BOARD OF APPEALS

June 2, 2025 3:00 PM

Room A

City-County Government Center

160 S Macy Street Fond du Lac, Wisconsin

I. Call To Order

II. Approval of Minutes

A. May 5, 2025

III. Hearings

A. 844 West Johnson Street

Appeal No. 2025-06

Zoning Code Regulations:

Schedule VIII Design Standards & Specifications for Signs allows one (1) square foot of signage per linear foot of building façade for wall signs in the C-2 General Business District.

Proposal:

Allow for a wall sign that is 113 sq ft (154 sq ft with backer panel) where the zoning code allows a wall sign that is 66 sq ft.

IV. Adjourn

"The City of Fond du Lac provides equal opportunities and services to all individuals, including those individuals with disabilities."

BOARD OF APPEALS AGENDA CITY OF FOND DU LAC, WISCONSIN May 5, 2025

<u>Subject:</u>	
Effect:	
<pre>Initiator:</pre>	
Location:	

Recommendation:

ATTACHMENTS:

File Name

5.5.25_Minutes.pdf

BOARD OF APPEALS MINUTES

May 5, 2025 3:00 p.m.

Meeting Room A
City-County Government Center

160 South Macy Street Fond du Lac, Wisconsin

CALL TO ORDER

ROLL CALL: Present: Jeffrey Labahn

Tracy Qualmann Misty Snyder Jeffrey Uitenbroek David Vanden Avond

Absent: None

Administrative Staff: Dyann Benson, Community Development Director

Community Development Director declared a quorum present at 3:00 p.m.

Qualmann arrived at 3:05 p.m.

APPROVAL OF MINUTES

April 7, 2025

Motion made by Vanden Avond to approve the minutes of the April 7, 2025 meeting of the Board of Appeals.

Seconded by Labahn.

ROLL CALL VOTE: Aye – Labahn, Snyder, Uitenbroek, Vanden Avond

Nay – None

Carried.

ELECTION OF OFFICERS

Motion made by Labahn to nominate Vanden Avond as Chair.

Seconded by Uitenbroek.

ROLL CALL VOTE: Aye – Labahn, Snyder, Uitenbroek, Vanden Avond

Nay – None

Carried.

Motion made by Vanden Avond to nominate Labahn as Vice- Chair.

Seconded by Uitenbroek.

BOARD OF APPEALS MINUTES

May 5, 2025 Page 2

ROLL CALL VOTE: Aye – Labahn, Snyder, Uitenbroek, Vanden Avond

Nay - None

Carried.

HEARINGS

96 S National Avenue

Appeal No. 2025-05

Zoning Code Regulations:

Schedule II Land Uses or Activities Residential Districts does not allow a commercial business as a permitted use in the R-1 Single Family Residential District.

Proposal:

Allow for commercial business (yoga studio and associated services) in the R-1 Single Family Residential District.

Spoke in Support:

Lynette Duley, Project Applicant, 96 S National Avenue Aaron Sadoff, Marian University Kelsey Beine, 107 Carolyn Court, Eden Brian Edlback, 337 Winnebago Drive, Menasha Sister Donna Innes, 811 Ellen Lane, Fond du Lac Leigh Kohlmann, 117 Putnam Street, Oakfield Teri Passow, Marian University Donna Richards, 121 National Avenue, Fond du Lac

Appeared in Support:

Linda Heimermann, W3814 Shady Lane, Fond du Lac Sister Stell Storch, 200 Southlake Circle, Fond du Lac

Wrote in Support:

Tracy Abler, 320 County Road K, Fond du Lac Sister Ruth Battaglia, 320 County Road K, Fond du Lac

Motion made by Qualmann, based upon the information subsequently provided after the public hearing notice and applicant's consent to more clearly and distinctly state their teacher training opportunities on their website as provided under their State of Wisconsin Department of Safety and Professional Services Educational Approval Program Certificate, that they are a permitted use within the R-1 District. Further consideration of a use variance is not required.

Seconded by Uitenbroek.

ROLL CALL VOTE: Aye – Labahn, Qualmann, Snyder, Uitenbroek,

Vanden Avond

Nay - None

BOARD OF APPEALS MINUTES

May 5, 2025 Page 3

Carried.

ADJOURN

Motion made by Labahn to adjourn.

Seconded by Qualmann.

