

TBE LISA, Bann. Micaula
Pic. public

Ric Gillman

From: pmckuen@pineridgesurveying.com
Sent: Thursday, June 11, 2020 3:04 PM
To: Ric Gillman
Subject: RE: Out Lots

Thank you Ric for your diligence! I will forward to the attorney and let him discuss with the client to see if they want to move forward with a 2-Lot CSM.

Sincerely,

Patrick A. McKuen, PLS
Professional Land Surveyor



Pine Ridge Land Surveying, LLC.

Professional Land Surveying Services

Value & Quality in a Timely Manner...

Company



A Certified Wisconsin DBE

1424 1/2 Lake Shore Dr. W.
Ashland, WI 54806
Office: (715) 682-2969
Cell: (715) 292-5601
www.pineridgesurveying.com

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----- Original Message -----

Subject: Out Lots
From: Ric Gillman <zoning@townoflapointewi.gov>
Date: Thu, June 11, 2020 9:42 am
To: "pmckuen@pineridgesurveying.com" <pmckuen@pineridgesurveying.com>

The Town Plan Commission (TPC) discussed the situation related to the out lots created by the County Trunk Highway and agree our ordinance should be amended to reflect that of the County. I am drafting the language for insertion and will have the Town Board deliberate on 6/23/20. This is primarily procedural as we need to recognize the county ordinance. The TPC does not have a problem with the out lot given this overlooked issue. They wanted to be assured the property with the dwelling would continue to be a conforming lot, which is indicated on the survey you provided.

Again I appreciated this coming to my attention.

RECEIVED

JUN 19 2021

Initial: dg
From Micaula

Ric Gillman

From: Ric Gillman
Sent: Thursday, June 4, 2020 10:14 AM
To: patrick.mckuen@co.ashland.wi.us
Cc: Lisa Potswald (administrator@townoflapointewi.gov)
Subject: Out Lot

Patrick,

Thanks for the info provided. This brings to light a flaw in our ordinance. While the CTH "H" creates two separate parcels, the Town is in a position to not be able to deny the creation of the out lot in this situation. It is my plan now to inform the Town Plan Commission of the disparity of our ordinance and create language that coincides with the County. Because this is a County Ordinance I believe I can take the language directly to the Town Board, as we are not creating a change in existing ordinance. This language of course would be applicable to the affected shoreline.

Again, I am glad this came into my lap as it begs the Town's attention.

Sincerely,

Ric Gillman ZA
Town of La Pointe

Ric Gillman

From: Ric Gillman
Sent: Thursday, June 4, 2020 8:15 AM
To: pmckuen@pineridgesurveying.com
Subject: RE: [FWD: RE: [FWD: CSM question]]

Thanks Patrick,

I will do a little digging and get back to you on this one. Our Town Plan Commission meets on Wednesday of next week and I will place this concern and related history on the agenda.

Ric Gillman

From: pmckuen@pineridgesurveying.com <pmckuen@pineridgesurveying.com>
Sent: Wednesday, June 3, 2020 3:47 PM
To: Ric Gillman <zoning@townoflapointewi.gov>
Subject: RE: [FWD: RE: [FWD: CSM question]]

Okay, that's good to know. As you may or may not know I'm also the county surveyor for both Ashland and Bayfield counties. Often surveyors come to me with questions regarding zoning etc. and I feel like there's not a simple clear answer.

I've attached a few quick CSM's I could drum up. The one shows an outlot and I'm not really sure why Nelson created an outlot as it met S2 dimensional requirements. The other one shows one of the the small lots on the other side of H as a regular CSM lot? Either way I know you were not the ZA at the time!

Josh said that he believes that C.T.H. "H" would act as a division in properties in this case as it's a county highway thus he would not agree that a combination of her existing lot with this small lot could happen. The road issue is another sticky issue for counties. Some counties say it subdivides property and some say it doesn't!

If we can't combine it because of the road than we're left with creating a non-buildable outlot. If the Town of La Pointe won't sign off on that than there isn't anything she can do to purchase that property outright and may need to keep the easement.

Thanks for your help!

