



**VILLAGE OF CLEVELAND, WISCONSIN  
NOTICE OF PUBLIC HEARING**

The Plan Commission has filed a petition to rezone two parcels. Parcel 1, 1039 N. Linden St., is owned by the Village of Cleveland and split-zoned MS-1 *Main Street District* and B-1 *General Business District*. Parcel 2, 1040 Juniper St., is owned jointly by Jason Berdyck and the Village of Cleveland, and split zoned MS-1, B-1, and R-3 *Multiple-Family Residential District*. The purpose for this petition is to create uniformity for zoning administration and place both properties in the MS-1 district.

The Plan Commission is scheduled to meet at 6pm on Wednesday, June 3, 2020, to review the petition and determine its recommendation for the Village Board. The Village Board is scheduled to hold a public hearing at 6pm on Tuesday, June 16, 2020, on the petition and Commission recommendation. Both meetings will be held remotely, with the Internet address available at least 24 hrs prior to the meeting on the Village website, [www.clevelandwi.gov](http://www.clevelandwi.gov), at the Village posting sites, or by contacting the Clerk's Office. The Cleveland Village Hall, 1150 W. Washington Ave., will also be open to provide remote attendance for those unable to connect from another location.

The petition is available on the Village Hall website, [www.clevelandwi.gov](http://www.clevelandwi.gov), or an appointment can be requested to inspect the petition by calling the Clerk's Office at 920.693.8181. Interested parties unable to attend either meeting are welcome to submit written comments by letter in the Village Hall drop box or mailed to PO Box 87, Cleveland, WI 53015, or by email to [village@clevelandwi.gov](mailto:village@clevelandwi.gov).

Dated May 26, 2020  
Stacy Grunwald

VILLAGE OF CLEVELAND, WISCONSIN  
PETITION FOR REZONING

Name of petitioner/s: CLEVELAND PLAN COMMISSION

Telephone number: (920) 693-8181

Email address: sgrunwald@clevelandwi.gov

Owner/s of property to be rezoned: JASON BERDYCK, KARINA BERDYCK and  
VILLAGE OF CLEVELAND

Address or location of area to be rezoned: 1040 JUNIPER ST and 1039 N. LINDEN ST

Current zoning district(s): MS-1, R-3 AND B-1

Requested zoning district(s): MS-1

Parcel identification number(s): 031-530-001-002.01, 031-280-003-007.03 and  
031-028-003-009.04

**PURPOSE FOR REZONING**

I/We have requested this rezoning for the following purposes: Jason Berdyck is purchasing the rear 111.47 feet of 1039 N. Linden St. (Parcel 031-028-003-009.04) from the Village of Cleveland. The Certified Survey Map to merge the area of purchase and the two lots currently in his ownership was approved by the Village Board on April 14, 2020, and recorded at the Manitowoc County Register of Deeds on April 21, 2020. The result has been the creation of 2 parcels. Parcel 1, 1039 N. Linden St., is owned by the Village of Cleveland and split-zoned MS-1 Main Street District and B-1 General Business District. Parcel 2, 1040 Juniper St., is owned jointly by Jason Berdyck and the Village of Cleveland and split zoned MS-1, B-1, and R-3 Multiple-Family Residential District. The purpose for this petition is to create uniformity for zoning administration and place all properties in the MS-1 district.

**LAND USE PLAN**

The Land Use Plan classifies the petition area as: Village Center, in part, and Neighborhood Residential, in part.  
 State why this rezoning is consistent with the Land Use Plan: Village Center is to include a mix of municipal, commercial, and residential uses; this is consistent with the mixed uses found in MS-1. Neighborhood Residential is to allow higher density residential development that emulates traditional Cleveland neighborhoods. Higher-density residential development is consistent with permitted uses in MS-1.

**PREVIOUS PETITION**

Date of previous petition (if none, write 'NONE'): NONE Disposition: DOES NOT APPLY

If previous petition denied, state fully on a separate sheet the new circumstance that warrants reconsideration.

**PARTIES IN PETITION AREA**

Attach the NAMES AND ADDRESSES of all residents, tenants, or lessors within the area to be rezoned.