ROLL CALL VOTE: Aye – Labahn, Qualmann, Snyder, Uitenbroek,

Vanden Avond

Nay – None

Carried.

Meeting adjourned at 3:43 p.m.

MARGARET HEFTER CITY CLERK

DB/ss

BOARD OF APPEALS AGENDA CITY OF FOND DU LAC, WISCONSIN 844 West Johnson Street

Subject: Appeal No. 2025-06

Zoning Code Regulations:

Schedule VIII Design Standards & Specifications for Signs allows one (1) square foot of signage per linear foot of building façade for wall signs in the C-2 General Business District.

Proposal:

Allow for a wall sign that is 113 sq ft (154 sq ft with backer panel) where the zoning code allows a wall

sign that is 66 sq ft.

Effect:

Initiator:

Location:

Recommendation:

ATTACHMENTS:

File Name

2025-06_Five_Below.pdf ApplicationRedacted.pdf Proposal.pdf

Public Notice.pdf

The CITY OF FOND DU LAC - Memorandum

Department of Community Development

Date: May 27, 2025

To: Board of Appeals

From: Dyann Benson, Community Development Director

Re: Appeal No. 2025-06 – **844 W Johnson Street**

Applicant: Cima Network Inc via Signarama/ Five Below

Zoning: Site: C-2 (General Commercial District)

North: C-2

South: R-4 (Multifamily Residential District)

East: C-2 West: C-2

Land Use: Site: Former Home Depot Site

North: Retail

South: Multifamily Residential

East: Retail West: Retail

Variance Request

Zoning Code Regulations:

Schedule VIII Design Standards & Specifications for Signs allows one (1) square foot of signage per linear foot of building façade for wall signs in the C-2 General Business District.

Proposal:

Allow for a wall sign that is 113 sq ft (154 sq ft with backer panel) where the zoning code allows a wall sign that is 66 sq ft.

Analysis

The property at 844 West Johnson Street is the former Home Depot site. The building is being subdivided into multiple retail tenant spaces. One of the tenants is Five Below. Wall signage is based upon the linear frontage of their specific tenant space. For the C-2 General Commercial District, 1 sq ft of wall sign is allowed for every linear foot of building façade length. The Five Belo tenant space is 66 feet in length allowing for wall signage that is 66 sq ft.

The petitioner asks for a waiver to allow for a wall sign that is 113 sq ft with their lettering and 154 sq ft with the backer panel which is a part of the branding.

The petitioner did not indicated any unique property limitations or unnecessary hardship. The limited visibility from Pioneer Road applies to all tenants in the overall shopping center. The petitioner, as the tenant in the most westward space in the project, could have a second wall sign on the west facing façade.

Criteria for Variance Approval

In granting a variance the Board of Appeals must find that, for a use variance there is no reasonable use of the property without a variance; and for an area variance there is no practical way for the property owner to accomplish the intended objective of zoning code requirements.

The applicant must demonstrate that a unique condition of the property exists to prevent compliance with zoning code regulations. To qualify for a variance, an applicant must demonstrate that the property meets three requirements:

- 1. Unique Property Limitations. Physical characteristics of the property that are not generally shared by other properties must be evident that affect compliance with ordinance requirements.
- 2. No Harm to Public Interest. A variance may not be granted which results in harm to the interests of neighbors, the community, and the general public. Lack of opposition does not mean that the proposed construction would not harm the public interest.
- **3. Unnecessary Hardship.** Unique property limitations must create unnecessary hardship to justify an exception to zoning regulations. The hardship must not be self-imposed; loss of profit, construction without a permit, additional expense to comply with zoning ordinances, are not unnecessary hardships.

Statement of Hardship

The property owner must bear the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.