Patrick A. McKuen, PLS
Professional Land Surveyor



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----- Original Message -----

Subject: RE: [FWD: RE: [FWD: CSM question]]

From: Ric Gillman <zoning@townoflapointewi.gov>

Date: Wed, June 03, 2020 3:22 pm

To: "pmckuen@pineridgesurveying.com" <pmckuen@pineridgesurveying.com>

Yes and no is the answer and may be why there is confusion. In 2013 the State granted the Island additional jurisdiction in zoning being that we can be more restrictive but not less restrictive than the County. If there is no objection to the out lot by the county could this out lot be conjoined with Rose Fahein's existing parcel, thereby the town would not be creating an additional out lot.

I am sure there have been out lots created, and if you wouldn't mind I would like an example. Not to stir a pot but to define the process applied at the time, I think these out lots were created by lack of property on the lake side of County H, again referring to the County perhaps defining the intersecting of County H creating 2 parcels. Let me know I'll do a little more digging.

Thanks Patrick

Ric

From: pmckuen@pineridgesurveying.com <pmckuen@pineridgesurveying.com>
Sent: Wednesday, June 3, 2020 2:36 PM
To: Ric Gillman <zoning@townoflapointewi.gov>
Subject: [FWD: RE: [FWD: CSM question]]

Hi Ric,

Thanks for your response.

Creating an outlot for small parcels of land south of C.T.H. "H" has happened before. I could send you an example or two if you'd like from other surveyors.

Since Josh Rowley has no objections to the creation of an outlot does that mean that I can proceed? Please correct me if I'm wrong but doesn't Ashland County have zoning jurisdiction from the OWHM to 1000' landward? I've never really gotten a straight answer on that matter from all parties.

Sincerely,

Patrick A. McKuen, PLS
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----- Original Message -----

Subject: RE: [FWD: CSM question]

From: Joshua Rowley <Joshua.Rowley@co.ashland.wi.us>

Date: Wed, June 03, 2020 6:52 am

To: "pmckuen@pineridgesurveying.com" <pmckuen@pineridgesurveying.com>

I would not object to the outlot designation in this case.

Joshua Rowley

Director of Planning and Zoning

Ashland County Court House

201 West Main Street

Ashland WI 54806

715-682-7014

From: pmckuen@pineridgesurveying.com <pmckuen@pineridgesurveying.com>

Sent: Tuesday, June 2, 2020 3:49 PM

To: Joshua Rowley <Joshua.Rowley@co.ashland.wi.us>

Subject: [FWD: CSM question]

Please see below

**Patrick A. McKuen, PLS
Professional Land Surveyor**



Pine Ridge Land Surveying, L.L.C.

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----- Original Message -----

Subject: CSM question

From: <pmckuen@pineridgesurveying.com>

Date: Fri, May 29, 2020 11:42 am

To: "zoning@townoflapointewi.gov" <zoning@townoflapointewi.gov>

Hi Ric,

I've attached a copy of an unrecorded CSM done by Bob Mick in 1995. Apparently at one time Myers or the former owner Bodin was going to sell Fahien this 80' piece of land shown as Lot 2 on the attachment. For whatever reason it never went through. Fahien currently has a perpetual easement to use it to access the lake, however, I believe Myers is selling and she wants to purchase the land out right.

It's zoned S2 which I believe requires a minimum lot size of 30,000 sq.ft. and 200 feet of shoreline frontage. That being said it clearly does not meet either of those requirements. Normally anywhere else I would simply create an "Outlot" with that piece which would prohibit it from ever being built on. Could I do a new 2-Lot CSM with Lot 1 being the Myers piece (Lot 3 shown on the attachment) and Lot 2 being the Outlot (Lot 2 shown on the attachment)?

If not, do you have any other recommendations?

I've also attached CSM #278 which shows how the property is currently configured.

Sincerely,

Patrick A. McKuen, PLS
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Ric Gillman

From: Ric Gillman
Sent: Tuesday, June 2, 2020 3:07 PM
To: pmckuen@pineridgesurveying.com
Subject: RE: CSM question

Hi Patrick,

I think the answer may be vested in the County. We cannot grant the creation of an out lot per our ordinance. If Rose could add this property to her existing piece, that may be a plan. Will the county consider the County Trunk as an impairment to join this piece? It seems if this were the case we would preserve the S-2 requirements on the Meyers property. Of course on our end subject to recommendation by the Town Plan Commission and approval by the Town Board.

Let me know what you think.