**NEIGHBORING PROPERTY OWNERS**

Attach the NAMES AND ADDRESSES of ALL property owners within two hundred (200) feet of the above-described property AND those others that may be affected by the rezoning.

**EXISTING OPERATION OR USE**

Describe the existing operation or use of the area to be rezoned. The lot at 1039 N. Linden St. is vacant and  
advertised for sale. The lot at 1040 Juniper St. is developed with a single-family residential use.

**PROPOSED OPERATION OR USE**

Describe the proposed operation or use, including structures, parking, driveways, landscaping, etc. No changes in  
use, structures, parking, landscaping, etc. are proposed.

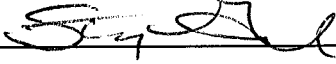
**ADDITIONAL REQUIRED ITEMS**

- Legal description of property proposed to be rezoned. ATTACHED
- Plot plan drawn to a scale of 1 inch equals 100 feet which includes the location, dimensions, and structures of the area to be rezoned; AND the location, use and zoning of ALL properties that fall within 200 feet of the parcel/s containing the subject area. WAIVED
- Additional information as may be required by the Village. NONE
- Filing fee of \$300. Publication costs will be billed when known. WAIVED

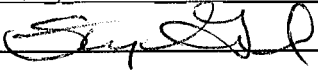
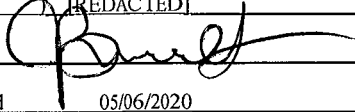
**CERTIFICATION**

I/we hereby certify that all the above statements and attachments are true and correct to the best of my/our knowledge and belief.

Petitioner/s (please print):

Name	<u>CLEVELAND PLAN COMMISSION</u>	Name	_____
Address	<u>1150 W WASHINGTON AVE</u>	Address	_____
	<u>CLEVELAND WI 53015</u>		_____
Phone ( 920 )	<u>693-8181</u>	Phone ( )	_____
Signature		Signature	_____
Date Signed	<u>05/06/2020</u>	Date Signed	_____

Property Owner/s, if different from petitioner (please print):

Name	<u>VILLAGE OF CLEVELAND, WISCONSIN</u>	Name	<u>JASON BERDYCK</u>
Address	<u>1150 W WASHINGTON AVE</u>	Address	<u>1040 JUNIPER ST</u>
	<u>CLEVELAND WI 53015</u>		<u>CLEVELAND WI 53015</u>
Phone ( 920 )	<u>693-8181</u>	Phone ( )	<u>[REDACTED]</u>
Signature		Signature	
Date Signed	<u>05/06/2020</u>	Date Signed	<u>05/06/2020</u>

**FOR OFFICE USE ONLY**

Date filed: 05/06/2020  
Date of Commission hearing: 06/03/2020  
Date of Village Board hearing: 06/16/2020  
Date notice published: 05/26/2020, 06/02/2020  
Date of neighbor mailing: 05/29/2020  
Disposition:  
Date applicant notified:

**VILLAGE OF CLEVELAND, WISCONSIN  
PETITION FOR REZONING**

**CLEVELAND PLAN COMMISSION**

**PARTIES IN PETITION AREA**

Attach the NAMES AND ADDRESSES of all residents, tenants, or lessors within the area to be rezoned.

Jason Berdyck  
1040 Juniper St.  
Cleveland WI 53015

**NEIGHBORING PROPERTY OWNERS**

Attach the NAMES AND ADDRESSES of ALL property owners within two hundred (200) feet of the above-described property AND those others that may be affected by the rezoning.

Parcel Number: 03150000200301  
Primary Owner: SCHMITT MICHELLE L  
Site Address: 1015 JUNIPER ST

Parcel Number: 03140000100100  
Primary Owner: WOODWARD BENJAMIN  
Site Address: 1155 W MADISON AVE

Parcel Number: 03102800300800  
Primary Owner: VILLAGE OF CLEVELAND  
Site Address: 1150 W WASHINGTON AVE

Parcel Number: 03140000100200  
Primary Owner: GARDNER DONALD J & DIANNE E  
Site Address: 1157 W MADISON AVE

Parcel Number: 03102800300802  
Primary Owner: TELEPHONE COMPANY MOSEL &  
CENTERVILLE  
Site Address: 1140 W WASHINGTON AVE

