropriate future house within the defined setback lines. Municipal water, sewer, electricity, telephone, and natural gas are all immediately available to a future building site here.

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The improved portion of the subject property including lot 2 as now proposed is currently being offered for sale by the owner at the price of \$349,000 subject to accomplishing the proposed land division.

ZONING AND HIGHEST AND BEST USE:

The entire parcel is zoned A-3. A-3 is a single family district requiring an open lot area of not less than 20,000 square feet including the road right of way, a setback from the center line of the road as prescribed by the official zoning map but not less than 30 feet, side yard offsets of not less than 12 feet, and a minimum lot width of 90 feet at the building line.

There are parcels in the village which could be divided or have been divided yet are still maintained as a single property under common ownership. With a few exceptions most of these properties are found east of Lake Drive where the dwellings are typically large and of high value. It is generally true that if a property can be divided in such a manner as two create a second building site maximum proceeds at time of sale are typically realized by selling the property as two separate entities. Given the value structure and lot sizes in the immediate neighborhood it is my opinion that the highest and best use of the subject property would be to divide it in a manner similar to that now proposed. This would create two single family sites-one improved and one vacant. This opinion is supported by past history in this area. As can be seen on the attached plat map there appear to have been about nine similar land divisions in the past within a radius of two or three blocks from the subject. These include the two properties to the south of the subject as well as others on Bergen Dr, Fox Croft Lane, and Dean Road.

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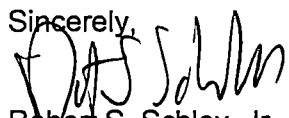
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State of Wisconsin certified residential appraiser #195.

Date report signed: July 26, 2007

Attachments:

Photographs
Plat of Survey
Conceptual Plat
Plat Map
Location Map
Appraiser qualifications

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Property Address: 8450 N. Port Washington Road		Case No.:
City: Fox Point	State: WI	Zip: 53217
Lender: Village of Fox Point		



FRONT VIEW OF
SUBJECT PROPERTY

Appraised Date: July 23, 2007



REAR VIEW OF
SUBJECT PROPERTY



STREET SCENE

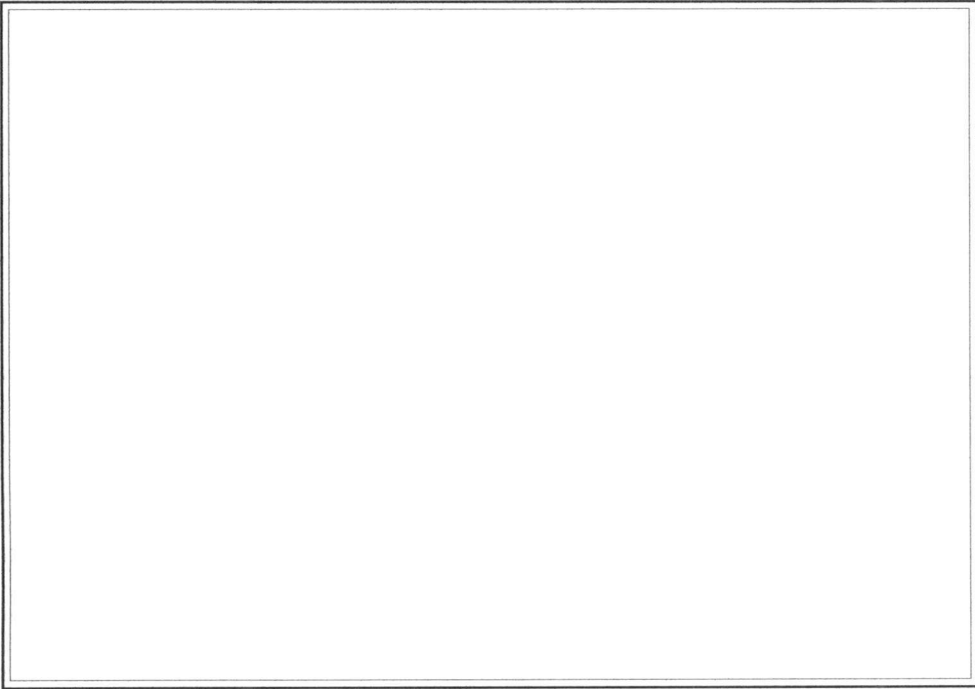
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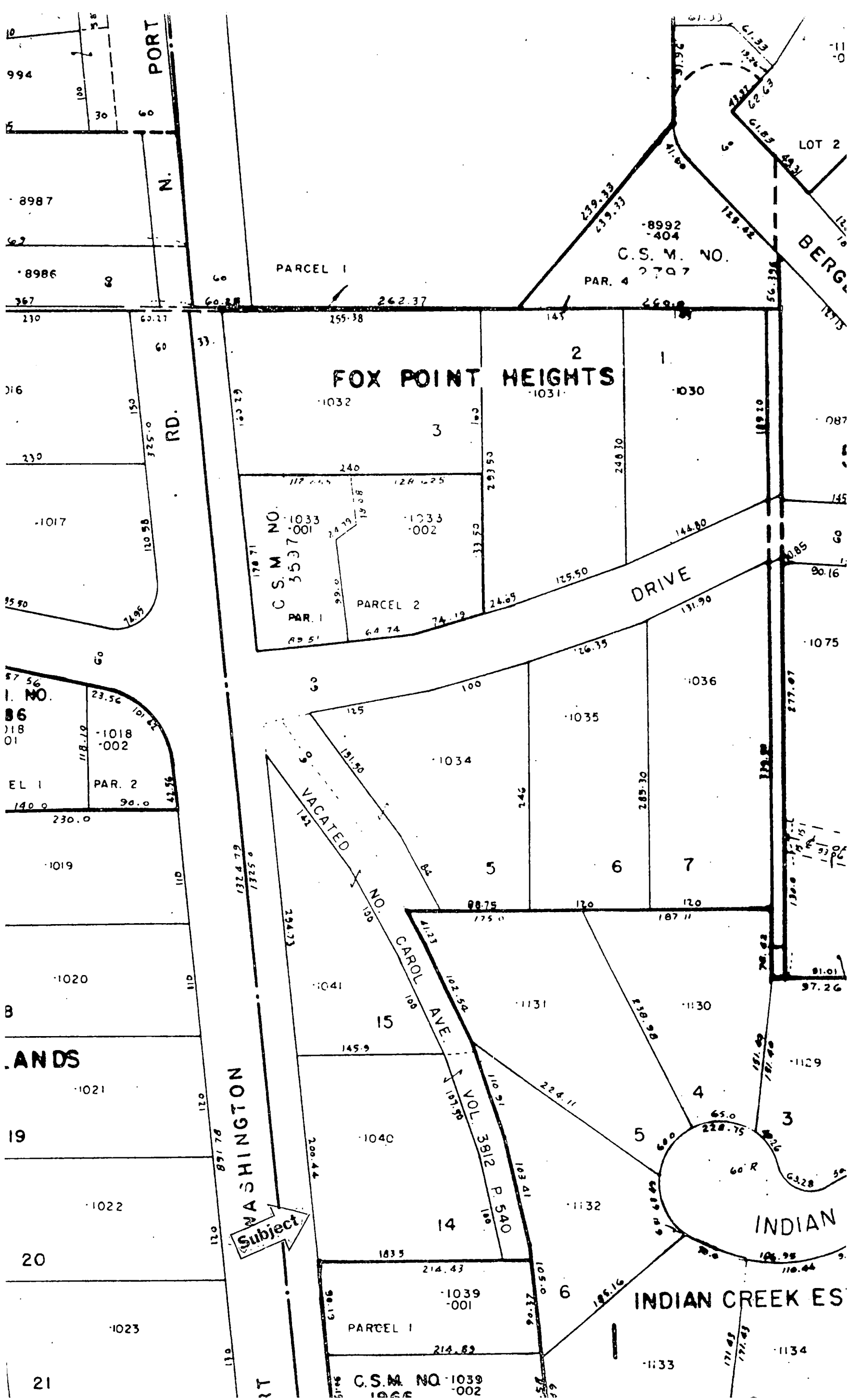