Ric

From: pmckuen@pineridgesurveying.com <pmckuen@pineridgesurveying.com>
Sent: Friday, May 29, 2020 11:42 AM
To: Ric Gillman <zoning@townoflapointewi.gov>
Subject: CSM question

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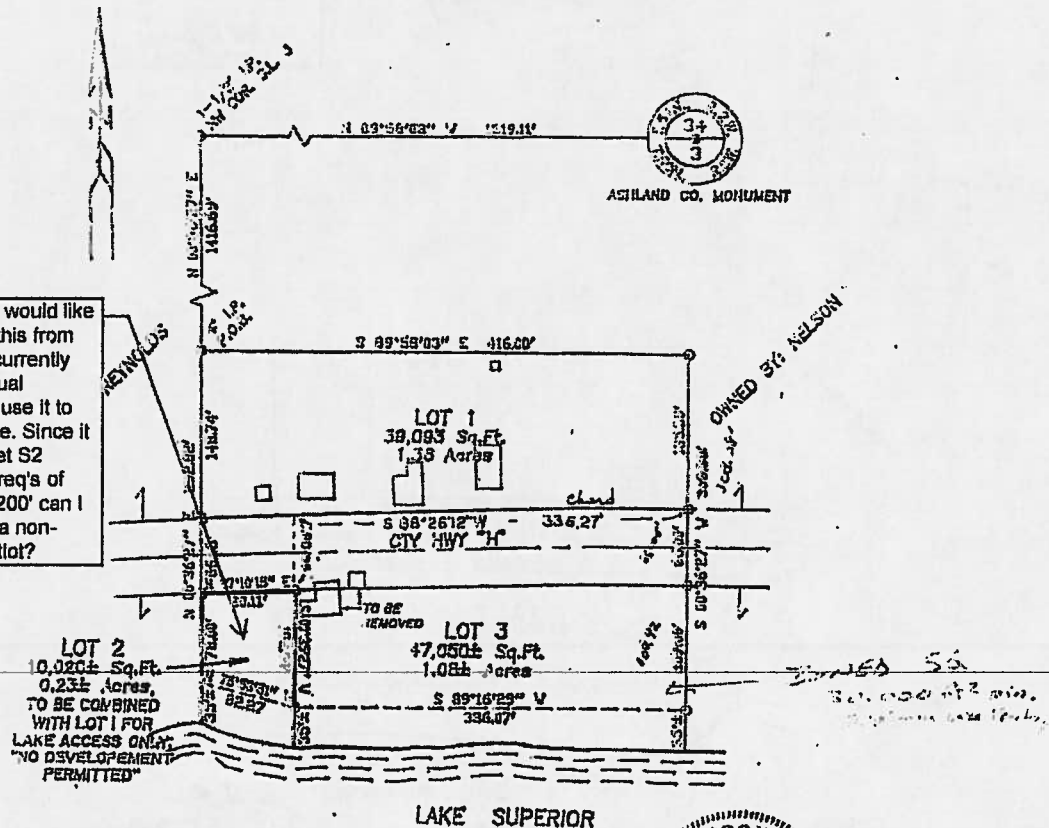
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ASHLAND COUNTY CERTIFIED SURVEY MAP

SHEET 1 OF 2

LOCATED IN GOV'T. LOT 3, SECTION 3, T.54N., R.2W.
LAPOINTE TOWNSHIP, ASHLAND COUNTY, WISCONSIN

Rose Fahien would like to purchase this from Myers. She currently has a perpetual easement to use it to get to the lake. Since it does not meet S2 dimensional req's of 30k sq.ft. or 200' can I simply call it a non-buildable Outlot?