Parcel Number: 03150000200102  
Primary Owner: BROCKMANN TERRANCE M &  
RHONDA L  
Site Address: 1047 GRANT ST

Parcel Number: 03102800300900  
Primary Owner: HYDE AARON P  
Secondary Owner: HAVLOVIC LUCIA  
Site Address: 1120 W WASHINGTON AVE

Parcel Number: 03150000200201  
Primary Owner: JOHNSON EDWARD  
Site Address: 1019 JUNIPER ST

Parcel Number: 03102800800200  
Primary Owner: JOST FAMILY IRREV TRUST  
Site Address: 1210 W WASHINGTON AVE

Parcel Number: 03102800300701  
Primary Owner: LINDEN STREET APARTMENTS  
Site Address: NONE

Parcel Number: 03102800800203  
Primary Owner: JOST FAMILY IRREV TRUST  
Site Address: NONE

Parcel Number: 03150000200601  
Primary Owner: RIETH KANDIS J  
Site Address: 1011 JUNIPER ST

Parcel Number: 03102800800900  
Primary Owner: PFRANG RODNEY P  
Site Address: 1202 W WASHINGTON AVE

Parcel Number: 03150000300202  
Primary Owner: ERDMANN MARK  
Secondary Owner: SCHILD KATHLEEN S  
Site Address: NONE

Parcel Number: 03102800801000  
Primary Owner: JONES JORDON C  
Secondary Owner: KREUTER MELISSA R  
Site Address: 1050 LINDEN ST

Parcel Number: 03150000300301  
Primary Owner: BENNIN REVOC LIV TRUST  
DONALD H & DONNA M  
Site Address: 1048 W GRANT AVE

Parcel Number: 03150000300302  
Primary Owner: JAEGER NICHOLAS L  
Site Address: 1052 W GRANT AVE

Parcel Number: 03151500002100  
Primary Owner: VILLAGE OF CLEVELAND  
Site Address: NONE

Parcel Number: 03150000300303  
Primary Owner: ERDMANN MARK  
Secondary Owner: SCHILD KATHLEEN S  
Site Address: 1056 W GRANT AVE

Parcel Number: 03153000100101  
Primary Owner: DOERSCH EDWARD  
Site Address: 1060 JUNIPER ST

Parcel Number: 03151500000200  
Primary Owner: MURPHY RENTAL PROPERTIES  
LLC  
Site Address: NONE

Parcel Number: 03153000100102  
Primary Owner: REHME PATRICIA J  
Secondary Owner: AMAYA ALVARENGA MILTON  
O  
Site Address: 1050 JUNIPER ST

Parcel Number: 03151500000300  
Primary Owner: MURPHY RENTAL PROPERTIES  
LLC  
Site Address: NONE

Parcel Number: 03153000200101  
Primary Owner: FRAUENFELD VICTOR & VICKIE  
Site Address: 1024 JUNIPER ST

Parcel Number: 03151500002000  
Primary Owner: VILLAGE OF CLEVELAND  
Site Address: NONE