View of improved portion of
8450 N Port Washington

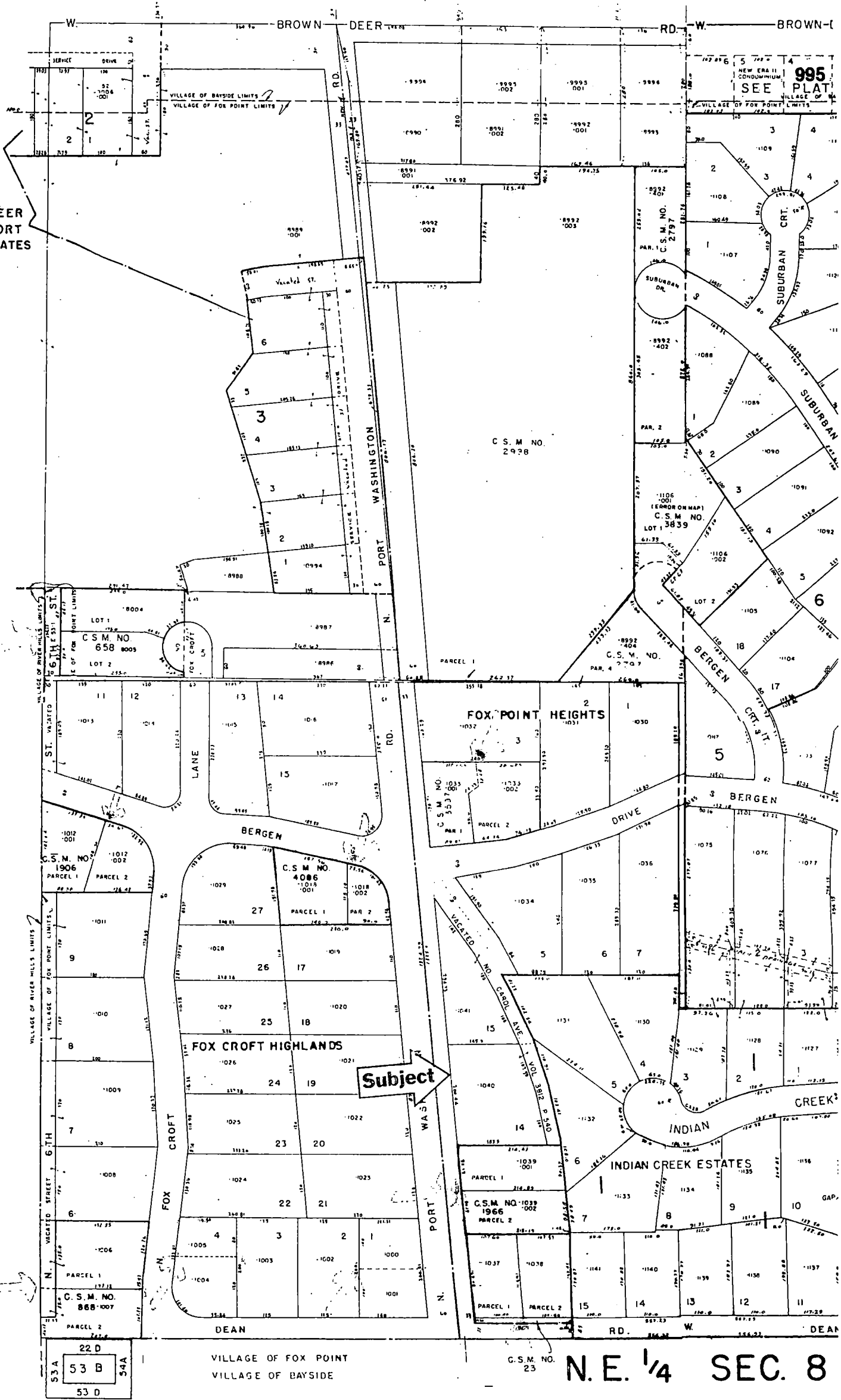


Across road





DEER
PORT
ESTATES



Subject

N.E. 1/4 SEC. 8

LOCATION MAP

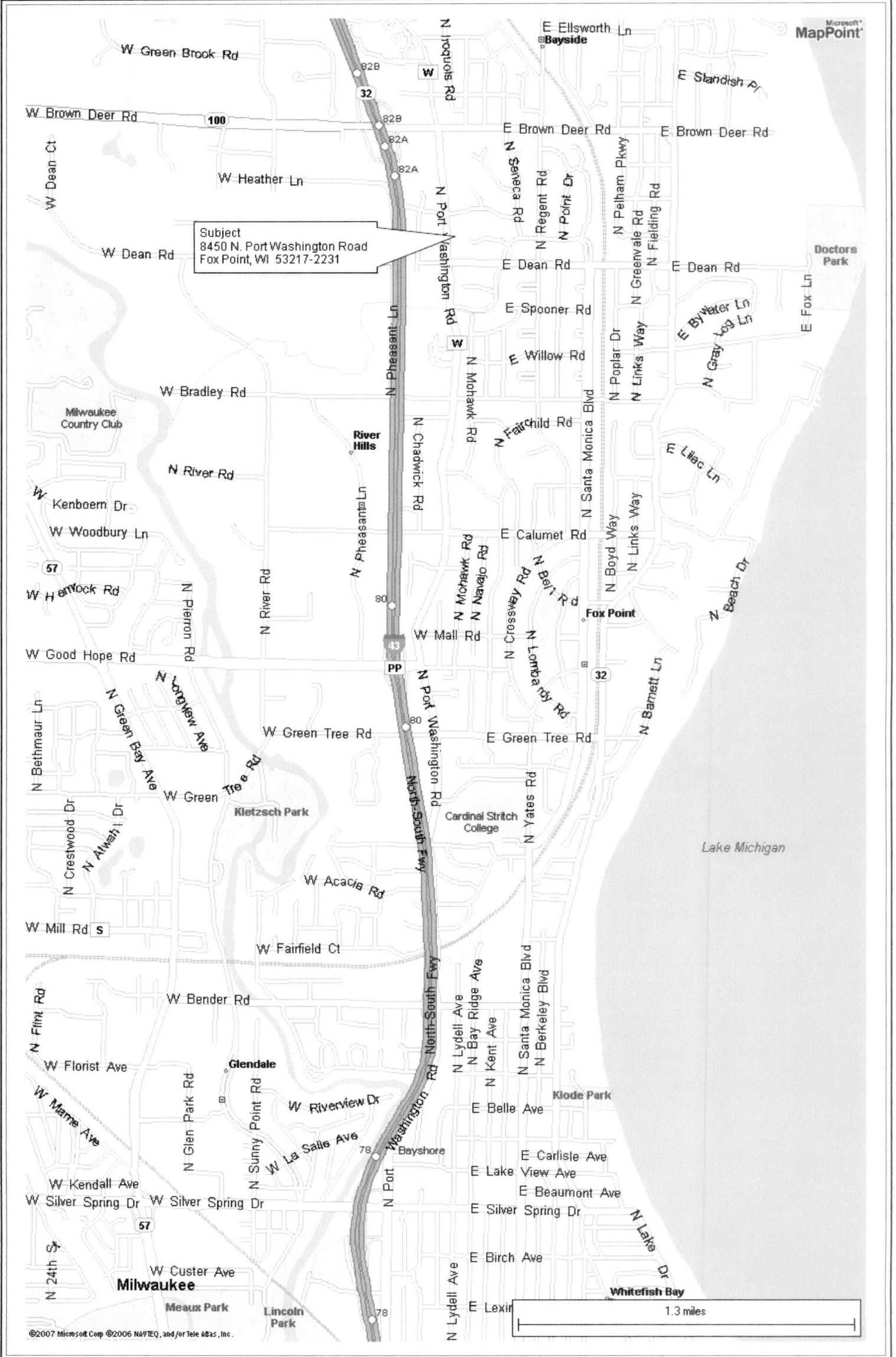
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5205 N. Ironwood Road
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Telephone: 414-962-2200
e-mail: robertsschley@ameritech.net
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Fannie Mae
Fidelity Valuation
Foley & Lardner
Godfrey & Kahn, S.C.
GMAC Mortgage Corp.
Grafton State Bank
Great Midwest Bank
Irwin Union Bank
Johnson Bank
LaSalle Bank
Merit Financial Services, LLC
M & I Marshall & Ilsley Bank
M & I Mortgage Corp.

Northern Trust
North Shore Bank
Ozaukee Bank
Park Bank
Quarles & Brady, LLC
Reinhart, Boerner, VanDeuren
Salvation Army
Shelter Mortgage
Sirva Relocation
Shelter Mortgage
Summit Mobility
The Private Bank
Tri-City National Bank
U.S. Bank
Village of Fox Point
Wachovia Mortgage
Waukesha State Bank
Wauwatosa Savings Bank
Wells Fargo Bank
Whyte, Hirschboeck, Dudek, S.C.
Weichart Relocation

03/27/07 - 1:25pm - 262-971-2200 - ~~Ext~~ Work

LARRY COOK

414-352-1682 - Cell

1. Was a proposal - wasn't sure he would do
2. Wants to do study to determine if feasible
3. I told him to send extension of time form & letter indicating he will follow until he has squared things away. He will do.

AGREEMENT TO EXTEND TIMES

The undersigned Applicant does hereby agree to extend any and all applicable time limitations regarding Applicant's Land division (Application), as follows. All such time limitations that apply to the Village of Fox Point's consideration, recommendation or action on the Application are hereby extended to, and include the 31 day of December, 2007.

Dated this 27 day of March, 2007.

James O. Cook
Signature - Applicant/Authorized Signatory

James O. Cook
Print - Applicant Name

Received by the undersigned on behalf of the VILLAGE OF FOX POINT on the 22nd day of June, 2007.

Susan E. Robertson
Signature - Village Representative

Susan E. Robertson
Print - Village Representative Name

**8450 NORTH PORT WASHINGTON RD
LAND DIVISION REQUEST
AMMENDED**

March 6, 2007

Mr. Scott Bandmeier P.E.
Village of Fox Point Engineer
7200 N. Santa Monica Blvd.
Fox Point, Wisconsin 53217

Subject: Amended Proposed Land Division to Create a Potential Building Lot

Dear Mr. Bandmeier,

In response to your concerns with the September 19, 2007 land division request submittal, I amending the request to include the information you have requested to create a proposed building lot at my property located at 8450 North Port Washington Road. The existing structure located at 8405 is a two story bungalow with a total square footage of 2,488 SF gross living area (see attached appraisal form dated 12/1997). The 1st floor matches the SF of the basement, which is 1,368 SF plus the two car garage of 400 SF for a total plan view SF of 1,768 SF.

I hereby re-submit this letter as a formal request to move forward with obtaining the necessary approvals to determine if I can subdivide my current property to potentially create a future building lot based on the proposed survey and site plan (see attached). The first floor of the proposed new structure would not exceed 1,952 square feet in order to meet the open space requirements.

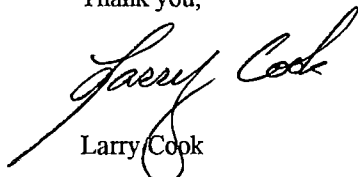
My intent is to market my current home for sale this spring and offer the building lot (if approved) as an option to purchase to the new buyer. If the buyer does not want to purchase the building lot, then I would construct a new home in accordance with the Village building code ordinances and plan commission approvals.

Lot 1 has 1,952 SF over the 20,000 SF required, so once it is determined if a structure is actually going to get built, I will have the surveyor adjust the South boundary lot line to miss the existing parking pad of Lot 2 and while still meeting the 20,000 SF lot size requirement, as an alternate I grant a permanent easement for the encroachment.

I have already submitted the \$300.00 filing fee (check #1167) along with three (3) original sealed copies of the property survey and three (3) copies of the proposed land division with preliminary layout of the house I would proposed to construct if the future buyer of my home opts not to purchase the lot.

Please let me know what is required to now move forward. I can be contacted at 414-352-1682 and I look forward to hearing from you in the near future.

Thank you,



Larry Cook

PO Box 171005
Milwaukee, Wisconsin 53217
Home Phone 414-352-1682

3/6/2007

SLAGTER APPRAISAL SERVICE
UNIFORM RESIDENTIAL APPRAISAL REPORT

File No. PORT

Property Address 8450 Port Washington Road		City Fox Point		State WI Zip Code 53217	
Legal Description See Addendum for Legal Description		County Milwaukee			
Assessor's Parcel No. 053 0331		Tax Year 1996 R.E. Taxes \$ 5,614.29		Special Assessments \$	
Borrower Cook, Larry		Current Owner Glanz, M. (Estate)		Occupant	Owner
Property rights appraised <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Project Type <input type="checkbox"/> PUD <input type="checkbox"/> Condominium (HUD/VA only) <input type="checkbox"/> HOA \$ N/A /Mo.					
Neighborhood or Project Name N/A		Map Reference		Census Tract 352	
Sales Price \$150,000		Date of Sale 12/97		Description and \$ amount of loan charges/concessions to be paid by seller None Known	
Lender/Client Equitable Bank SSB		Address 2290 N. Mayfair Road Wauwatosa, WI 53226			
Appraiser Ronald Slagter		Address 4735 Lincrest Drive Brookfield, WI 53045			
Location <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural		Predominant occupancy <input checked="" type="checkbox"/> Owner 90 <input type="checkbox"/> Tenant 10 <input type="checkbox"/> Vacant (0-5%) <input type="checkbox"/> Vacant (Over 5%)		Single family housing PRICE (\$000) AGE (yrs) 110 Low 20 300 High 60	
Built up <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%		Growth rate <input checked="" type="checkbox"/> Full and Developed <input type="checkbox"/> Slow <input type="checkbox"/> Declining <input type="checkbox"/> Over supply		Present land use % 75 <input checked="" type="checkbox"/> Not likely <input type="checkbox"/> Likely <input type="checkbox"/> In process	
Property values <input checked="" type="checkbox"/> Increasing <input type="checkbox"/> Stable <input type="checkbox"/> Declining		Demand/supply <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In balance <input type="checkbox"/> Over supply		Commercial 20 (Misc) 5	
Marketing time <input checked="" type="checkbox"/> Under 3 mos. <input checked="" type="checkbox"/> 3-6 mos. <input type="checkbox"/> Over 6 mos.					
Note: Race and the racial composition of the neighborhood are not appraisal factors.					
Neighborhood boundaries and characteristics: Green Tree Road on the south, the village limits on the west, Dean Road on the north and Santa Monica Blvd on the east.					
Factors that affect the marketability of the properties in the neighborhood (proximity to employment and amenities, employment stability, appeal to market, etc.):					
The subject is a bungalow that is located at the west end of the Village of Fox Point. Fox Point is an attractive suburban community on the shore of Lake Michigan north of Milwaukee. Downtown Milwaukee is a short drive away via the freeway (I-43). Homes in the immediate area appear to be generally well maintained.					
Market conditions in the subject neighborhood (including support for the above conclusions related to the trend of property values, demand/supply, and marketing time -- such as data on competitive properties for sale in the neighborhood, description of the prevalence of sales and financing concessions, etc.):					
MLS records indicate general marketing times of less than 120 days in the subject's market area. The area is popular and homes should be readily marketable if properly priced. Mortgage money is available at single digit rates for both fixed rate and ARM loans. Seller contributions are the exception rather than the rule.					
Project Information for PUDs (If applicable) -- Is the developer/builder in control of the Home Owners' Association (HOA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Approximate total number of units in the subject project N/A . Approximate total number of units for sale in the subject project N/A					
Describe common elements and recreational facilities: N/A					
Dimensions 200.44 X 145.90 X 137.50+100.00 X 183.90					
Site area 36108 Sq Ft +/- Corner Lot <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Specific zoning classification and description A-3; Residential					
Zoning compliance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal nonconforming (Grandfathered use) <input type="checkbox"/> Illegal <input type="checkbox"/> No zoning					
Highest & best use as improved <input checked="" type="checkbox"/> Present use <input type="checkbox"/> Other use (explain)					
Utilities Public <input checked="" type="checkbox"/> Other		Off-site Improvements Type		Public Private	
Electricity <input checked="" type="checkbox"/>		Street Paved		<input checked="" type="checkbox"/>	
Gas <input checked="" type="checkbox"/>		Curb/Gutter None		<input type="checkbox"/>	
Water <input checked="" type="checkbox"/>		Sidewalk None		<input type="checkbox"/>	
Sanitary Sewer <input checked="" type="checkbox"/>		Street Lights None		<input checked="" type="checkbox"/>	
Storm Sewer <input type="checkbox"/>		Alley None		<input type="checkbox"/>	
Landscaping Typical for area					
Driveway Surface Concrete					
Apparent Easements Typical utility					
FEMA Special Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
FEMA Zone Zone C Map Date 05/16/77					
FEMA Map No. H&T-01					
Comments (apparent adverse easements, encroachments, special assessments, slide areas, illegal or legal nonconforming zoning use, etc.): The site is typical of the neighborhood in terms of size and appeal, with no apparent adverse easements or encroachments.					
GENERAL DESCRIPTION		EXTERIOR DESCRIPTION		FOUNDATION	
No. of Units 1		Foundation Conc Blk		Slab None	
No. of Stories 1.5		Exterior Walls Brk/Stc		Crawl Space None	
Type (Det./Att.) Det		Roof Surface Comp Shng		Basement Full	
Design (Style) Bung		Gutters & Dwnspnts. Galv Iron		Sump Pump Yes	
Existing/Proposed Exist		Window Type Various		Dampness None visi	
Age (Yrs.) 63		Storm/Screen Wood		Settlement None visi	
Effective Age (Yrs.) 25		Manufactured House No		Infestation None visi	
ROOFS		Foyer		Living	
Basement		Dining		Kitchen	
Level 1		Den		Family Rm.	
Level 2		Rec. Rm.		Bedrooms	
N/A		# Baths		Laundry	
Finished area above grade contains:		7 Rooms;		3 Bedroom(s);	
1.5 Bath(s);		2,488 Square Feet of Gross Living Area			
INTERIOR Materials/Condition		HEATING		KITCHEN EQUIP.	
Floors Cpt/Vin/Wd/Av		Type FWA		Refrigerator <input type="checkbox"/> None <input type="checkbox"/>	
Walls Plaster/Av		Fuel Gas		Range/Oven <input type="checkbox"/> Stairs <input type="checkbox"/>	
Trim/Finish Wood/Av		Condition Good		Disposal <input checked="" type="checkbox"/> Drop Stair <input type="checkbox"/>	
Bath Floor Tile/Av		COOLING		Dishwasher <input checked="" type="checkbox"/> Scuttle <input type="checkbox"/>	
Bath Wainscot CerTile/Av		Central Cent Air		Fan/Hood <input type="checkbox"/> Floor <input checked="" type="checkbox"/>	
Doors Wood/Av		Other N/A		Microwave <input type="checkbox"/> Heated <input type="checkbox"/>	
		Condition Average		Washer/Dryer <input type="checkbox"/> Finished <input type="checkbox"/>	
AMENITIES		FIREPLACES		CAR STORAGE:	
Fireplace(s) # 1 <input checked="" type="checkbox"/>		None <input type="checkbox"/>		Garage # of cars 2 car	
Patio None <input type="checkbox"/>		Deck None <input type="checkbox"/>		Attached N/A	
Porch Front <input checked="" type="checkbox"/>		Fence None <input type="checkbox"/>		Detached N/A	
Pool None <input type="checkbox"/>		Carport N/A		Built-in N/A	
		Driveway Conc.		Carport N/A	
Additional features (special energy efficient items, etc.): Fireplace; Central air; Mostly brick exterior; Garage door openers.					
Condition of the improvements, depreciation (physical, functional, and external), repairs needed, quality of construction, remodeling/additions, etc.: External obsolescence is present due to the property's location on a busy road. The improvements are in average condition and are not in need of any major repairs. Quality of construction appears to be average to good.					
Adverse environmental conditions (such as, but not limited to, hazardous wastes, toxic substances, etc.) present in the improvements, on the site, or in the immediate vicinity of the subject property: There are no known or apparent adverse environmental conditions that would have a negative effect on the subject property.					