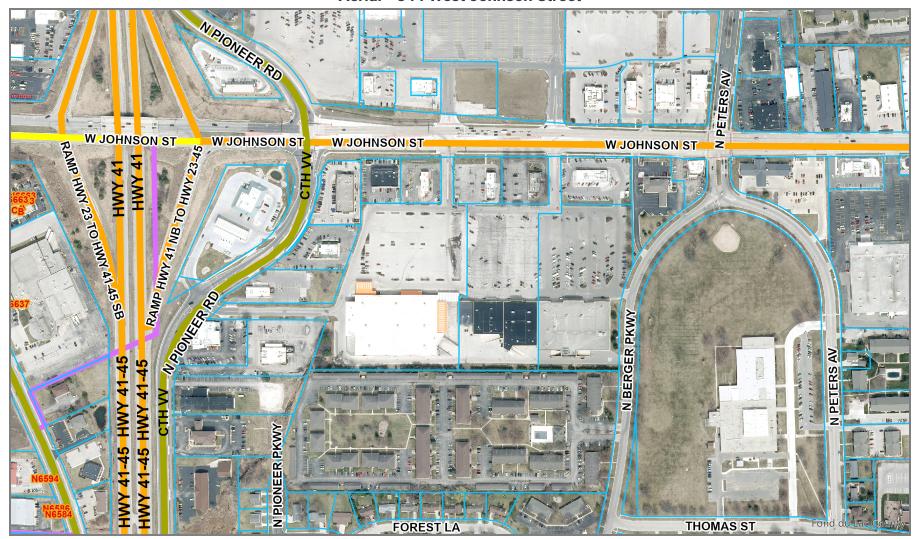
Petitioner notes the importance of branding and provides a photograph showing trees limiting visibility of the sign from Pioneer Road.

Recommendation and Findings

A motion for variance approval or denial must state the findings in support of the action.

Community Development staff recommends a motion for **denial of the variance** request based on findings referenced herein, and specifically because there are alternative sign proposals, other than a larger wall sign, that provide the necessary identification for the petitioner.

Aerial - 844 West Johnson Street





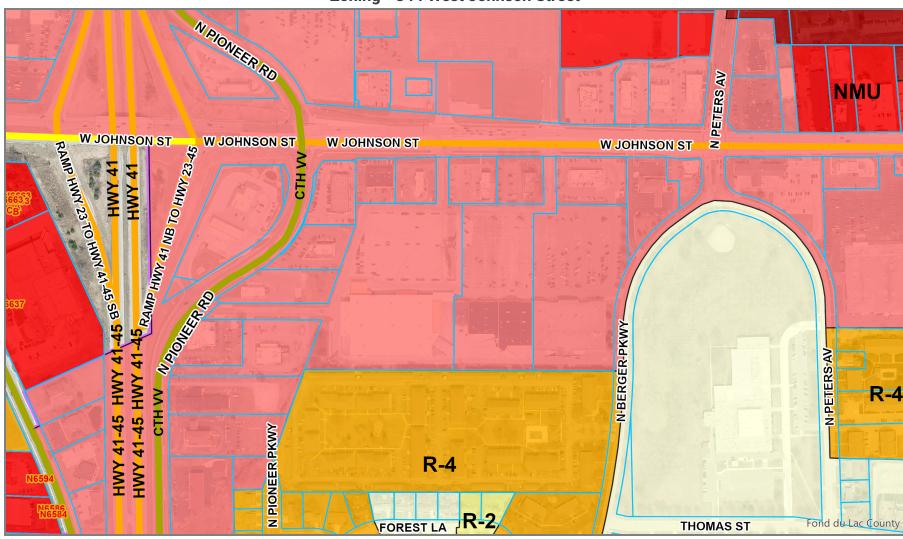
Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale

1 inch = 400 feet

5/27/2025

Zoning - 844 West Johnson Street





Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale

1 inch = 400 feet

5/27/2025



CITY OF FOND DU LAC

APPLICATION FOR ZONING VARIANCE

PROPERTY LOCATION: 544 West Johnson Str. Tax Key Number (Vacant Land): FDL	eet					
Project Applicant Name Daniel Nielsen Signarama-FDL Mailing Address						
Mailing Address City	State	ZIP Code				
USSA8 Miranda Way Fonda Vac	Phone Number	54937				
	Priorie Number					
Landowner (Complete this information if the project applicant is not the property owner	.)					
Christopher Chairend Chouinard						
Mailing Address 201 Mar Ket Street St. 300 Philadelphia	State	ZIP Code				
	Phone Number					
Landowner Octanication						
If the person requesting a variance is not the owner of the property affected by the proposal, the consent o Refer to the LANDOWNER AUTHORIZATION form included with the variance application packet.	f the landowner is nece	ssary.				
VARIANCE PROPOSAL						
A variance is an exception to a regulation of the zoning code. Describe the pu	-					
Please See Attached Findings of Fact Letter that Covers the proposal and Criteria below.						
Covers the proposal and Criteria below.						
ALTERNATIVES						
Describe alternatives to your proposal such as other locations, designs, and coalternatives are not reasonable, provide the reason(s) for rejection.	onstruction techni	ques. If the				
		and the state of t				