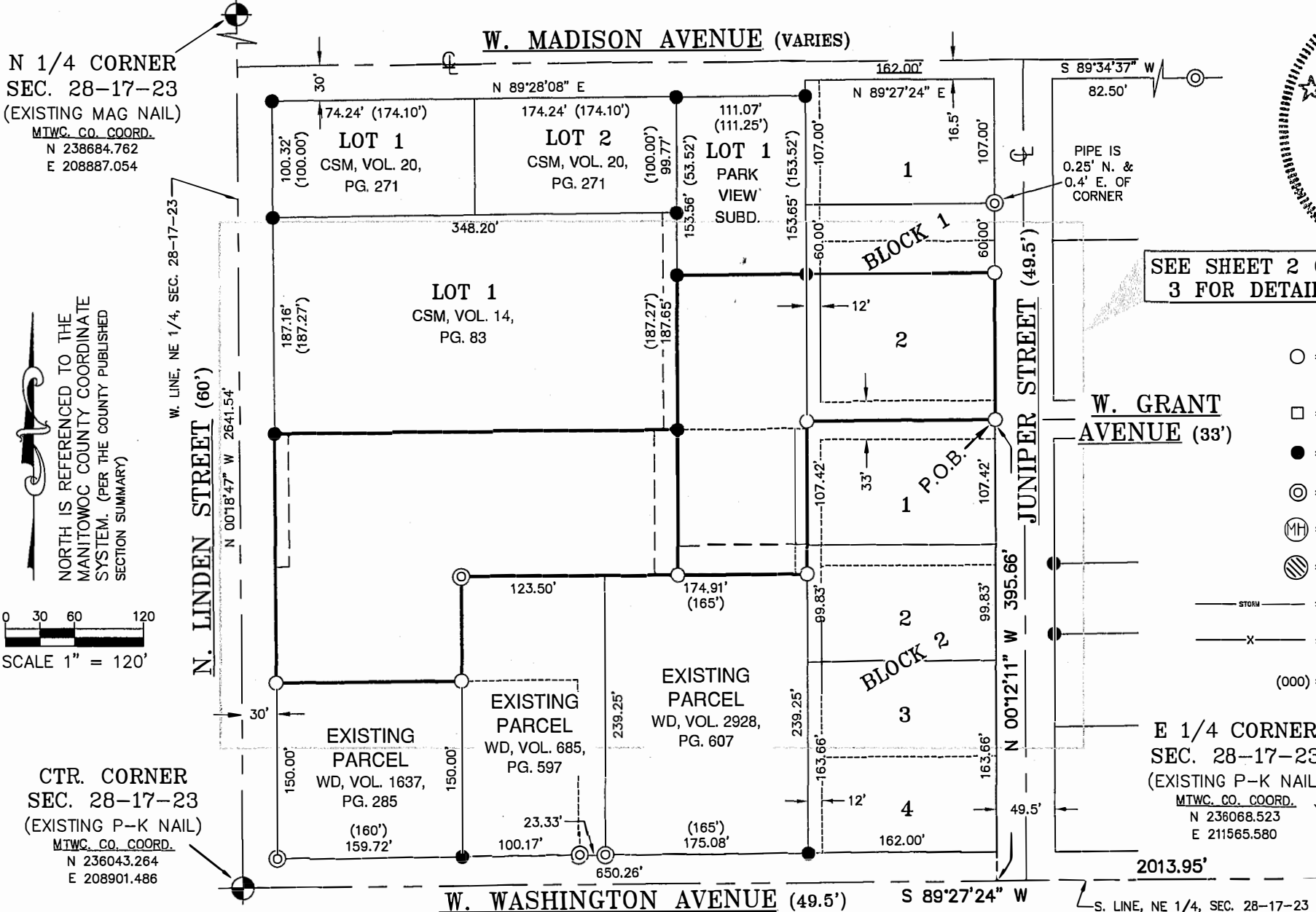
Parcel Number: 03153000200200  
Primary Owner: BRENDEL ALYSSA EVANGELINE  
Site Address: 1018 JUNIPER ST

#### **LEGAL DESCRIPTION**

Lot 1 and Lot 2 of a Certified Survey Map recorded in Volume 34, Page 242, as Document No. 1217696, all within the SW 1/4 of the NE 1/4 of Section 28, Town 17 North, Range 23 East, in the Village of Cleveland, Manitowoc County, Wisconsin, and containing 107,923 Square Feet (2.463 Acres).

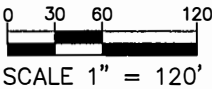
**CERTIFIED SURVEY MAP**

LOT 2 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 14, PAGE 445, DOCUMENT NO. 743587; PART OF LOT 2 OF BLOCK 1 OF J.W. DOERSCH'S 1st ADDITION, INCLUDING VACATED STREET & ALLEY AND PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 28, TOWN 17 NORTH, RANGE 23 EAST, VILLAGE OF CLEVELAND, MANITOWOC COUNTY, WISCONSIN