full
base ment
notes footprint
of 1st Floor

20' x 20'
400 sf

8450 NORTH PORT WASHINGTON RD LAND DIVISION REQUEST

March 27, 2007

Mr. Scott Bandmeier P.E.
Village of Fox Point Engineer
7200 N. Santa Monica Blvd.
Fox Point, Wisconsin 53217

Date	# of pages	
To	Scott Bandmeier	From LARRY COOK
Co./Dept.	Village Eng	Co.
Phone #	351-8900	Phone # 414-352-1682
Fax #	351-8909	Fax # 262-971-2334

Subject: Response to Village Letter dated 3/12/07 on Proposed Land Division to Create a Potential Building Lot

Dear Mr. Bandmeier,

I received your letter dated March 12, 2007 regarding your request for a time extension to act on my request along with the letter regarding charge back fees to the Owner related to the proposed land division.

I feel we are getting ahead of what I have actually requested in my previous letters, which was "a PROPOSED land division". I needed to determine if I could indeed divide my land if the potential buyer of my home would not be willing to purchase the land as part of the home sale.

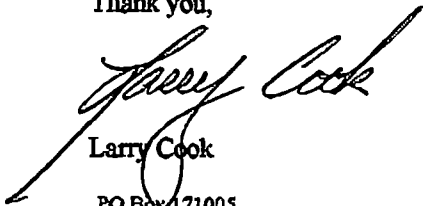
Based on your reviews and those of the Building Inspector along with the site survey showing I meet the required square footage needed to meet the initial requirements for a land division. Is that correct? Should I wish to proceed forward, I understand the other items outlined in the land division ordinance would need to be completed before the actual land division would be granted by the Village.

At this time I do not wish to proceed forward with an actual land division until I actually have a buyer for my home, at which time I will be able to determine if a land division is necessary or not.

I would also like a clarification as to how the proposed charge back costs would apply. I have read the Ordinance section 66.0627 that you included with your letter and I understand where additional fees should be charged related to certain issues that only benefit a land owner and no additional tax base is being generated to cover such costs, then the charge backs make sense, but when the task benefits the Village by generating more tax base, then seems like double dipping by the Village. Also the Village already charges a \$300 application fee, so what does that cover. If we proceed further, these issues would need to be addressed more clearly before I willing to accept any such charge backs.


If you have any questions, please feel free to contact me at 414-352-1682.

Thank you,


Larry Cook
PO Box 171005
Milwaukee, Wisconsin 53217
Home Phone 414-352-1682

CC:

Constance K. McHugh, Village Clerk
Susan E. Robertson, Village Manager

He got his
letter
Read on, ... 

3/27/2007

MEMORY TRANSMISSION REPORT

TIME : 03-23-'07 10:05
 TEL NO.1 :
 NAME :

FILE NO. : 815
 DATE : 03.23 09:58
 TO : 912629712334
 DOCUMENT PAGES : 8
 START TIME : 03.23 09:58
 END TIME : 03.23 10:05
 PAGES SENT : 0
 STATUS : 50

*Attempted 2 x's
 (Will not go thru)*

TX ORIGINAL

VILLAGE OF FOX POINT
 7200 N. Santa Monica Blvd.
 Fox Point, WI 53217
 Phone 414-351-8900
 Fax 414-351-8909

Fax

PERSONAL

To: Larry Cook From: Laura
 Fax: 262-971-2334 Pages: 8
 Phone: _____ Date: 3-23-07
 Re: Land Division Request cc: _____
☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Call Scott with any questions. Have a
 nice weekend.

VILLAGE OF FOX POINT
7200 N. Santa Monica Blvd.
Fox Point, WI 53217
Phone 414-351-8900
Fax 414-351-8909

Fax

PERSONAL

To: Larry Cook From: Laura
Fax: 262-971-2334 Pages: 8
Phone: Date: 3-23-07
Re: Land Division Request cc:
☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Call Scott with any questions. Have a
nice weekend.



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

March 12, 2007

Mr. Larry Cook
P.O. Box 171005
Milwaukee, WI 53217

RE: Land Division Request
8450 North Port Washington Road

Dear Mr. Cook:

I have reviewed your amended Land Division Request ("application") that was delivered to our office on March 7, 2007, and find it to be substantially complete. Pursuant to the applicable ordinances, the Land Division Request must now be reviewed by the Village Manager and she will have until March 21, 2007, to render her opinion. Thereafter, notices will be sent to property owners located within 500 feet of the proposed land division. These notices must be sent at least 21 days prior to the Plan Commission meeting for which your application appears on the agenda. At this time, it is anticipated that your application will appear on the May 7, 2007, Plan Commission agenda.

Although state law requires that the Village Board take action on this matter within 90 days of the filing date of a completed application, it is our experience that there are too many issues that need to be resolved by both the Applicant and the Village in order to comply with such a timeline. For instance, the Applicant is required to have a final Certified Survey Map ("CSM") prepared if the Village Board grants approval of the application. Additionally, an appraiser is hired to make a determination that there will be no adverse affect on the residential values of existing development in the immediate neighborhood. The costs associated with the Village hiring an appraiser as well as other review and ancillary costs related to the application are the responsibility of the Applicant.

In order to more appropriately consider your application, we respectfully request that you sign the attached Agreement to Extend Times ("extension form") and Charge Back ("charge back form") forms. I am submitting the extension form to you for your signature because the time it takes to adequately decide a matter such as this is, as indicated, dependent on a number of different factors, some of which are not controlled by the Applicant or the Village. Therefore, I am

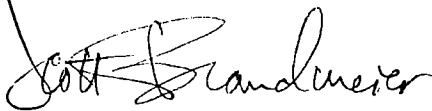
March 12, 2007
Mr. Larry Cook
Page -2-

suggesting that the date identified on the extension form be December 31, 2007, notwithstanding all parties may be able to complete the process prior to that date.

With respect to the charge back form, this is a standard form submitted to Applicants, such as yourself, who are considering actions that require an additional outlay of resources beyond the normal roles and responsibilities of Village staff. For instance, the cost associated with preparing and sending the notices to the property owners within 500 feet of your property will be charged back to you. Additionally, the cost associated with the appraiser and any internal staff time (that exceeds \$150) associated with this application will also be charged back to you. The attached copy of the applicable ordinance (Section 2.21) provides more detail on the provisions of the charge back ordinance.

Should you have any questions on this matter, feel free to contact me at your convenience. Otherwise, please return the two forms to me prior to March 23, 2007. Please note that notices will not be sent until we have received the signed forms.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Brandmeier", with a large, stylized initial "S" that loops around the first part of the name.

Scott Brandmeier, P.E., Esq.
Director of Public Works
Village of Fox Point

Cc: Constance K. McHugh, Village Clerk
Susan E. Robertson, Village Manager

STATE OF WISCONSIN

VILLAGE OF FOX POINT

MILWAUKEE COUNTY

NOTICE

PLEASE BE ADVISED: Section 2.21 of the Village of Fox Point Village Code is attached hereto and incorporated herein. Pursuant to this Ordinance, the Village of Fox Point Village Board has determined that whenever the services of the Village Attorney, Village Engineer, Village Forester or any other of the Village's professional staff results in a charge to the Village for that professional's time and services and such service is not a service supplied to the Village as a whole, the Village Treasurer shall charge the property owner for the fees incurred by the Village to the extent that they exceed \$150.00. Also be advised that pursuant to the Village of Fox Point Municipal Code certain other fees, costs and charges are the responsibility of the property owner making application to the Village.

I, the undersigned, have been advised that, pursuant to the Village Fox Point Village Code, if the Village Attorney, Village Engineer, Village Forester or any other Village professional provides services to the Village as a result of my activities, whether at my request or at the request of the Village, I shall be responsible for the fees incurred by the Village. Also I have been advised that pursuant to the Village of Fox Point Village code certain other fees, costs and charges are my responsibility.

Dated this _____ day of _____, 20_____.

Signature of the Property Owner

Please Print: Name of Property Owner:

Address of Property :

Tax Key No. of Property:

Address of Property:

Village Use Only:

☐ Original kept on file with Village Clerk.

☐ Copy provided to Property Owner.

Signature: _____

**AN ORDINANCE TO UTILIZE SECTION 66.0627 OF WIS. STATS.,
TO CHARGE BACK ENGINEERING, ATTORNEY, FORESTER AND
OTHER FEES TO LANDOWNERS BENEFITTING AND
TO PROVIDE AN APPEAL PROCEDURE**

2.21 Charge to Benefitting Owners for Professional Fees.

(A) Professional Fees Charged Back.

The Village Treasurer shall charge property owners fees for services, pursuant to Wisconsin Statutes Section 66.0627, in the following circumstances:

1. Whenever a property owner contacts the Village Attorney, Village Engineer, Village Forester or other of the Village's professional staff, whether such professional staff is employed by the Village or independently contracted, if said contact and subsequent service results in a charge to the Village of Fox Point for that professional's time and services and said service is not a service supplied to the Village of Fox Point as a whole, provided that the Village Treasurer shall charge property owners only to the extent that the total charge to the Village of Fox Point exceeds \$150.00; or
2. Whenever the Village Board, Village Manager, Village Clerk, or other Village official contacts the Village Attorney, Village Engineer, Village Forester or any of the Village's professional staff, whether such professional staff is employed by the Village or independently contracted, regarding an application received from a property owner, if said contact and subsequent service results in a charge to the Village of Fox Point for that professional's time and services and said service is not a service supplied to the Village of Fox Point as a whole, provided that the Village Treasurer shall charge property owners only to the extent that the total charge to the Village of Fox Point exceeds \$150.00; or
3. Whenever the Village incurs professional fees in considering certified survey maps, subdivision plats, re-zoning petitions, conditional use permit petitions, site development applications, and other petitions related to the development of land in the Village, provided that the Village Treasurer shall charge property owners only to the extent that the total charge to the Village of Fox Point exceeds \$150.00. For purposes of this subsection, professional fees shall include any charges incurred by the Village in relation to such application from the Village Engineer, the Village Attorney, Village Forester or any other of the Village's professional staff, whether such professional staff is employed by the Village or independently contracted.

(B) Property Owner Allowed Time to Pay or Appeal.