LEGEND

- * = IRON PIPE OR ROD FOUND
- o = 3/4"x24" IRON RE-BAR WEIGHING 1.63 LBS./LIN.FT. SET THIS SURVEY

BEARINGS BASED ON THE NORTH LINE OF SECTION 3, WHICH IS ASSUMED TO BEAR N 89°58'03" W

December 1, 1985



SUPERIOR SURVEYS, INC.
RT 3, BOX 3215
WASHBURN, WISCONSIN
R.A. RLS. 862

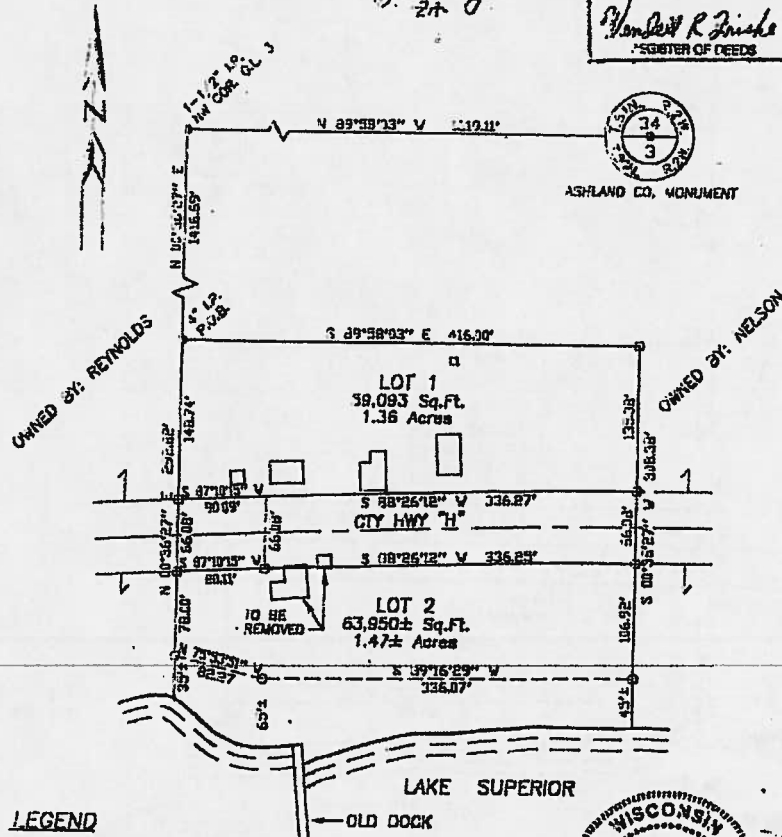
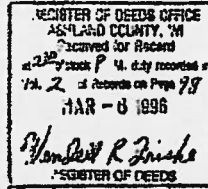
X250203
 ASHLAND COUNTY CERTIFIED SURVEY MAP # 278 SHEET 1 OF 2

LOCATED IN GOVT. LOT 3, SECTION 3, T.50N., R.2W.
 LAPOINTE TOWNSHIP, ASHLAND COUNTY, WISCONSIN

APPROVED BY ZAP COMMITTEE, 1-24-96

APPROVED BY TOWN BOARD, 2-13-96

Signed, *Robert A. Mick*, 2-14-96
 Z.A.

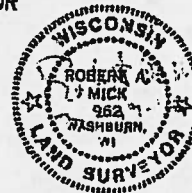


LEGEND

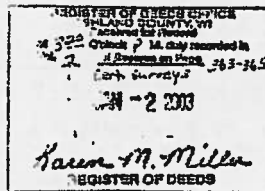
- = IRON PIPE OR ROD FOUND
- = 3/4"x24" IRON RE-BAR WEIGHING 1.33 LBS./LIN. FT. SET THIS SURVEY