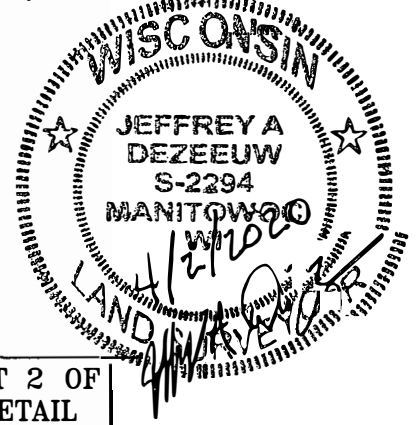
N 1/4 CORNER  
 SEC. 28-17-23  
 (EXISTING MAG NAIL)  
 MTWC. CO. COORD.  
 N 238684.762  
 E 208887.054

NORTH IS REFERENCED TO THE  
 MANITOWOC COUNTY COORDINATE  
 SYSTEM. (PER THE COUNTY PUBLISHED  
 SECTION SUMMARY)



CTR. CORNER  
 SEC. 28-17-23  
 (EXISTING P-K NAIL)  
 MTWC. CO. COORD.  
 N 236043.264  
 E 208901.486

SEE SHEET 2 OF  
 3 FOR DETAIL



**LEGEND**

- = 3/4" x 18" IRON REBAR SET WEIGHING 1.13 LBS/FT
- = SET WOOD LATH
- = EXISTING 1" IRON PIPE
- ⊙ = EXISTING 3/4" IRON PIPE
- ⊕ = EXISTING MANHOLE
- ⊗ = EXISTING INLET
- STORM — = STORM SEWER LINE
- X — = WOOD FENCE LINE
- (000) = "RECORDED AS" DIMENSION

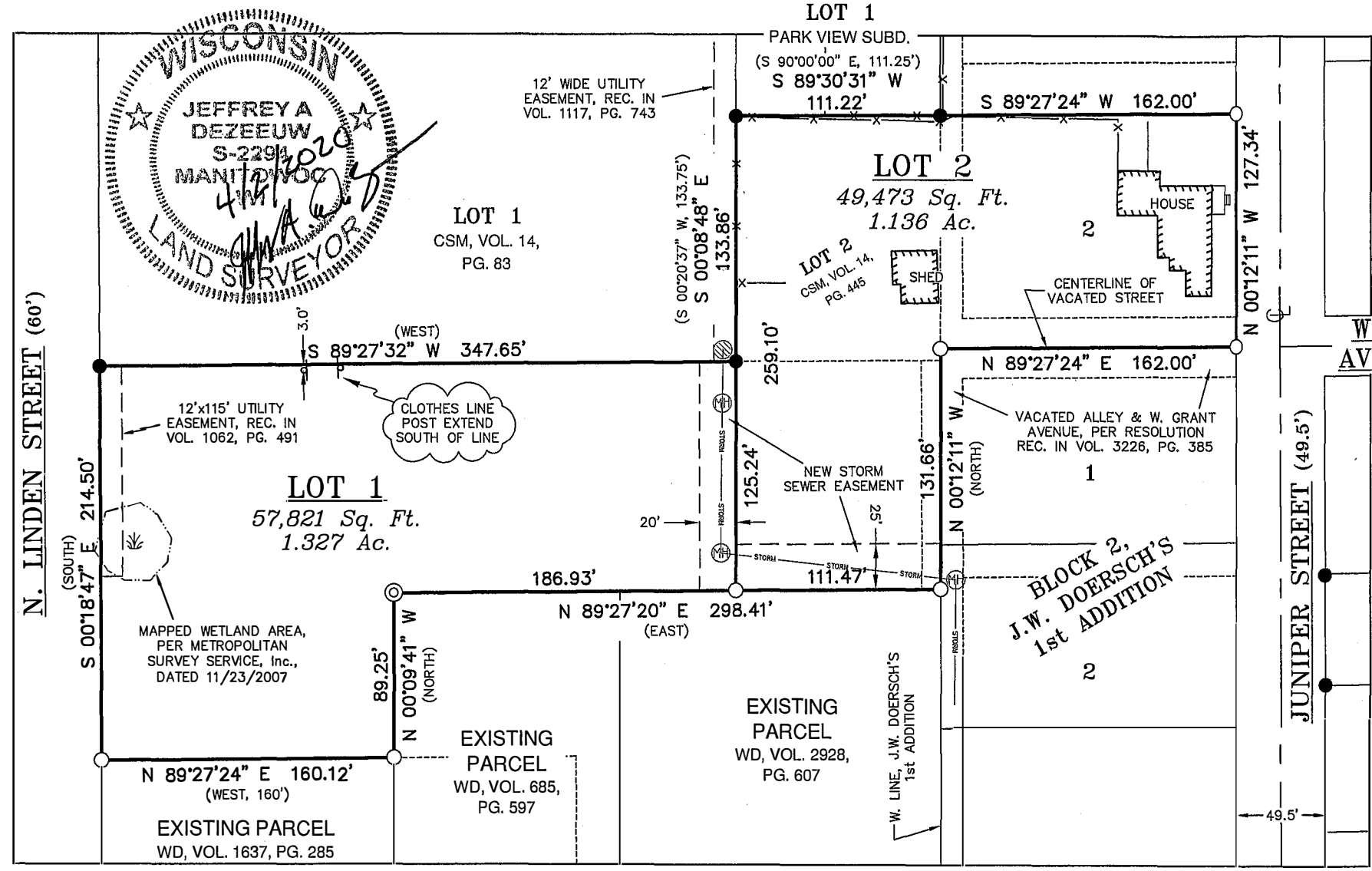
E 1/4 CORNER  
 SEC. 28-17-23  
 (EXISTING P-K NAIL)  
 MTWC. CO. COORD.  
 N 236068.523  
 E 211565.580