The Village Treasurer shall give each property owner billed for current services as provided for herein notice that they shall have a specified period of time not less than thirty (30) days to pay. Said notice shall also state that within 15 days of the date of the notice, the property owner may request a hearing before the Village Board regarding the charge against the property. Said notice shall also include an itemized statement of the professional services fees to be charged. Thereafter, if the property owner requests a hearing within the proper time period, the matter shall proceed as described in subsection (C) below, entitled "Appeal to Village Board". If a hearing is not requested within the required time period, if that charge remains unpaid, the Village Treasurer shall automatically charge that delinquent bill against the property on the tax roll as provided by law. In the event the statement rendered to the property owner becomes delinquent too late in the year to be extended on that year's tax roll, then the delinquent charge shall be extended to the following year's tax roll.

(C) Appeal to Village Board.

Upon receipt of a timely request for hearing, the Village Board shall hold a hearing regarding the property charges at its next scheduled meeting or as soon as feasible. Such hearing shall be preceded by posted public notice and reasonable notice, via first class mail, to the property owner. In the event a hearing is requested, no charges shall be placed on the tax roll unless and until such hearing has been held and a decision has been rendered by the Village Board, and the Village Board approves the charges against the tax roll in whole or in part. If approved only in part, only that part of the charges that are approved may be charged against the tax roll.

(D) Permits for Government Organization.

Whenever it is requested that the Village of Fox Point grant approvals to any other municipality, agency or other governmental body and that permit process requires the assistance of contracted professional staff of the Village, those fees shall also be charged back to the municipality, agency or governmental body seeking the permit in the manner described in this Section 2.21.

SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the

validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

(Ordinance 2005-03 adopted 2/8/05)

AGREEMENT TO EXTEND TIMES

The undersigned Applicant does hereby agree to extend any and all applicable time limitations regarding Applicant's _____ (Application), as follows. All such time limitations that apply to the Village of Fox Point's consideration, recommendation or action on the Application are hereby extended to, and include the _____ day of _____, 20_____.

Dated this _____ day of _____, 20_____.

Signature - Applicant/Authorized Signatory

Print - Applicant Name

Received by the undersigned on behalf of the VILLAGE OF FOX POINT on the _____ day of _____, 20_____.

Signature - Village Representative

Print - Village Representative Name

3/7/07

LAND DIVISION REQUEST

1. Applicant: Larry Cook 414-352-1682
Fax - 262-971-2334

2. Owner: _____
(leave blank if same as Applicant)

3. Address of Proposed Land Division: 8450 North Pt. Washington Rd.

4. Brief Description of Proposed Land Division: dividing an existing parcel
into a separate building lot.

5. Certified Survey Map (CSM) Attached: ☒ Yes ☐ No

a. Land Division Requests cannot be considered until a CSM is received from the Applicant.

b. All CSM's must identify the following:

- i.) The total square footage of each parcel proposed to be created by the land division. lot 1 - 21,952 sf / lot 2 - 23,927 sf
ii.) The total square footage of all structures located on the parcel(s). 8450 House plan view 1,768 sf / Proposed home not to exceed 1,952 sf on 1st floor

c. A minimum of three (3) copies of the CSM must be filed with this request.

6. \$300.00 filing fee attached: ☒ Yes ☐ No

Notes:

check #1167 Rec # 20557

1. Land divisions are subject to the requirements of Section 15.05 of the Village of Fox Point Code. A copy of the Code is attached hereto.

2. Land divisions must also comply with the zoning provisions identified in Section 14. The open area requirements apply for the following districts as specified in Section 14.

- a. A-1 Residence District: 40,000 square feet
- b. A-2 Residence District: 30,000 square feet
- c. A-3 Residence District: 20,000 square feet
- d. B Residence District: 15,000 square feet
- e. C Residence District: 10,500 square feet
- f. The Applicant is encouraged to review the other provisions of Section 14 as it relates to setbacks, dwelling size and height, and other applicable building code provisions.

2. A final "land division map" shall not be accepted for filing unless it is in substantial conformity with a preliminary "land division map" which has been approved by the village.

15.06 SUBSTANDARD LOTS. In the case of a lot of record on June 25, 1957 which does not conform to the zoning regulations of the village and which adjoins along a side lot line property held in the same ownership, no such lot shall be conveyed to another owner nor shall a building permit be issued for a structure on such lot except in conformity with the following regulations:

(a) The owner of such substandard lot may at any time prior to the proposed conveyance of such lot or request for building permit, petition the village for determination as to the status of such lot.

(b) Such petition shall be referred to the Plan Commission for a study to determine the practical possibility of a redivision of such ownership to provide lots which will be in conformity to the zoning regulations of the village.

(c) The Plan Commission shall make its recommendation to the Village Board within 60 days of the date the petition was received and the Village Board shall act within 40 days to give the petitioner a determination. (am. Ord. No. 497, published 5/20/82)

(d) Such redivision may be accomplished as is most appropriate by:

1. Vacation and replatting of all or a part of a recorded plat.
2. Combining of lots or parts of lots.
3. Redefining of lot lines by a "land division map" as provided in section 15.05.

(e) For the purposes of this section, lots and property shall be considered in the same ownership when owned by: the same individual or corporation; an individual and another in joint tenancy, or as tenants in common, and either of said joint or common tenants owns other lots individually or as joint tenant or tenant in common with another; an individual and other lots by his spouse, parents, grandparents, children, grandchildren, or the spouse of any child or grandchild, or a brother or sister or spouse of a brother or sister of such person; and when any of said lots are owned by an individual and other lots are owned by a corporation in which said individual is an officer or directors or controlling stockholder.



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

March 12, 2007

Mr. Larry Cook
P.O. Box 171005
Milwaukee, WI 53217

RE: Land Division Request
8450 North Port Washington Road

Dear Mr. Cook:

I have reviewed your amended Land Division Request ("application") that was delivered to our office on March 7, 2007, and find it to be substantially complete. Pursuant to the applicable ordinances, the Land Division Request must now be reviewed by the Village Manager and she will have until March 21, 2007, to render her opinion. Thereafter, notices will be sent to property owners located within 500 feet of the proposed land division. These notices must be sent at least 21 days prior to the Plan Commission meeting for which your application appears on the agenda. At this time, it is anticipated that your application will appear on the May 7, 2007, Plan Commission agenda.

Although state law requires that the Village Board take action on this matter within 90 days of the filing date of a completed application, it is our experience that there are too many issues that need to be resolved by both the Applicant and the Village in order to comply with such a timeline. For instance, the Applicant is required to have a final Certified Survey Map ("CSM") prepared if the Village Board grants approval of the application. Additionally, an appraiser is hired to make a determination that there will be no adverse affect on the residential values of existing development in the immediate neighborhood. The costs associated with the Village hiring an appraiser as well as other review and ancillary costs related to the application are the responsibility of the Applicant.

In order to more appropriately consider your application, we respectfully request that you sign the attached Agreement to Extend Times ("extension form") and Charge Back ("charge back form") forms. I am submitting the extension form to you for your signature because the time it takes to adequately decide a matter such as this is, as indicated, dependent on a number of different factors, some of which are not controlled by the Applicant or the Village. Therefore, I am


March 12, 2007
Mr. Larry Cook
Page -2-

suggesting that the date identified on the extension form be December 31, 2007, notwithstanding all parties may be able to complete the process prior to that date.

With respect to the charge back form, this is a standard form submitted to Applicants, such as yourself, who are considering actions that require an additional outlay of resources beyond the normal roles and responsibilities of Village staff. For instance, the cost associated with preparing and sending the notices to the property owners within 500 feet of your property will be charged back to you. Additionally, the cost associated with the appraiser and any internal staff time (that exceeds \$150) associated with this application will also be charged back to you. The attached copy of the applicable ordinance (Section 2.21) provides more detail on the provisions of the charge back ordinance.

Should you have any questions on this matter, feel free to contact me at your convenience. Otherwise, please return the two forms to me prior to March 23, 2007. Please note that notices will not be sent until we have received the signed forms.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Brandmeier", written over a horizontal line.

Scott Brandmeier, P.E., Esq.
Director of Public Works
Village of Fox Point

Cc: Constance K. McHugh, Village Clerk
Susan E. Robertson, Village Manager

AGREEMENT TO EXTEND TIMES

The undersigned Applicant does hereby agree to extend any and all applicable time limitations regarding Applicant's _____ (Application), as follows. All such time limitations that apply to the Village of Fox Point's consideration, recommendation or action on the Application are hereby extended to, and include the _____ day of _____, 20_____.

Dated this _____ day of _____, 20_____.

Signature - Applicant/Authorized Signatory

Print - Applicant Name

Received by the undersigned on behalf of the VILLAGE OF FOX POINT on the _____ day of _____, 20_____.

Signature - Village Representative

Print - Village Representative Name

STATE OF WISCONSIN

VILLAGE OF FOX POINT

MILWAUKEE COUNTY

NOTICE

PLEASE BE ADVISED: Section 2.21 of the Village of Fox Point Village Code is attached hereto and incorporated herein. Pursuant to this Ordinance, the Village of Fox Point Village Board has determined that whenever the services of the Village Attorney, Village Engineer, Village Forester or any other of the Village's professional staff results in a charge to the Village for that professional's time and services and such service is not a service supplied to the Village as a whole, the Village Treasurer shall charge the property owner for the fees incurred by the Village to the extent that they exceed \$150.00. Also be advised that pursuant to the Village of Fox Point Municipal Code certain other fees, costs and charges are the responsibility of the property owner making application to the Village.

I, the undersigned, have been advised that, pursuant to the Village Fox Point Village Code, if the Village Attorney, Village Engineer, Village Forester or any other Village professional provides services to the Village as a result of my activities, whether at my request or at the request of the Village, I shall be responsible for the fees incurred by the Village. Also I have been advised that pursuant to the Village of Fox Point Village code certain other fees, costs and charges are my responsibility.

Dated this _____ day of _____, 20_____.

Signature of the Property Owner

Please Print: Name of Property Owner:

Address of Property :

Tax Key No. of Property:

Address of Property:

Village Use Only:

☐ Original kept on file with Village Clerk.

☐ Copy provided to Property Owner.

Signature: _____

validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

(Ordinance 2005-03 adopted 2/8/05)

LAND DIVISION REQUEST

1. Applicant: LARRY COOK
2. Owner: _____
(leave blank if same as Applicant)
3. Address of Proposed Land Division: 8450 North Pt. Washington Rd.
4. Brief Description of Proposed Land Division: dividing an existing double wide lot into a separate building lot for a new house.
5. Certified Survey Map (CSM) Attached: X Yes No
- a. Land Division Requests cannot be considered until a CSM is received from the Applicant.
- b. All CSM's must identify the following:
- i.) The total square footage of each parcel proposed to be created by the land division.
- ii.) The total square footage of all structures located on the parcel(s).
- c. A minimum of three (3) copies of the CSM must be filed with this request.
6. \$300.00 filing fee attached: X Yes No check # 1167

Notes:

1. Land divisions are subject to the requirements of Section 15.05 of the Village of Fox Point Code. A copy of the Code is attached hereto.
2. Land divisions must also comply with the zoning provisions identified in Section 14. The open area requirements apply for the following districts as specified in Section 14.
- a. A-1 Residence District: 40,000 square feet
- b. A-2 Residence District: 30,000 square feet
- c. A-3 Residence District: 20,000 square feet
- d. B Residence District: 15,000 square feet
- e. C Residence District: 10,500 square feet
- f. The Applicant is encouraged to review the other provisions of Section 14 as it relates to setbacks, dwelling size and height, and other applicable building code provisions.

REVIEWED 02/05/07 - LEFT MSG FOR LARRY RE: ① PERMITS ② ENCROACHMENT & ③ HOUSE SIZE.
ON 02/05/07 → SURVEYOR

03/06/07 - Spoke with LARRY & HE WILL AMEND THE APPLICATION.
→ SURVEYOR PASSED AWAY FALL '06.

8450 NORTH PORT WASHINGTON RD LAND DIVISION REQUEST

January 19, 2007

Mr. Scott Bandmeier P.E.
Village of Fox Point Engineer
7200 N. Santa Monica Blvd.
Fox Point, Wisconsin 53217

Subject: Proposed Land Division to create a build lot for a new home

Dear Mr. Bandmeier,

As a follow up to our telephone conversations late last year regarding a proposed land division to create a proposed building lot at my property located at 8450 North Port Washington Road.

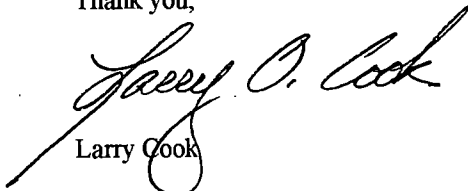
I hereby submit this letter as a formal request to move forward with obtaining the necessary approvals to determine if I can subdivide my current property to potentially create a future building lot based on the proposed survey and site plan (see attached).

My intent is to market my current home for sale this spring and offer the building lot (if approved) as an option to purchase to the new buyer. If the buyer does not want to purchase the building lot, then I would construct a new home in accordance with the Village building code ordinances and plan commission approvals.