BEARINGS BASED ON THE NORTH LINE OF SECTION 3, WHICH IS ASSUMED TO BEAR N 89°58'03" W

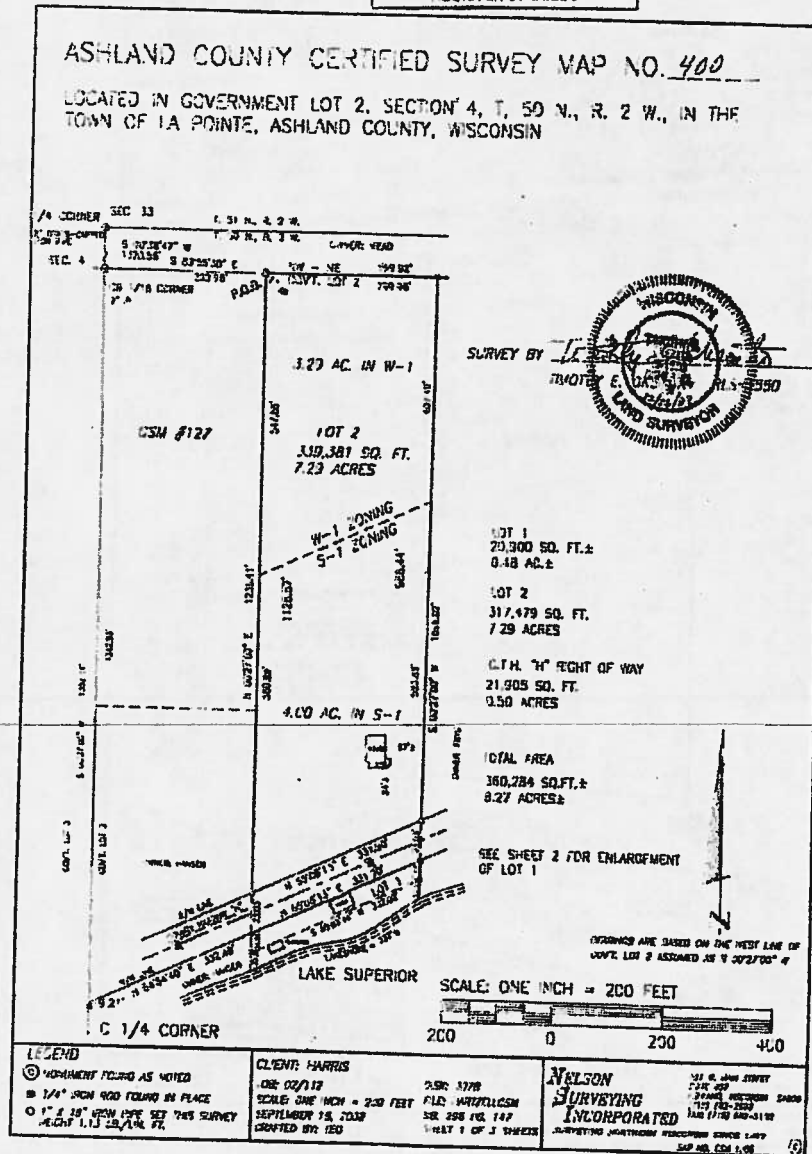
January 12, 1998



SUPERIOR SURVEYS, INC.
 RT 3, BOX 3215
 WASHBURN, WISCONSIN
 R.A. MICK R.L.S. 962



X283801



LOCATED IN GOVERNMENT LOT 3 OF SECTION 3, T. 50 N., R. 2 W.
IN THE TOWN OF LA POINTE, ASHLAND COUNTY, WISCONSIN

DOCUMENT NO : 29554

Received for Record
at 6:10 PM July recorded
Vol. 3 on Page 61-62
of Records Cont.
January 5 1963 Surran

W. G. M. HILLER
REGISTER OF DEEDS
HIGHLAND COUNTY, OH



BEARINGS ARE BASED ON THE
EAST LINE OF SECTION 3,
ASSUMED AS S 00°14'00" W

DECLASSIFIED BY 6032
DATE 01-14-2010

☐ TRAILER

LOT 1
131.250 SQ. FT.
3.01 ACRES

PLM 316-230-0403
CONTACT AT 0100 PM

NOTES

1. NO STRUCTURE IS PERMITTED
TUTOR 1.
2. BELLAND Delineation WAS
TESTIFIED BY NORTHERN
ENVIRONMENTAL, PAGE FIVE, VR.
3. LOT 1 CONTAINS ADDITIONAL
A Delineated BELLAND AREAS LYING
NORTH OF THE Delineated AREAS.

LOS ANGELES COUNTY CERTIFICATE
JOURNEY MAN NO. 112
PLN 014-22-0120

BIG RAY ROAD

OUTLOT
(STREET 3-4)

LAKE SUPERIOR

OUTLOT 1
30,050 SQ. FT.±
0.69 ACRES±

SCALE ONE INCH = 100 FEET

SCALE ONE INCH = 100 FEET

Year	Population	Area
1970	14,000,000	10,000
1975	15,000,000	11,000

LEGEND

- 1-1/4" D. HOLE FIVE TONS
1" D. 1/8" HOLE FIVE TONS
ASBEST = 1.13 12/77
(1) TONNED AS

CLIENT: NELSON, BETTY

DATE 3/1/70

SCALE ONE INCH = 100 FEET
JUNE 14, 2004

DATE 14, 2001

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1994 12 31

**NELSON
SURVEYING
INCORPORATED**

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DATE 06-11-2001 BY 60322 UCBAW

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JAN 207
DEALING WITH THE 1-098
1-098 (713) 549-2400

JAN 207
JAN 207 1132