STATE OF WI - MTWC CO  
 KRISTI TUESBURG REG/DEEDS  
 RECEIVED FOR RECORD  
 04/21/2020 12:24:30 PM



### CERTIFIED SURVEY MAP

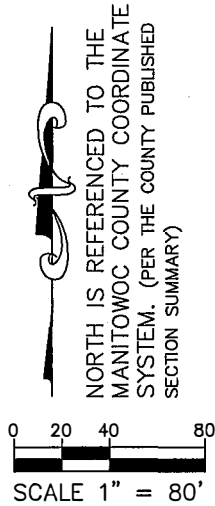
LOT 2 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 14, PAGE 445, DOCUMENT NO. 743587; PART OF LOT 2 OF BLOCK 1 OF J.W. DOERSCH'S 1st ADDITION, INCLUDING VACATED STREET & ALLEY AND PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 28, TOWN 17 NORTH, RANGE 23 EAST, VILLAGE OF CLEVELAND, MANITOWOC COUNTY, WISCONSIN



**TOTAL AREA**  
107,293 Sq. Ft.  
2.463 Ac.

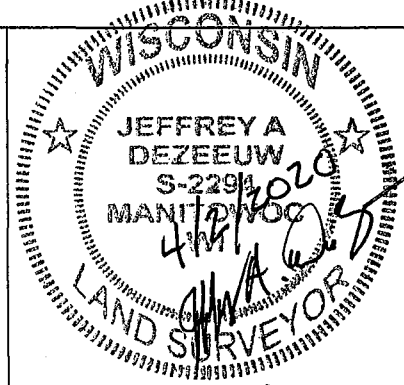
**W. GRANT AVENUE (33')**

**JUNIPER STREET (49.5')**



STATE OF WI - MTWC CO  
KRISTI TUESBURG REG/DEEDS  
RECEIVED FOR RECORD  
04/21/2020 12:24:30 PM

**Corner Point**  
A DIVISION OF **ACER BUILDING SERVICE**  
3510 S. 26th Street  
Manitowoc, WI 54220  
Ph 920.682.6105





### CERTIFIED SURVEY MAP

LOT 2 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 14, PAGE 445, DOCUMENT NO. 743587; PART OF LOT 2 OF BLOCK 1 OF J.W. DOERSCH'S 1st ADDITION, INCLUDING VACATED STREET & ALLEY AND PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 28, TOWN 17 NORTH, RANGE 23 EAST, VILLAGE OF CLEVELAND, MANITOWOC COUNTY, WISCONSIN

#### SURVEYOR'S CERTIFICATE

I, Jeffrey A. DeZeeuw, Professional Land Surveyor with Corner Point, do hereby certify that I have surveyed and mapped the following described parcel:

Lot 2 of a Certified Survey Map recorded in Volume 14, Page 445, Document No. 743587; part of Lot 2 of Block 1 of J.W. Doersch's 1st Addition, including vacated street & alley and part of the SW 1/4 of the NE 1/4 of Section 28, Town 17 North, Range 23 East, in the Village of Cleveland, Manitowoc County, Wisconsin, described as follows:

Commencing at the E 1/4 Corner of said Section 28; Thence S 89°27'24" W, 2013.95 feet coincident with the south line of said NE 1/4 to its intersection with the west line of Juniper Street; Thence N 00°12'11" W, 395.66 feet coincident with said west line of Juniper Street to the centerline of vacated W. Grant Street being the point of beginning; Thence continuing N 00°12'11" W, 127.34 feet; Thence S 89°27'24" W, 162.00 feet coincident with said north line to the northeast corner of Lot 2 of a Certified Survey Map recorded in volume 14, page 445; Thence S 89°30'31" W, 111.22 feet to the northwest corner of said Lot 2; Thence S 00°08'48" E, 133.86 feet to the southwest corner of said Lot 2 being the southeast corner of Lot 1 of a Certified Survey Map recorded in volume 14, page 83; Thence S 89°27'32" W, 347.65 feet to the southwest corner of said Lot 1 being on the east right-of-way line of N. Linden Street; Thence S 00°18'47" E, 214.50 feet coincident with said right-of-way line; Thence N 89°27'24" E, 160.12 feet; Thence N 00°09'41" W, 89.25 feet; Thence N 89°27'20" E, 298.41 feet to the west line of said J.W. Doersch's 1st Addition; Thence N 00°12'11" W, 131.66 feet coincident with said west line to said centerline of vacated W. Grant Street; Thence N 89°27'24" E, 162.00 feet to the point of beginning.

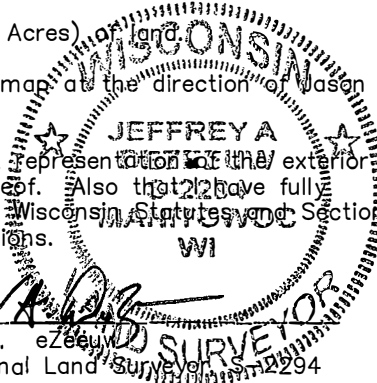
Said parcel contains 107,293 Square Feet (2.463 Acres) of land.

That I have made such survey, land division and map at the direction of Jason Berdyck.

I further certify that the map hereon is a correct representation of the exterior boundaries of the lands surveyed and the division thereof. Also that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Section 10-4-4 of the Village of Cleveland Subdivision Regulations.

Dated 4/2/2020

Jeffrey A. DeZeeuw  
Professional Land Surveyor No. 2294



#### OWNER'S CERTIFICATE

As owners we hereby certify that we caused the land described on this map to be surveyed, mapped, divided and dedicated as represented on this map.

Dated 4/15/2020

Jason A. Berdyck  
Jason A. Berdyck  
Village of Cleveland  
Kathy Stolzmann, President

Stacy Grunwald  
Attest:  
Stacy Grunwald, Clerk

#### CERTIFICATE OF PLANNING AGENCY

This certified survey map has been submitted and approved by the Village of Cleveland Plan Commission.

Dated 4-15-2020

Kathy Stolzmann  
Kathy Stolzmann, President

Stacy Grunwald  
Stacy Grunwald, Clerk

#### SURVEY NOTE

The zoning of Lots 1 and 2 hereon is R-1 residential.

The right-of-way of Juniper Street is based on physical evidence in the adjacent blocks to the east. The east half of N. Linden Street, adjacent to the 12' x 115' utility easement, was acquired by the Village of Cleveland by Quit Claim Deed recorded in volume 3100, page 497. That area is being used for street and was not included in this survey and shall continue to be used for street purposes.