I am submitting the \$300.00 filing fee (check #1167) along with three (3) original sealed copies of the property survey and three (3) copies of the proposed land division with preliminary layout of the house I would proposed to construct if the future buyer of my home opts not to purchase the lot.

Please let me know what is required to now move forward. I can be contacted at 414-352-1682 and I look forward to hearing from you in the near future.

Thank you,



Larry Cook

PO Box 171005
Milwaukee, Wisconsin 53217
Home Phone 414-352-1682

Larry Cook
PO Box 171005
Milwaukee, Wisconsin
53217
Home Phone 414-352-1682

September 14, 2006

Mr. Scott Bandmeier P.E.
Village of Fox Point Engineer
7200 N. Santa Monica Blvd.
Fox Point, Wisconsin 53217

COPY

Subject: Proposed Land Division to create a build lot for a new home

Dear Mr. Bandmeier,

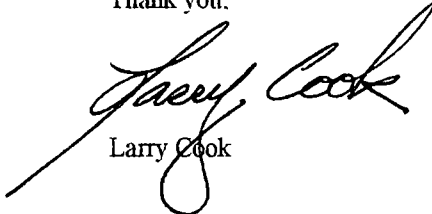
As a follow up to our telephone conversations regarding a proposed land division to create a building lot at my property located at 8450 North Port Washington Road. I stopped at the Village Hall and talked with the clerk and they told me there was no official form to be completed for a land division and that I should write a letter to the Village Engineer for such a request.

I hereby submitting this letter as a request to move forward with obtaining the necessary approvals to determine if I can subdivide my current property to create a future building lot based on the proposed survey and site plan (see attached).

My intent is to put my current home on the market next spring and offer the building lot (if approved) as an option to purchase to the new buyer. If the buyer does not want to purchase the building lot, then I would construct a new home in accordance with the Village building ordinances and plan commission approvals.

Please let me know what is required to now move forward. I can be contacted at 414-352-1682 and I look forward to hearing from you in the near future.

Thank you.


Larry Cook

.....

Larry Cook
PO Box 171005
Milwaukee, Wisconsin
53217
Home Phone 414-352-1682

September 14, 2006

Mr. Scott Bandmeier P.E.
Village of Fox Point Engineer
7200 N. Santa Monica Blvd.
Fox Point, Wisconsin 53217

Subject: Proposed Land Division to create a build lot for a new home

Dear Mr. Bandmeier,

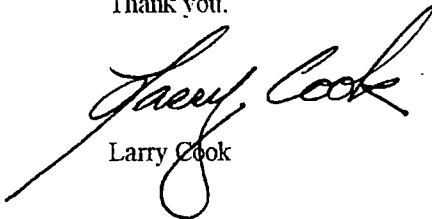
As a follow up to our telephone conversations regarding a proposed land division to create a building lot at my property located at 8450 North Port Washington Road. I stopped at the Village Hall and talked with the clerk and they told me there was no official form to be completed for a land division and that I should write a letter to the Village Engineer for such a request.

I hereby submitting this letter as a request to move forward with obtaining the necessary approvals to determine if I can subdivide my current property to create a future building lot based on the proposed survey and site plan (see attached).

My intent is to put my current home on the market next spring and offer the building lot (if approved) as an option to purchase to the new buyer. If the buyer does not want to purchase the building lot, then I would construct a new home in accordance with the Village building ordinances and plan commission approvals.

Please let me know what is required to now move forward. I can be contacted at 414-352-1682 and I look forward to hearing from you in the near future.

Thank you.



Larry Cook

1. Left msg 09/28/06

2. Not Approved - NEEDS TO BE AMENDED

Larry Cook
PO Box 171005
Milwaukee, Wisconsin
53217
Home Phone 414-352-1682

September 14, 2006

Mr. Scott Bandmeier P.E.
Village of Fox Point Engineer
7200 N. Santa Monica Blvd.
Fox Point, Wisconsin 53217

Subject: Proposed Land Division to create a build lot for a new home

Dear Mr. Bandmeier,

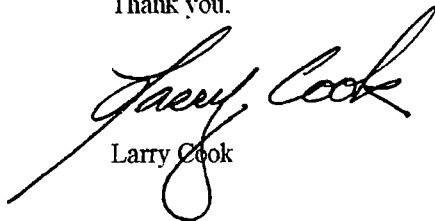
As a follow up to our telephone conversations regarding a proposed land division to create a building lot at my property located at 8450 North Port Washington Road. I stopped at the Village Hall and talked with the clerk and they told me there was no official form to be completed for a land division and that I should write a letter to the Village Engineer for such a request.

I hereby submitting this letter as a request to move forward with obtaining the necessary approvals to determine if I can subdivide my current property to create a future building lot based on the proposed survey and site plan (see attached).

My intent is to put my current home on the market next spring and offer the building lot (if approved) as an option to purchase to the new buyer. If the buyer does not want to purchase the building lot, then I would construct a new home in accordance with the Village building ordinances and plan commission approvals.

Please let me know what is required to now move forward. I can be contacted at 414-352-1682 and I look forward to hearing from you in the near future.

Thank you.


Larry Cook

**8450 NORTH PORT WASHINGTON RD
LAND DIVISION REQUEST**

March 27, 2007

Mr. Scott Bandmeier P.E.
Village of Fox Point Engineer
7200 N. Santa Monica Blvd.
Fox Point, Wisconsin 53217

Subject: Table the Proposed Land Division to Create a Potential Building Lot

Dear Mr. Bandmeier,

Based on our conversation this afternoon, I am requesting the land division application be tabled until December 31, 2007. This will allow me time to complete my due diligence for the property and to determine if I wish to proceed forward with the land division or not

I have enclosed the Agreement to Extend Times as part of this letter.

Thank you for time and patience in this matter. If you have any questions, please feel free to contact me at 414-352-1682.

Thank you,

Date <u>3/27/07</u>	# of pages <u>2</u>
To <u>Scott Bandmeier</u>	From <u>L. Cook</u>
Co./Dept. <u>Village Eng.</u>	Co.
Phone # <u>351-8900</u>	Phone # <u>414-352-1682</u>
Fax # <u>351-8909</u>	Fax # <u>262-971-2834</u>

SUSAN - PLEASE SIGN
& RETURN TO ME.

Thanks

Scott

P.S. What appraiser do we use for
land divisions?

3/27/2007

PROCESS:

1. Filing Deadline. Land Division Requests must be filed with the Village of Fox Point Plan Commission. All such requests must be filed a minimum of forty-five (45) days prior to the next scheduled meeting of the Plan Commission. The Plan Commission meets the first Monday of every month except in cases of a Holiday where it will meet on a different date as selected by the Plan Commission.
2. Review and Approval Period. The Land Division Request will be reviewed by the Director of Public Works, ~~and the Village Manager~~. All such reviews will occur within fourteen (14) days of filing. *SEK*
3. Notice Requirements. If the review by Village staff indicates that the Land Division Request complies with the applicable requirements, the Village Clerk shall provide notice to residents within 500 feet of the proposed land division. Such notice shall be sent twenty-one (21) days in advance of the next scheduled Plan Commission meeting. If the review by Village staff indicates that the Land Division Request does not comply with the applicable requirements, the Applicant will be notified and the application will be deemed to have not been filed.
4. Action Required within 90 Days. State law requires that the Village take final action on the matter within 90 days of filing, if all filing requirements have been met, unless the Applicant grants an extension in writing. If this deadline is not met, the CSM is deemed to be approved. Wis. Stats.236.34(1)(f).
5. Preliminary CSM Action by Plan Commission and Board. Village Code Section 15.05(a) requires CSM applications to follow the same procedures that apply for plats. The code requires, therefore, that this document be submitted to the Plan Commission for recommendation to the Village Board. If the Village Board grants its approval, then the Applicant must submit a "final land division map", subject to the approval procedures for the final CSM. The CSM cannot be recorded until the final land division map is approved.
6. No Adverse Affect on Residential Values Determination. The Applicant must demonstrate compliance with Section 15.07(c)(1) of the Village Code which requires that the land division will preserve the established residential values of existing development in the immediate neighborhood. The Village staff may hire an Appraiser of the Village's choosing to provide an opinion on this issue, and the Applicant is required to pay all costs associated with that research and opinion of the Appraiser. The Village Board reserves the right to determine whether this requirement is satisfied, and if the Village Board finds insufficient cause to believe that the residential values will be preserved, the CSM shall be denied.
7. Ravine Compliance. If applicable, the Land Division Request must fully comply with Section 15.11 of the Village Code with regard to dividing land which includes any area on the bank of a ravine and comply with Chapter 17 of the Village Code regarding construction on or over banks of ravines.
8. No Vested Rights. The recommendation for approval by the Plan Commission of the preliminary CSM, and subsequent adoption of this recommendation by the Village Board, shall not vest any rights with regard to the approval of the final CSM, which shall be separately considered. Compliance with the requirements of the preliminary CSM approval will be necessary, but shall not entitle the final CSM to approval.

9. Final Land Division Map. The Applicant shall submit a final land division map as required by Section 15.05(c) of the Village Code to the Village Clerk and receive approval from the Village Board for the final land division map. The Village Board shall not act on the final land division map without first receiving a recommendation from the Plan Commission.
10. Professional Fees. The Applicant shall, on demand, reimburse the Village of Fox Point for all costs and expenses of any type that the Village incurs in connection with this application, including the cost of professional services incurred by the Village (including Engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional service for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
11. Payment of Charges. Any unpaid bills owed to the Village by the subject property owner, by his or her tenants, operators, or occupants for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed on the tax roll if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wis. Statutes. Such unpaid bills will constitute a breach of the requirements of any conditional approval, that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.
12. Acceptance. The Applicant, and the owner of the subject property if different from the Applicant, shall accept in writing all terms and conditions shown in the conditional approval of the preliminary CSM.
13. One Year. The conditions of a conditional approval of a preliminary CSM shall be satisfied within one year of the Village Board's grant of conditional approval, unless extended by written agreement of the Village Board.

**AN ORDINANCE TO UTILIZE SECTION 66.0627 OF WIS. STATS.,
TO CHARGE BACK ENGINEERING, ATTORNEY, FORESTER AND
OTHER FEES TO LANDOWNERS BENEFITTING AND
TO PROVIDE AN APPEAL PROCEDURE**

2.21 Charge to Benefitting Owners for Professional Fees.

(A) Professional Fees Charged Back.

The Village Treasurer shall charge property owners fees for services, pursuant to Wisconsin Statutes Section 66.0627, in the following circumstances:

1. Whenever a property owner contacts the Village Attorney, Village Engineer, Village Forester or other of the Village's professional staff, whether such professional staff is employed by the Village or independently contracted, if said contact and subsequent service results in a charge to the Village of Fox Point for that professional's time and services and said service is not a service supplied to the Village of Fox Point as a whole, provided that the Village Treasurer shall charge property owners only to the extent that the total charge to the Village of Fox Point exceeds \$150.00; or
2. Whenever the Village Board, Village Manager, Village Clerk, or other Village official contacts the Village Attorney, Village Engineer, Village Forester or any of the Village's professional staff, whether such professional staff is employed by the Village or independently contracted, regarding an application received from a property owner, if said contact and subsequent service results in a charge to the Village of Fox Point for that professional's time and services and said service is not a service supplied to the Village of Fox Point as a whole, provided that the Village Treasurer shall charge property owners only to the extent that the total charge to the Village of Fox Point exceeds \$150.00; or
3. Whenever the Village incurs professional fees in considering certified survey maps, subdivision plats, re-zoning petitions, conditional use permit petitions, site development applications, and other petitions related to the development of land in the Village, provided that the Village Treasurer shall charge property owners only to the extent that the total charge to the Village of Fox Point exceeds \$150.00. For purposes of this subsection, professional fees shall include any charges incurred by the Village in relation to such application from the Village Engineer, the Village Attorney, Village Forester or any other of the Village's professional staff, whether such professional staff is employed by the Village or independently contracted.

(B) Property Owner Allowed Time to Pay or Appeal.

The Village Treasurer shall give each property owner billed for current services as provided for herein notice that they shall have a specified period of time not less than thirty (30) days to pay. Said notice shall also state that within 15 days of the date of the notice, the property owner may request a hearing before the Village Board regarding the charge against the property. Said notice shall also include an itemized statement of the professional services fees to be charged. Thereafter, if the property owner requests a hearing within the proper time period, the matter shall proceed as described in subsection (C) below, entitled "Appeal to Village Board". If a hearing is not requested within the required time period, if that charge remains unpaid, the Village Treasurer shall automatically charge that delinquent bill against the property on the tax roll as provided by law. In the event the statement rendered to the property owner becomes delinquent too late in the year to be extended on that year's tax roll, then the delinquent charge shall be extended to the following year's tax roll.

(C) Appeal to Village Board.