City of Fond du Lac

May 14th, 2025

RE: Five Below – Fort Payne, AL 844 W. Johnson Street Fond du Lac, WI 54935 Sign Variance Application – Findings of Fact Letter

Dear Members of the Board of Zoning Appeals,

Cima Network Inc is the national sign vendor for Five Below. We are seeking a variance request for an additional 93.9 square footage of building signage as the code allows for 1 square foot of sign area of every foot of building façade length. The Five Below tenant space allows for 66 square feet of signage with a 66'-0" storefront. Our proposed signage is a 48" channel letter set, which totals 113.1 square feet while the blue backer panel is 154.9 sf. The Five Below is located on the back corner section of the shopping center setback off W Johnson St with an approximate setback of 600 ft, with multiple standalone businesses located at the front of the shopping center blocking visibility. Five Below is approximately 8,450 sq ft of retail space, next to anchor tenants Ross, Burlington, and Pick 'n Save.

Site branding is one of the most critical factors to a business's success as site visibility, brand recognition, and brand recall are essential to succeed in today's economic environment. E-commerce and the Covid19 pandemic have waged war on traditional brick and mortar retail establishments. It is critical that businesses and communities come together to help businesses thrive, which in turn helps drive economic success and development within the community. Five Below is expanding into the WI area and establishing brand recognition in the market is highly significant to the success of Five Below business. Signs attract 50% of new business, with Five Below being a newer brand in this area, they rely heavily on effectively utilizing all signs, branding, marketing & advertising initiatives to be successful. 20-25% of sales in shopping centers are due to impulse purchase after seeing a businesses sign.

Our application for proposed signage does not produce an undesirable change or detriment, in fact we hope to show you that it is an upgrade to the character of the existing shopping center for their size subanchor tenant space. We also feel it will make the shopping center safer by being visible in advance for safe motor vehicle operation. Shopping centers do not have traditional way finding sign like malls or other mixed-use properties. Building signs represent the best way for vehicle and pedestrian traffic to navigate the environment safely. The National Safety Council reported one in five accidents happen in parking lots and that two-thirds of drivers pull into shopping centers distracted. Intuitively people see low speeds as a false sense of security which makes them more distracted, this type of behavior makes signage even more critical for safety, wayfinding, and safe navigation.

We hope to demonstrate the need for Five Below to increase its signage allowance. We believe that our application will be an improvement and not a detriment to the surrounding area. We feel that our application does not produce an undesirable change or detriment to the surrounding area. We do not feel that the benefit being sought can be achieved other than a variance. We do not believe the variance is substantial and is the minimal requirement for safety and brand recognition. In addition, the proposed sign is in line with the surrounding tenants, we do not believe that the approval will have an adverse

office: 267.308.0575

toll free: 888.355.cima



effect on the neighborhood as it is a commercialized area, and our request is minimal and necessary for brand recognition to be a successful brick and mortar store in this shopping center.



Kindest Regards,

Lindsey Lupino Senior Project Manager







Total: $60.9 + 5.0 = 65.9 \text{ ft}^2$

NTE 66.0 ft² - Variance Required Total: $154.9 + 5.0 = 159.9 \text{ ft}^2$

154.9 ft 5.0 ft

Fond du Lac, WI 844 W Johnson St., Fond du Lac, WI 54935

CIMO 23177 R2 50225

icon key

Table 1

Ta





























































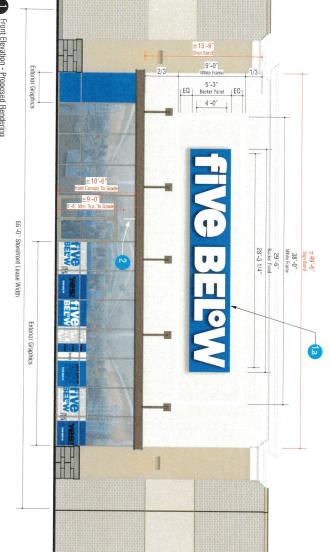


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partial front elevation - option a

Photo Renderings Are Estimated & May Not Be Accurrate. All Proportions, Dimensions And Mounting Details Must Be Verified Via Technical Survey And/Or Architectural Drawings.