STATE OF WI - MTWC CO  
KRISTI TUESBURG REGISTERED  
RECEIVED FOR RECORD  
04/21/2020 12:24:30 PM

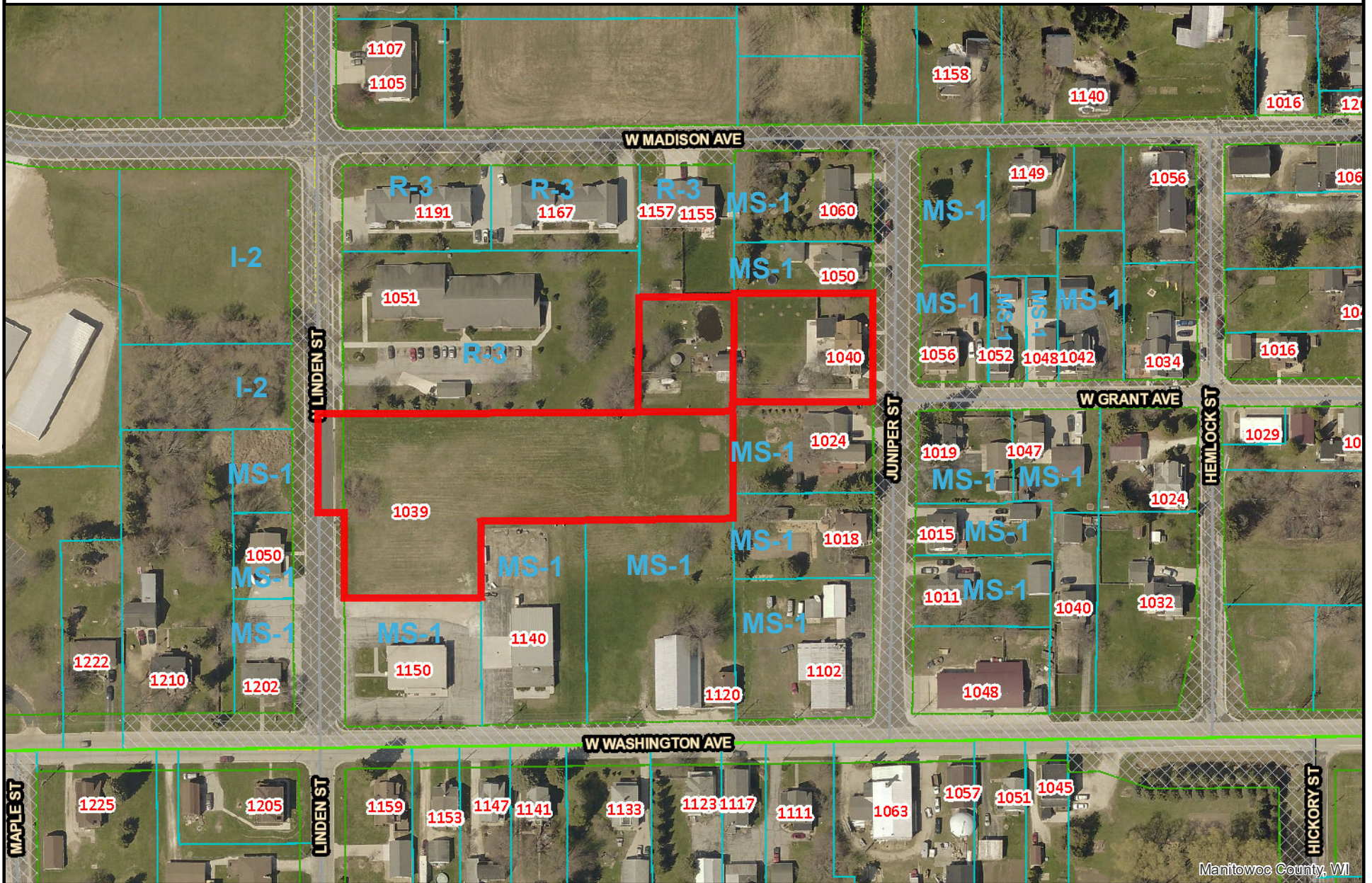


3 - Village of Cleveland Chg.

# Current Zoning of Jason Berdyck and Village of Cleveland Properties



# Zoning within 200ft of Petition Area



Manitowoc County, WI

Author: Stacy Grunwald  
Date Printed: 5/2/2020



The burden for determining fitness for use rests entirely upon the user of this website. Manitowoc County and its co-producers will not be liable in any way for accuracy of the data and they assume no responsibility for direct, indirect, consequential, or other damages.