Upon receipt of a timely request for hearing, the Village Board shall hold a hearing regarding the property charges at its next scheduled meeting or as soon as feasible. Such hearing shall be preceded by posted public notice and reasonable notice, via first class mail, to the property owner. In the event a hearing is requested, no charges shall be placed on the tax roll unless and until such hearing has been held and a decision has been rendered by the Village Board, and the Village Board approves the charges against the tax roll in whole or in part. If approved only in part, only that part of the charges that are approved may be charged against the tax roll.

(D) Permits for Government Organization.

Whenever it is requested that the Village of Fox Point grant approvals to any other municipality, agency or other governmental body and that permit process requires the assistance of contracted professional staff of the Village, those fees shall also be charged back to the municipality, agency or governmental body seeking the permit in the manner described in this Section 2.21.

SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the

2. The date of filing shall be stamped on all copies of the plat and the plat immediately referred to the Plnn Commission and if the plat has been submitted to the village as the initial approving authority, the necessary copies forwarded pursuant to Section 236.12 of the Wisconsin Statutes.
3. The Plan Commission shall make its recommendation to the Village Board in sufficient time so that the board may act to approve, approve conditionally or reject a preliminary plat and a final plat within the period of time provided by the Wisconsin Statutes then in effect.* (Am. Ord. 497, published 5/20/82)
4. In order to insure conformity with procedural and other requirements it is recommended that the subdivider consult with the village staff prior to preparation or submittal of a plat.

(b) Preliminary Plat.

1. Prior to submittal of a final plat a preliminary plat shall be submitted to the village for approval and shall be in sufficient detail, particularly with regard to street layout and lot arrangement, shape and size, to determine the acceptability of a final plat in conformity therewith.
2. The preliminary plat shall be drawn at a scale of 100 feet to the inch and shall show contour lines at 5-foot contour intervals.
3. Two copies of the plat shall be provided in addition to any required for forwarding pursuant to Section 236.12 of the Wisconsin Statutes, one of which shall be retained in the village files and the other returned to the subdivider with the record of the village action.

(c) Final Plat.

1. A final plat shall be prepared in conformity with the provisions of Chapter 236 of the Wisconsin Statutes.
2. A final plat shall not be accepted for filing unless it is in substantial conformity with a preliminary plat which has been approved by the village.

15.05 LAND DIVISIONS OTHER THAN SUBDIVISIONS. In the case of a division of land as described under section 15.02(b) of this code which division does not create a subdivision as defined by Chapter 236

* 1979 Wis. Stats. §236.11 Board must act on preliminary plat within 90 days; final plat within 60 days of submission. If no timely action by Board plat considered approved. Time may be extended by agreement with subdivider.

of the Wisconsin Statutes a plat may be prepared in the same manner as for a subdivision, or a "land division map" shall be prepared in the following manner pursuant to Section 236.45 of the Wisconsin Statutes:

(a) General.

1. A "land division map" prepared pursuant to this chapter shall require the approval of the Village Board before it is submitted to be recorded, and shall be processed according to the procedure set forth in section 15.04 of this code except that there are no other approving or objecting authorities to whom copies need to be sent.
2. Following the necessary approvals such "land division map" shall be recorded in the office of the register of deeds and all lots created thereby shall be described by reference to it by lot number and by volume and page of the book provided for that use, for all purposes, including those assessment, taxation, devise, descent and conveyance as defined in Section 235.50 of the Wisconsin Statutes.

(b) Preliminary Land Division Map.

1. Prior to submission of a final "land division map" a preliminary "land division map" shall be in sufficient detail, particularly with regard to street layout and lot arrangement, shape and size, to determine the acceptability of a "land division map" in conformity herewith.
2. The preliminary "land division map" shall be drawn at a scale of 100 feet to the inch, or at a larger scale, when the Village Engineer determines that such larger scale will result in a more readable document, and shall show contour lines at 5-foot contour intervals, provided that contour lines need not be shown if the Village Engineer, on the basis of information already in the Engineer's office, determines that contour lines are not necessary.
(amended, Ord no. 95-612, adopted 1/17/95)
3. Two copies of the preliminary "land division map" shall be provided, one of which shall be retained in the village file and the other returned to the subdivider with the record of the village action.

(c) Final Land Division Map.

1. A final "land division map" shall be prepared in the same manner as prescribed for a certified survey map by Section 236.34 of the Wisconsin Statutes, except that it shall not be limited to two parcels of land and may be drawn on a sheet 8-1/2 inches wide by 14 inches long or a sheet 16 inches wide by 14 inches long.
(am. Ord. No. 497, published 5/20/82)



Invoice

VILLAGE OF FOX POINT
7200 NORTH SANTA MONICA BOULEVARD
FOX POINT, WI 53217

TELEPHONE 414-351-8900
FACSIMILE 414-351-8909

- ☒ Administration
- ☐ Police Department
- ☐ Department of Public Works
- ☐ Municipal Pool

Mr. Larry Cook
8450 N. Port Washington Road
Fox Point, WI 53217

Date	Account Number	Invoice Number
1/15/08	24-48300	Nº 1400
Description		Amount
Village Attorney Fees:		
August, 2007		660.00
October, 2007		200.00
Appraisal Fees: (Remainder)		75.00
Village Engineer Fees:		496.35
Sub-Total		1,431.35
Less		(150.00)
Total Due		1,281.35

Terms: Net 30 days payable to the Village of Fox Point

Approved by

Scott Handwerker

Date	Journal	Ref No	Payee or Description	GL Acct No	Debit Amount	Credit Amount	Balance
ACCOUNTS RECEIVABLE - SUNDRY (Continuation of Account)				10-13100			
7/31/2007	CR	1022447	GENERAL FUND-ACCTS RECEIVABLE - WELTER -			5,494.00 -	
			7/31/2007 (07/07) Period Totals and Balance		2,002.27 *	11,342.79 - *	1,381.93
8/15/2007	AP	195	EMPLOYE TRUST FUNDS 162		2,841.39		
8/16/2007	AP	206	FROLKIS, LIZA 5420			77.20 -	
8/17/2007	AP	258	ROBERT S. SCHLEY & AS 4106		300.00		
8/31/2007	AP	382	EARTH TECH, CORP. 440		37.50		
8/31/2007	AP	428	PARSS-PROF. ASBESTOS 5746		6,475.00		
8/9/2007	CR	1022559	GENERAL FUND-ACCTS RECEIVABLE - 432 E FO			24.83 -	
8/14/2007	CR	1022608	GENERAL FUND-ACCTS RECEIVABLE - BECK -AU			1,039.12 -	
8/15/2007	CR	1022616	GENERAL FUND-ACCTS RECEIVABLE - SCHULTZ			968.72 -	
8/7/2007	CR	3000101	GENERAL FUND-ACCTS RECEIVABLE - HANDLEY			416.77 -	
8/31/2007	JE	21	OMITTED TAXES-NOT COLLECTED		2,029.30		
8/31/2007	JE	28	7540 BEACH ORIG ASSMENT NEVER CHANGED		11,275.90		
			8/31/2007 (08/07) Period Totals and Balance		22,959.09 *	2,526.64 - *	21,814.38
9/14/2007	AP	111	EMPLOYE TRUST FUNDS 162		2,841.39		
9/14/2007	AP	190	WM. A. ZACHOW & SONS, 5756		441.00		
9/11/2007	CR	1022859	GENERAL FUND-ACCTS RECEIVABLE - HANDLEY			416.77 -	
9/11/2007	CR	1022860	GENERAL FUND-ACCTS RECEIVABLE - 4TH QTR			1,250.34 -	
9/17/2007	CR	1022915	GENERAL FUND-ACCTS RECEIVABLE - GARMER -			16.25 -	
9/24/2007	CR	1022968	GENERAL FUND-ACCTS RECEIVABLE - SCHULTZ			968.72 -	
9/27/2007	CR	1023001	GENERAL FUND-ACCTS RECEIVABLE - L COOK -			300.00 -	
9/30/2007	JE	14	CHARGE TO WRNG ACT CK#87825		20.75		
9/30/2007	JE	15	CHARGE TO WRNG ACT CK#87885		2.97		
			9/30/2007 (09/07) Period Totals and Balance		3,306.11 *	2,952.08 - *	22,168.41
10/5/2007	AP	83	ROBERT S. SCHLEY & AS 4106		75.00		
10/9/2007	AP	138	EMPLOYE TRUST FUNDS 162		2,841.39		
10/19/2007	AP	294	WALTERS WRECKING, INC 4404		9,900.00		
10/4/2007	CR	1023040	GENERAL FUND-ACCTS RECEIVABLE - R BECK -			1,039.12 -	
10/15/2007	CR	1023116	GENERAL FUND-ACCTS RECEIVABLE - HANDLEY			416.77 -	
10/23/2007	CR	1023183	GENERAL FUND-ACCTS RECEIVABLE - Schultz			968.72 -	
10/31/2007	JE	16	POSTED TO WRNG ACT- CR#1020459		246.00		
			10/31/2007 (10/07) Period Totals and Balance		13,062.39 *	2,424.61 - *	32,806.19
11/6/2007	CR	1023266	GENERAL FUND-ACCTS RECEIVABLE - BECK- NO			1,039.12 -	
11/9/2007	CR	1023277	GENERAL FUND-ACCTS RECEIVABLE - Handley-			416.77 -	
11/14/2007	CR	1023322	GENERAL FUND-ACCTS RECEIVABLE - 432 E FO			122.50 -	
			11/30/2007 (11/07) Period Totals and Balance		.00 *	1,578.39 - *	31,227.80

(10) GENERAL FUND

TRANSFER TO MUNICIPAL POOL Totals:

No. of Transactions: 78	No. of Accounts: 1	Totals:	58,064.42	60,422.24 -	2,357.82 -
-------------------------	--------------------	---------	-----------	-------------	------------

Grand Totals:

No. of Transactions: 78	No. of Accounts: 1	Totals:	58,064.42	60,422.24 -	2,357.82 -
-------------------------	--------------------	---------	-----------	-------------	------------

Report Criteria:

Account Acct No = 1013100

Actual Amounts

Summarize Payroll Detail

STATEMENT

Law Office
ARENZ, MOLTER, MACY & RIFFLE, S.C.

Village of Fox Point

Page 2

Amount

Cook

8/6/2007	Review Documents/Vill Manager/Land Division Application	25.00
	Conf/DPW Director/Land Division Application	30.00
	Research/DPW Director/Land Division Application	175.00
8/7/2007	Research/Plan Comm/Draft Conditions	25.00
8/8/2007	Draft Documents/Plan Comm/Conditions for Board Approval	350.00
	Letter/Vill Manager/Conditions for Board Approval	30.00
8/9/2007	Review Documents/Deputy Clerk/Plan Comm Motion	25.00
SUBTOTAL: Cook		[660.00]

STATEMENT

Law Office
ARENZ, MOLTER, MACY & RIFFLE, S.C.
720 N. East Avenue
P.O. Box 1348
Waukesha, Wisconsin 53187-1348
(262)548-1340

Invoice submitted to:

Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point WI 53217

October 24, 2007

Cook

10/5/2007	Conf/B&H Surveying/Certified Survey Map Conditions	30.00
	Letter/B&H Surveying/Certified Survey Map Conditions	30.00
10/8/2007	Research/DPW Director/Surveyor Comments on Certified Survey Map	140.00
SUBTOTAL: Cook		[200.00]

ROBERT S. SCHLEY & ASSOC., INC.
Real Estate Appraisers

File No. INVOICE

***** INVOICE *****

File Number: INVOICE

August 15, 2007

Mr. Scott J. Brandmeier, P.E.
Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI. 53217

Address of Property Appraised

8450 N. Port Washington Road
Fox Point, WI 53217

Letter of Opinion 7/23/07
Village Board 8/14/07

\$	300.00
\$	75.00
\$	-----

Invoice Total

\$	375.00

Amount Due

\$	375.00
----	--------

Please Make Check Payable To:

ROBERT S. SCHLEY & ASSOC., INC.
5205 N. Ironwood Lane
Milwaukee, WI 53217

THANK YOU FOR YOUR BUSINESS
WE APPRECIATE IT!

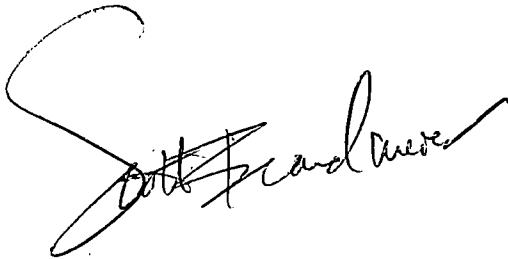
December, 2007

Re: Cook Land Division

Week of:

February 5, 2007	Review application and correspond with Mr. Cook	2
March 12, 2007	Prepared letter regarding proposed land division and submitted to Mr. Cook	1.5
March 27, 2007	Additional correspondence with Mr. Cook	2
June 21, 2007	Review letter from Mr. Cook	.25
July 10, 2007	Prepare and submit letter to residents within 500 ft	.5
July 18, 2007	Prepare and submit letter to Schley & Assoc. and coordinate appraisal of property	1
July 31, 2007	Prepare memo to Plan Commission	.25
August 6, 2007	Attend Plan Commission	.5
August 14, 2007	Attend Village Board	.5
November 26, 2007	Coordinate signatures and charge back	.5

Total Hours 9

A handwritten signature in black ink, appearing to read "Scott E. Anderson", is written over the "Total Hours" line.