Front Elevation - Proposed Rendering
2 Not To Scale

LANDLORD NOTES

- Facade:

 LL to engineer and build up parapet, height to be 30°-0".

 LL to engineer new storefront glass. 10°-6" high, 4°-0" min panel width, no upper mullions.
 LL to locate 8° tall storefront doors per tenant's final plans.
 LL to install walkway lighting, 6°-0" min O.C., with additional door light.
 LL to install HILTI eyebolts in facade for temporary banners, see A40 for loc.
 LL to provide curb cut within 30° of storefront entry
 LL to provide curb cut within 30° of storefront entry
 LL to provide unbistructed permanent access to sign mountable/electrical connection area.
 LL to provide electrical to center of all applicable sign mountable areas.

- Signage:
 Primary Sign: 48" internally illuminated channel letters on backer panel
 Walkway sign: 5-0" x 1'-0" UC Sign

Finishes by LL: - Facade: - Frame EIFS: - Cornice EIFS: - Pilasters:

- 3" Dryvit 456 Oyster Shell
 4" wide Dryvit 310 China White
 1" wide Dryvit 310 China White
 2" Dryvit 13 Amarilio White
 Shopping center standard

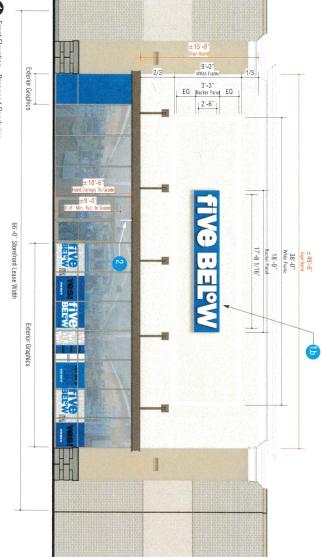
Pilaster Base:

CIMO 23177 R2 5.02.25

partial front elevation - option b

Photo Renderings Are Estimated & May Not Be Accurate. All Proportions, Dimensions And Mounting Details Must Be Verified Via Technical Survey And/Or Architectural Drawings.







Front Elevation - Proposed Rendering

3 Not To Scale

- Facade:

 Lt. to engineer and build up parapet, height to be 30°-0".

 Lt to engineer new storefront glass, 10°-6" high, 4°-0" min panel width, no upper mullions.

 Lt to focate 8' tall storefront doors per tenant's final plans.

 Lt to install walkway lighting, 6°-0" min O.C., with additional door light.

 Lt to install HLTI eyebolts in facade for temporary banners, see A40 for loc.

 Lt to procure and install hard canopy, Beagle One baked enamel bronze 5°-0" proj.

 Lt to provide curb cur within 30° of storefront entry

 Lt to provide unobstructed permanent access to sign mountable/electrical connection area.

 Lt to provide electrical to center of all applicable sign mountable areas.

LANDLORD NOTES

- Signage:
 Primary Sign: 30" internally illuminated channel letters on backer panel
 Side Sign: 36" internally illuminated stacked channel letters on backer panel
 Side Sign: 5'-0" x 1'-0" UC Sign
 Walkway sign: 5'-0" x 1'-0" UC Sign
- Finishes by LL:
 Facade:
 Frame EIFS:
 Cornice EIFS:
 Pilasters:
 Pilaster Base:
- 3" Dryvit 456 Oyster Shell
 4" wide Dryvit 310 China White
 1" wide Dryvit 310 China White
 2" Dryvit 113 Amarillo White
 Shopping center standard

Project Manager: L. Lupino

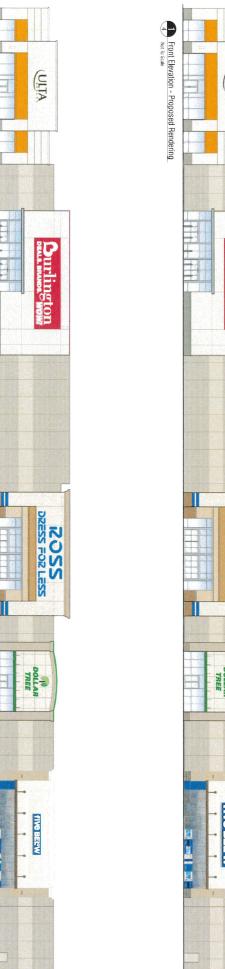




full front elevations

Photo Renderings Are Estimated & May Not Be Accurate. All Proportions, Dimensions And Mounting Details Must Be Verified Via Technical Survey And/Or Architectural Drawings.