December, 2007

August, 2007

Attorney Fees: Attorney Eric Larson \$660.00

October, 2007 200.00

Appraisal Fees: Robert S. Schley & Assoc. 75.00

Staff Fees - Scott Brandmeier 9 hours x 55.15 \$496.35

Less (\$150.00)

Total Due: \$1,281.35

0.00 *

660.00 +

200.00 +

75.00 +

496.35 +

1,431.35 *

150.00 -

1,281.35 *

0.00 *

Re: Cook

VILLAGE OF FOX POINT
VILLAGE BOARD MEETING
August 14, 2007

1 Attorney Larson pointed out there was a change to the application in that the
2 business would not remain open later than 9 p.m.

3
4 President West said that he agreed that the applicant voluntarily amended their
5 application.

6
7 On motion of Trustee Warner, seconded by Trustee Fonstad, and unanimously
8 carried, the amended conditional use order for Avada Audiology & Hearing Care, 333
9 W. Brown Deer Road, Suite C, Audubon Court was approved and authorize the Village
10 President to sign and execute the conditional use order.

11
12 PROPOSED LAND DIVISION, 8450 N. PORT WASHINGTON ROAD

13
14 Larry Cook, owner of 8450 N. Port Washington Road and Robert Schley,
15 appraiser were present for this agenda item.

16
17 President West said that this land division was favorably referred to the Village
18 Board from the Plan Commission. He said there were three recommendations from the
19 Plan Commission to the Board. The first condition was that Village Board accepts the
20 preliminary Certified Survey Map (C.S.M.) as the final C.S.M. However, President West
21 stated that conditions arose out of this acceptance. The C.S.M. shows that there is an
22 encroachment of pavement. The applicant at the Plan Commission meeting felt he
23 could solve that problem by shifting the lot line no more than 3 ½ feet north at the
24 Commission's recommendation.

25
26 President West said the Plan Commission also asked the Village Attorney to
27 draft a letter outlining certain conditions which are contained in the Attorney's letter to
28 the Village Board dated August 8, 2007.

29
30 The final condition President West said was that staff look at the C.S.M. and
31 make sure the lot line had not been moved more than the recommended 3 ½ feet north.

32
33 Mr. Cook said he agreed with these recommendations and asked for Village
34 Board approval of the land division.

35
36 In response to a question from President West, Mr. Schley said that by moving
37 the lot line, the overall appraisal of the property would not change.

38
39 Trustee Warner asked if this proposal would move the whole lot line north.

40
41 Mr. Cook said the whole line would move.

42
43 President West said that any approval of this matter by the Village Board is
44 conditional upon the applicant producing a revised C.S.M. He said there is also a letter

VILLAGE OF FOX POINT
VILLAGE BOARD MEETING
August 14, 2007

1 from the Village Attorney, the recommendations of the Director of Public Works and a
2 review of the drawings to consider before certifying the preliminary C.S.M. as the final
3 C.S.M.
4

5 Attorney Larson said that he would recommend that if the Board accepts the
6 recommendation of the Plan Commission, that the approval follows his
7 recommendations in his memo of August 8, 2007 concerning this matter. Those
8 recommendations include complying with all applicable laws, waiving the requirements
9 contained in Section 15.08 of the Village Code concerning a preliminary C.S. M. and
10 correct the non-compliance of the pavement previously referred to by President West.
11 Further, the memo states that the applicant is required to reimburse the Village for
12 professional fees incurred concerning this matter, that the applicant must pay any
13 outstanding fees or taxes to the Village and that all conditions be satisfied within one
14 year of the Village Board granting conditional final C.S.M. approval.
15

16 On motion of Trustee Warner, seconded by Trustee Fonstad, and unanimously
17 carried, the Village Board approved the C.S.M. for the land division at 8450 N. Port
18 Washington Road subject to the applicant following the six conditions outlined in the
19 Village Attorney's memo on the matter dated August 8, 2007.
20

21 PROGRESS REPORT REGARDING THE CONSTRUCTION OF THE POLICE
22 FACILITY
23

24 Manager Robertson said there has been quite a lot of activity regarding the
25 construction of the Police facility since her last report to the Board at its July meeting. A
26 building permit was issued for construction and the site was prepared for construction
27 including footing and foundation work.
28

29 Unfortunately, Manager Robertson said that unsuitable soil possibly from a
30 previous dump site was discovered at the location. Approximately 275 cubic yards of
31 contaminated soil had to be removed as the result of this. Manager Robertson said
32 there will be a change order on the construction coming forward possibly at the October
33 Village Board meeting asking for an approximately additional \$27,000. The interior
34 footings are being worked on and masonry, plumbing, carpentry and electric work will
35 be starting shortly.
36

37 Manager Robertson reported that she and a Police Department representative
38 went to the Merchandise Mart and looked at a number of chairs for the building. She
39 said a follow-up meeting at Village Hall occurred today. She is working on getting the
40 interior designer in a position to visit various furniture dealers.
41

42 Greg Ullman, 7525 N. Fairchild Road, said that he is happy things are moving
43 along so well with the construction.
44

VILLAGE OF FOX POINT
PLAN COMMISSION/BUILDING BOARD
AUGUST 6, 2007

1 A,D,E & F being incorporated and thirdly, that the Village Attorney be directed to
2 prepare a conditional approval document for the Village Board's consideration.

3
4 The Director of Public Works concurred with Attorney Larson and raised his
5 concern that has been discussed with all appropriate parties of placement of the lot line.

6
7 Discussion commenced by Attorney Larson regarding the Agreement to Extend
8 Times, because of the time limitations set forth by State Statute.

9
10 On motion of Commissioner Crichton, seconded by Commissioner Yauck, and
11 unanimously carried, the Plan Commission recommended that the Village Board
12 favorably act on three (3) conditions: (1) That the certified survey map be adjusted so
13 as to solve the non-conforming pavement issue; (2) That the application satisfy sections
14 A, D, E & F of the Standard Land Division Conditions. (3) That the Village Attorney be
15 directed to prepare a draft conditional approval which incorporates Sections A, D, E &
16 F., and further recommended that the preliminary certified survey map be accepted as
17 the final survey map subject to the non-conforming pavement condition being corrected.

18
19 Commissioner Yauck made a motion to amend the original motion to limit the
20 property line to not be moved more than 3 1/2 feet to the north to correct the pavement
21 problem and that the final Certified Survey Map will be presented to the Director of
22 Public Works for his review and approval if he finds it acceptable. The motion was
23 seconded by Commissioner Rothman and with Commissioners Yauck, Rothman,
24 Crichton and Chairman West voting aye, the amended motion carried unanimously.

25
26 RESCHEDULING OF SEPTEMBER 3, 2007 PLAN COMMISSION MEETING

27
28 On motion of Chairman West, seconded by Commissioner Rothman, and
29 unanimously carried, the Plan Commission rescheduled the September 3, 2007 Plan
30 Commission meeting to Monday, September 10, 2007 at 5:00 p.m.

31
32 ADJOURN

33
34 The Plan Commission adjourned at 5:11 p.m.

35
36
37 Respectfully submitted,

38
39
40
41 Laura J. Johnson
42 Deputy Village Clerk
43

4. Professional Fees. Property Owner shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this land division, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
5. Payment of Charges. Any unpaid bills owed to the Village by the Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval, that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.
6. One Year to Satisfy Conditions. Subject to the Property Owner satisfying all of the conditions of CSM approval within one year of the Village Board granting conditional final CSM approval.

– Eric

cc: Susan Robertson, Village Manager
Laura Johnson, Deputy Clerk

Z:\Fox Point\Cook CSM.conditions.08-06-07.wpd



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 *Scott Brandmeier*
Director of Public Works/Village Engineer
Through: Susan Robertson, Village Manager *SJR*
Date: July 31, 2007
Re: Land Division on Port Washington Road

An application was submitted by Larry Cook (Applicant) for a land division at 8450 North Port Washington Road (Exhibit A). The Applicant would like to divide the property to create two lots – one a vacant lot (Lot 1 on the Certified Survey Map) and the other an existing improved lot (Lot 2). The area of the proposed land division is zoned A-3 and requires a minimum of 20,000 square feet of open area. As currently proposed, Lot 1 will have 21,952 square feet and Lot 2 will be 23,927 square feet. According to correspondence received from Mr. Cook, the existing house on Lot 2 is a two story bungalow with a total square footage of 2,488 of gross living area. However, the total plan view of the house with attached garage is 1,768 square feet. Deducting this amount from the proposed square footage for Lot 2, the open area for Lot 2 will be 22,159 square feet which meets the minimum open area requirements under the ordinance. Mr. Cook has indicated that any house constructed on Lot 1 will conform with the open area requirements of the ordinance which would, under the current proposal, limit the planar view of the structure to 1,952 square feet.

However, a portion of the proposed lot line separating the two lots bisects a portion of the driveway on Lot 2. Mr. Cook has indicated that he will either modify the lot line or grant an easement so that the drive can continue to be used without modification, subject to the approval of the Plan Commission and Village Board for the land division.

Pursuant to the ordinance, an appraisal was obtained for the property to determine whether the proposed land division would adversely impact the property values of the surrounding properties. Robert S. Schley & Associates, Inc. was retained to perform this analysis and it is their opinion that "the proposed land division of the subject property and the eventual construction of an appropriate new house on the proposed lot 1 would in fact preserve the established residential market values of the existing development in the immediate neighborhood." A copy of the appraisal and opinion is included in Exhibit B.



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

Mr. Robert Schley
Robert Schley & Associates
5205 North Ironwood Road
Milwaukee, WI 53217

Dear Mr. Schley:

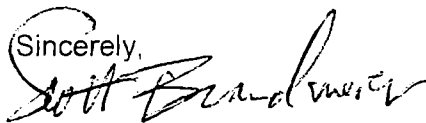
Enclosed please find a copy of the Land Division Request, Certified Survey Map, Conceptual Plat and letter sent to property owners within 500 feet of the proposed land division at 8450 North Port Washington Road. Pursuant to our discussion, the Village of Fox Point is respectfully requesting that you perform an appraisal on the aforementioned property. In particular, Section 15.07(c)(1) provides the following standard that must be met for any proposed land division:

"The division of land in a Residence District into smaller parcels or lots shall be done in a manner consistent with the semi-rural character of the entire village and with its established objectives of quiet, attractive, semi-rural living, and which will preserve the established residential values of existing development in the immediate neighborhood."

As shown on the Conceptual Plat, Mr. Cook's proposed land division crosses a small section of the existing driveway on the property. I have indicated to him that he will likely have to do one of two things: (1) change the location of the line so as to avoid the intersection or (2) provide a permanent easement for this section of driveway for the benefit of the future owner of Lot 2.

The Plan Commission meets on August 6, 2007, to discuss this matter. If possible, I am requesting that your appraisal be completed by Wednesday, August 1, 2007, so that we may distribute copies of your report to the members of the Plan Commission.

Should you have any questions regarding this matter, please feel free to contact me at your convenience.

Sincerely,


Scott J. Brandmeier, P. E. Esq.
Director of Public Works

Attachments: As noted

3/7/07

LAND DIVISION REQUEST

1. Applicant: LARRY COOK 414-352-1682
Fax - 262-971-2334
2. Owner: _____
(leave blank if same as Applicant)
3. Address of Proposed Land Division: 8450 North Pt. Washington Rd.
4. Brief Description of Proposed Land Division: dividing an existing parcel into a separate building lot.
5. Certified Survey Map (CSM) Attached: ☒ Yes ☐ No

- a. Land Division Requests cannot be considered until a CSM is received from the Applicant.
b. All CSM's must identify the following:

- i.) The total square footage of each parcel proposed to be created by the land division. lot 1 - 21,952 sf / lot 2 - 23,927 sf
ii.) The total square footage of all structures located on the parcel(s). 8450 House plan shows 1,768 sf / Proposed home not to exceed 1,952 sf on 1st floor
c. A minimum of three (3) copies of the CSM must be filed with this request. See attached letter dated 3/6/07

6. \$300.00 filing fee attached: ☒ Yes ☐ No

Notes:

check #1167 Rec # 20557

1. Land divisions are subject to the requirements of Section 15.05 of the Village of Fox Point Code. A copy of the Code is attached hereto.
2. Land divisions must also comply with the zoning provisions identified in Section 14. The open area requirements apply for the following districts as specified in Section 14.
- a. A-1 Residence District: 40,000 square feet
 - b. A-2 Residence District: 30,000 square feet
 - c. A-3 Residence District: 20,000 square feet
 - d. B Residence District: 15,000 square feet
 - e. C Residence District: 10,500 square feet
 - f. The Applicant is encouraged to review the other provisions of Section 14 as it relates to setbacks, dwelling size and height, and other applicable building code provisions.