Front Elevation - Proposed Rendering



Street view of front elevation signage is blocked by trees, making for no, or poor visibility of signage.







finish specifications

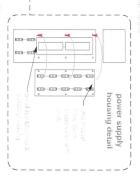
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background panel face seams



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• Zettly deficiated supply creat its sepaide to providing sufficient power to make the stand of a proposed signate, or all china specified decation.

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SERVICE SWITCH I DOMESTIC

3 Detail 6 Scale: 1-1/2" = 1'0"

CUSTOM

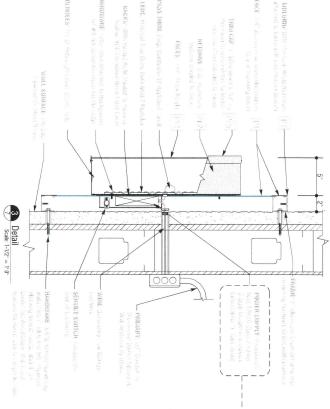


FB-FB48-IL-LNR-W-RM

Client Five Bulow Project Manager L. Lupino Address: 844 W. Junnson St., Fono du Luc, WI 54935



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finish specifications

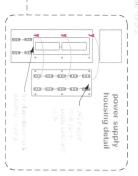
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PATORY & EMISHES

INTO AN LETTER TO THE PROPERTY OF THE PROPERTY

background panel face seams



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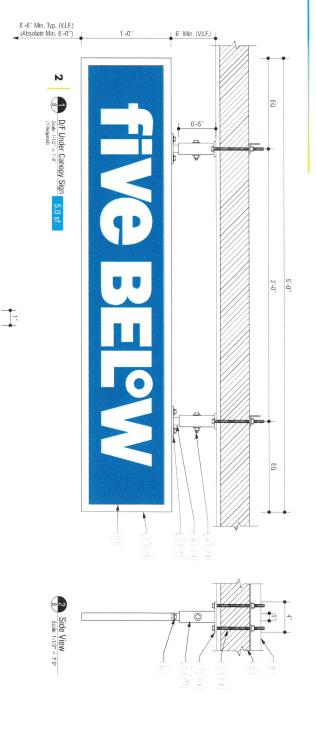
FB-FB30-IL-LNR-W-RM CUSTOM

✓ STANDARD









finish specifications

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MODATINAL WIND SPEED: 118 rates
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WIND EXPOSURE: 1.

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P1 PARKEL & MUUNTING BRACKETS: SADE OF THE

HARDWARE STANK

SLEEPER 1/8 >

9 SOFFIT PARCIA CONTITIONS

2'-0" (Cut As Req'd At Time Of Install.)

EQ

EQ

EQ

STANDARD FB-UC 1260

CUSTOM

Panel Detail - Side View

8 Scale: 3" = 1'0"

Mounting Plate Detail

EQ

1'-0"

2-3/4"

D 11/4

Verify height from hard canopy to grade.
Verify depth of hard canopy.

survey notes





NOTICE OF BOARD OF APPEALS HEARING

NOTICE IS HEREBY GIVEN that the **BOARD OF APPEALS** of the City of Fond du Lac, Wisconsin, will take action on the following appeal on **Monday**, **June 2**, **2025**. The 3:00 pm meeting will be conducted in Meeting Room A (first floor) of the City-County Government Center, 160 S Macy Street. All persons having an interest are invited to participate. Written correspondence for inclusion with agenda materials should be submitted to the City Clerk. The meeting agenda for the Board of Appeals can be accessed on the Calendar tab on the home page of the City's website: www.fdl.wi.gov

APPEAL NO. 2025-06

Location of Variance Request: 844 West Johnson Street

Zoning Code Regulations:

Schedule VIII Design Standards & Specifications for Signs allows one (1) square foot of signage per linear foot of building façade for wall signs in the C-2 General Business District.

Proposal:

Allow for a wall sign that is 113 sq ft (154 sq ft with backer panel) where the zoning code allows a wall sign that is 66 sq ft.

Intent of Variance Request:

The variance request asks for a waiver to allow a larger wall sign in the C-2 District; to increase the size to 113 sq ft (154 sq ft with backer panel) from 66 sq ft.

Dated this 20th day of May, 2025

Margaret Hefter, City Clerk

Board of Appeals

844 West Johnson Street

PIN	Street_address	MailingAddress1	MailingAddress2	MailingCity	MailingState	MailingZip
FDL-15-17-09-23-500-01	841 W JOHNSON ST	7006 SUNSET BLVD		HOLLYWOOD	CA	90028
FDL-15-17-09-32-259-00	842 W JOHNSON ST	691 S GREEN BAY ROAD #208		NEENAH	WI	54956
FDL-15-17-09-32-253-01	171 N PIONEER RD	171 N PIONEER RD		FOND DU LAC	WI	54935
FDL-15-17-09-24-759-01	875 W JOHNSON ST	4645 N CENTRAL EXPY STE 200		DALLAS	TX	75205
FDL-15-17-09-24-757-06	825 W JOHNSON ST	402 N 8TH ST		MANITOWOC	WI	54221
FDL-15-17-09-23-500-06	859 W JOHNSON ST	1683 WALNUT GROVE AVENUE	222 OHIO ST	ROSEMEAD	CA	91770
FDL-15-17-09-32-250-01	844 W JOHNSON ST	%CP MANAGEMENT LLC	830 S BUFFALO GROVE RD STE 106	BUFFALO GROVE	IL	60089
FDL-15-17-09-32-080-00		160 S MACY ST		FOND DU LAC	WI	54935
FDL-15-17-09-32-080-01		160 S MACY ST		FOND DU LAC	WI	54935
FDL-15-17-09-32-080-02		160 S MACY ST		FOND DU LAC	WI	54935
FDL-15-17-09-32-080-03		160 S MACY ST		FOND DU LAC	WI	54935
FDL-15-17-09-32-258-00	91 N PIONEER RD	91 N PIONEER RD		FOND DU LAC	WI	54935
FDL-15-17-09-32-254-01	147 N PIONEER RD	% SANPOLO HOLDINGS	495 MARIPOSA DR	VENTURA	CA	93001
FDL-15-17-09-32-255-00	131 N PIONEER RD	131 N PIONEER RD		FOND DU LAC	WI	54935
FDL-15-17-09-32-252-01	168 N PIONEER RD	PO BOX 2107		LACROSSE	WI	54602
FDL-15-17-09-24-757-07	835 W JOHNSON ST	ATTN: PROPERTY TAX DEPT	2929 WALKER AVENUE NW	GRAND RAPIDS	MI	49544
FDL-15-17-09-32-257-00	107 N PIONEER RD	107 N PIONEER RD		FOND DU LAC	WI	54935
FDL-15-17-09-32-256-00	121 N PIONEER RD	% INSPIRE BRANDS	3 GLENLAKE PKWY, 5TH FLOOR	ATLANTA	GA	30328
FDL-15-17-09-31-005-03	780 W JOHNSON ST	121 KING STREET WEST SUITE 200	TORONTO, ON M5H 3T9	CANADA		
FDL-15-17-09-31-005-00	814 W JOHNSON ST	121 KING STREET WEST SUITE 200	TORONTO, ON M5H 3T9	CANADA		
FDL-15-17-09-31-005-01	790 W JOHNSON ST	121 KING STREET WEST, SUITE 200	TORONTO, ON M5H 3T9	CANADA		
FDL-15-17-09-31-005-02	774 W JOHNSON ST	ATTN: LUCAS GEOFFRION	2633 TEMPLETON PL	OSHKOSH	WI	54904
FDL-15-17-09-32-260-00	832 W JOHNSON ST	121 KING STREET WEST SUITE 200	TORONTO, ON M5H 3T9	CANADA		
FDL-15-17-09-32-251-01	189 N PIONEER RD	187 N PIONEER RD		FOND DU LAC	WI	54935
FDL-15-17-09-31-006-00	98 N BERGER PKWY	3120 GATEWAY RD		BROOKFIELD	WI	53045
FDL-15-17-09-31-006-00	98 N BERGER PKWY	3120 GATEWAY RD		BROOKFIELD	WI	53045
FDL-15-17-09-31-006-00	98 N BERGER PKWY	3120 GATEWAY RD		BROOKFIELD	WI	53045
FDL-15-17-09-31-006-00	98 N BERGER PKWY	3120 GATEWAY RD		BROOKFIELD	WI	53045