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

July 10, 2007

Dear Resident:

This letter is to inform you that the Fox Point Plan Commission will discuss the proposed land division of the property located at **8450 N. Port Washington Road** at its meeting on Monday, August 6, 2007 at 4:30 p.m. The applicant is seeking to divide the property into two parcels. The meeting will be held in the Board Room of Village Hall, 7200 N. Santa Monica Blvd.

The Plan Commission will make a recommendation to the Village Board, which meets on the second Tuesday of each month at 7:00 p.m. If a recommendation is made by the Plan Commission on August 6th, this matter will be presented to the Village Board on August 14th. The Village Board has the final approval over the proposed land division.

All interested residents may attend the meeting and voice any comments or concerns they may have.

Should you have any questions, please do not hesitate to contact Scott Brandmeier, Director of Public Works at 351-8900. A copy of the map depicting the land division is available at Village Hall from 8:00 a.m. to 4:00 p.m. Monday through Thursday and 8:00 a.m. to noon on Friday.

Sincerely,

Laura J. Johnson
Deputy Village Clerk

**8450 NORTH PORT WASHINGTON RD
LAND DIVISION REQUEST**

June 21, 2007

Mr. Scott Bandmeier P.E.
Village of Fox Point Engineer
7200 N. Santa Monica Blvd.
Fox Point, Wisconsin 53217

Subject: Request for Land Division to Create a Building Lot

Dear Mr. Bandmeier,

I have received an offer to purchase my home at 8450 North Port Washington Road and they are not interested in purchasing the adjacent land. The party wishes to close on the property by the end of August of this year. The sale is contingent on receiving the formal approvals for the land division request, and therefore needs to be expedited.

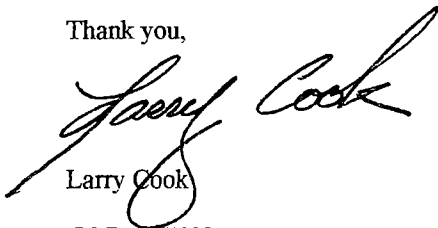
I wish to proceed with the proposed land division request to create a separate building lot as outlined in the March 7th 2007 application. This application was tabled based on our previous conversations and as stated in my March 27, 2007 letter. I am only interested in creating a building lot and selling it at this time. The building parcel will be placed on the market and hopefully sold to a builder or developer.

The conceptual plat dated January 28th 2006 shows the new parcel #1 boundary line slightly extending over the existing corner of the driveway on parcel #2. Once the conceptual land division is approved by the Village, I would propose to have the surveyor adjust the lot line of proposed parcel #1 adjusted not to encroach the driveway of parcel #2 and submit the final plat submitted to the Village for the record. The other option is to grant a permanent easement to parcel #2 from parcel #1. This issue can be addressed by the Village Board as to their preference at the time of approval.

I have completed the Village charge back form and will submit it with this letter.

If you have any questions, please feel free to contact me at 414-352-1682.

Thank you,



Larry Cook

PO Box 171005
Milwaukee, Wisconsin 53217
Home Phone 414-352-1682

CC:

Constance K. McHugh, Village Clerk
Susan E. Robertson, Village Manager

Village of Fox Point
7200 North Santa Monica Blvd.
Fox Point, WI 53217

RECEIVED JUN 21 2007


3/27/2007



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

July 10, 2007

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All interested residents may attend the meeting and voice any comments or concerns they may have.

Should you have any questions, please do not hesitate to contact Scott Brandmeier, Director of Public Works at 351-8900. A copy of the map depicting the land division is available at Village Hall from 8:00 a.m. to 4:00 p.m. Monday through Thursday and 8:00 a.m. to noon on Friday.

Sincerely,

Laura J. Johnson
Deputy Village Clerk



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
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Sincerely,

Laura J. Johnson
Deputy Village Clerk

VILLAGE OF FOX POINT
STATE OF WISCONSIN
MILWAUKEE COUNTY

AFFIDAVIT OF
MAILING

Laura J. Johnson, of the Village of Fox Point, being first duly sworn on oath, deposes and says that on the 10th day of July, 2007, he~~she~~ mailed a copy of the attached notice to the following:

- See List of Residents attached along w/ address labels.

Laura J. Johnson

Copies were properly enclosed in a postage paid envelope without any request to the postal office for the return thereof for non-delivery.

Subscribed and sworn to before me this
10th day of July, 2007.

Maureen D. Presler
Notary Public, State of WI
My commission expires 3/9/08



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
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July 10, 2007

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Sincerely,

Laura J. Johnson
Deputy Village Clerk

LARRY COOK
8450 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8400 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8430 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8440 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8515 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8425 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8461 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8463 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8475 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8507 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8519 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8560 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8580 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8525 N. PORT WASHINGTON RD
FOX POINT, WI 53217

FRENCH KNOTS
8585 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
8607 N. PORT WASHINGTON RD
FOX POINT, WI 53217

WALGREENS
8615 N. PORT WASHINGTON RD
FOX POINT, WI 53217

FOX CROFT APT.
8620 N. PORT WASHINGTON RD
FOX POINT, WI 53217

RESIDENT
385 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
355 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
325 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
301 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
400 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
432 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
450 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
452 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
510 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
503 W DEAN COURT
FOX POINT, WI 53217

RESIDENT
360 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
340 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
300 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
280 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
240 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
265 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
235 W DEAN ROAD
FOX POINT, WI 53217

RESIDENT
111 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
135 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
201 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
229 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
257 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
301 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
333 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
340 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
300 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
280 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
240 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
200 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
160 W INDIAN CREEK COURT
FOX POINT, WI 53217

RESIDENT
363 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
331 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
301 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
257 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
229 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
201 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
173 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
155 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
360 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
330 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
300 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
415 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
420 W BERGEN DRIVE
FOX POINT, WI 53217

RESIDENT
305 W BERGEN COURT
FOX POINT, WI 53217

RESIDENT
250 W BERGEN COURT
FOX POINT, WI 53217

RESIDENT
8530 N. FOX CROFT LANE
FOX POINT, WI 53217

RESIDENT
8580 N. FOX CROFT LANE
FOX POINT, WI 53217

RESIDENT
8440 N. FOX CROFT LANE
FOX POINT, WI 53217

RESIDENT
8454 N. FOX CROFT LANE
FOX POINT, WI 53217

RESIDENT
8466 N. FOX CROFT LANE
FOX POINT, WI 53217

RESIDENT
8518 N. FOX CROFT LANE
FOX POINT, WI 53217

RESIDENT
8424 N. FOX CROFT LANE
FOX POINT, WI 53217

MAPLE DALE SCHOOL
8377 N. PORT WASHINGTON RD
FOX POINT, WI 53217

L. Cook

Village of Fox Point
7200 North Santa Monica Blvd.
Fox Point, WI 53217

RECEIVED JUN 21 2007

LETTER OF TRANSMITTAL

TO Village of Fox Point
414-351-8900 Office
414-351-8909 Fax

NO.	DATE: 6.21.07
ATTN: Mr. Scott Bandmeier	
RE: Land Division Request	

WE ARE SENDING YOU ATTACHED 4 pages.

- ☒ Copy of Letter ☐ Plans ☐ Change Order ☐ Specifications
☒ Shop Drawings ☐ Samples ☐ Payment Applications

COPIES	DATE	NO.	DESCRIPTION
3	12.28.2006	26101	Plat of survey for 8450 N. PT Washington Rd residence
31	12.28.2006		Proposed land division plat for 8450
1	6.21.2007		Letter requesting land division for 8450
1	6.21.2007		Signed Village charge back form

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ Approved as submitted ☐ Returned for corrections
☒ For your use ☐ Approved as submitted ☐ Resubmit
☐ As requested ☐ Approved as noted ☐

COPY TO

SIGNED Larry Cook

P.O. Box 171005 Milwaukee, WI 53217
414- 352-1682 Home / 262-971-2334 Fax
414-426-6323 Cell Phone

8450 NORTH PORT WASHINGTON RD LAND DIVISION REQUEST

June 21, 2007

Mr. Scott Bandmeier P.E.
Village of Fox Point Engineer
7200 N. Santa Monica Blvd.
Fox Point, Wisconsin 53217

Subject: Request for Land Division to Create a Building Lot

Dear Mr. Bandmeier,

I have received an offer to purchase my home at 8450 North Port Washington Road and they are not interested in purchasing the adjacent land. The party wishes to close on the property by the end of August of this year. The sale is contingent on receiving the formal approvals for the land division request, and therefore needs to be expedited.

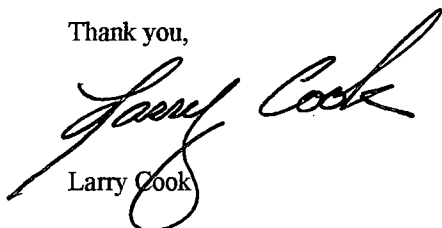
I wish to proceed with the proposed land division request to create a separate building lot as outlined in the March 7th 2007 application. This application was tabled based on our previous conversations and as stated in my March 27, 2007 letter. I am only interested in creating a building lot and selling it at this time. The building parcel will be placed on the market and hopefully sold to a builder or developer.

The conceptual plat dated January 28th 2006 shows the new parcel #1 boundary line slightly extending over the existing corner of the driveway on parcel #2. Once the conceptual land division is approved by the Village, I would propose to have the surveyor adjust the lot line of proposed parcel #1 adjusted not to encroach the driveway of parcel #2 and submit the final plat submitted to the Village for the record. The other option is to grant a permanent easement to parcel #2 from parcel #1. This issue can be addressed by the Village Board as to their preference at the time of approval.

I have completed the Village charge back form and will submit it with this letter.

If you have any questions, please feel free to contact me at 414-352-1682.

Thank you,



Larry Cook

PO Box 171005
Milwaukee, Wisconsin 53217
Home Phone 414-352-1682

CC:
Constance K. McHugh, Village Clerk
Susan E. Robertson, Village Manager

Village of Fox Point
7200 North Santa Monica Blvd.
Fox Point, WI 53217

RECEIVED JUN 21 2007

3/27/2007

STATE OF WISCONSIN

VILLAGE OF FOX POINT

MILWAUKEE COUNTY

NOTICE

PLEASE BE ADVISED: Section 2.21 of the Village of Fox Point Village Code is attached hereto and incorporated herein. Pursuant to this Ordinance, the Village of Fox Point Village Board has determined that whenever the services of the Village Attorney, Village Engineer, Village Forester or any other of the Village's professional staff results in a charge to the Village for that professional's time and services and such service is not a service supplied to the Village as a whole, the Village Treasurer shall charge the property owner for the fees incurred by the Village to the extent that they exceed \$150.00. Also be advised that pursuant to the Village of Fox Point Municipal Code certain other fees, costs and charges are the responsibility of the property owner making application to the Village.

I, the undersigned, have been advised that, pursuant to the Village Fox Point Village Code, if the Village Attorney, Village Engineer, Village Forester or any other Village professional provides services to the Village as a result of my activities, whether at my request or at the request of the Village, I shall be responsible for the fees incurred by the Village. Also I have been advised that pursuant to the Village of Fox Point Village code certain other fees, costs and charges are my responsibility.

Dated this 21 day of June, 2007.

Signature of the Property Owner

Larry O Cook

Please Print: Name of Property Owner:

Larry O Cook

Address of Property :

8450 N. Port
Washington Road
Fox Point

Tax Key No. of Property:

053-1040 (126-00046-0000)

Address of Property:

same as above

Village Use Only:

☐ Original kept on file with Village Clerk.

☐ Copy provided to Property Owner.

Signature: _____

Robert S. Schley & Associates, Inc.

APPRAISERS

Milwaukee, Wisconsin 53217

July 23, 2007

Mr. Scott J. Brandmeier, P.E.
Director of Public Works
Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

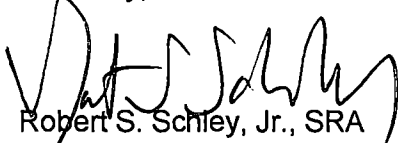
Dear Mr. Brandmeier:

Enclosed is my letter of opinion relative to the proposed land division of Mr. Larry Cook's property at 8450 N. Port Washington Road.

Please inform me if you will require my presence at any future board meetings. As I mentioned when we spoke about this assignment my hourly rate for such an appearance including time traveling and waiting – will be \$75 per hour.

Thank you for considering me for this assignment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert S. Schley, Jr.', written over a horizontal line.

Robert S. Schley, Jr., SRA
State of Wisconsin certified residential appraiser #195.

RSS,Jr/cam