

# Dane County Rezone Petition

<b>Application Date</b>	<b>Petition Number</b>
04/19/2022	DCPREZ-2022-11843
<b>Public Hearing Date</b>	
06/28/2022	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME ROBERT & KIM RIEGE	PHONE (with Area Code) (608) 692-5193	AGENT NAME DAVID DINKEL	PHONE (with Area Code) (608) 695-6262
BILLING ADDRESS (Number & Street) 140 FAIR OAK RD		ADDRESS (Number & Street) PO BOX 103	
(City, State, Zip) DEERFIELD, WI 53531		(City, State, Zip) Deerfield, WI 53531	
E-MAIL ADDRESS		E-MAIL ADDRESS dave@propertyshop-realtors.com	

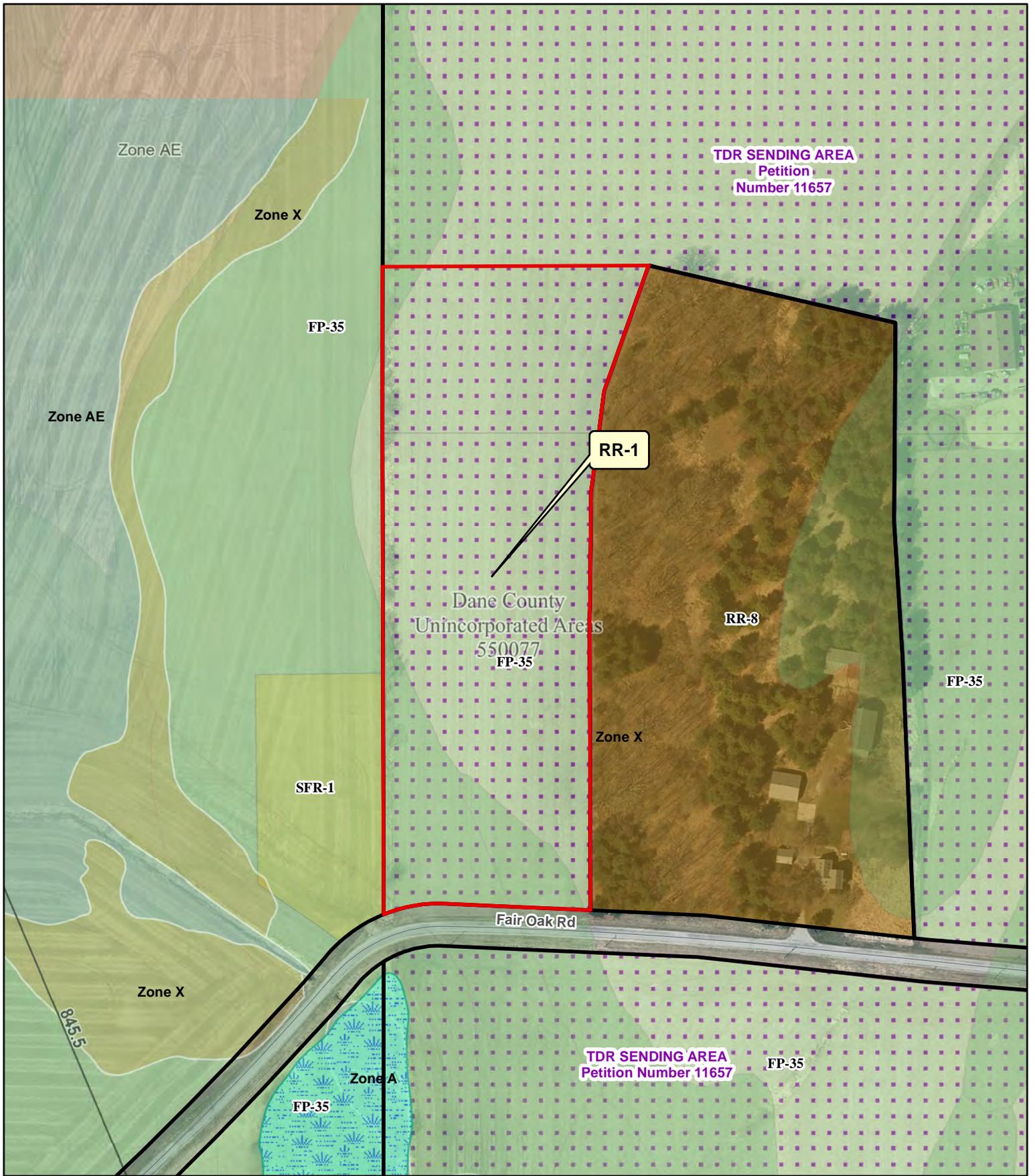
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
West of 168 Fair Oak Road					
TOWNSHIP DEERFIELD	SECTION 24	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0712-243-8001-1		0712-242-9501-5			

## REASON FOR REZONE

FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RR-1 Rural Residential District	8.2

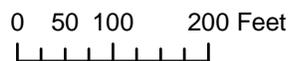
<b>C.S.M REQUIRED?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	<b>PLAT REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>DEED RESTRICTION REQUIRED?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	<b>INSPECTOR'S INITIALS</b>  RWL1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>
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COMMENTS: DEVELOPMENT RIGHTS ARE BEING TRANSFERRED FROM PARCELS 0712-241-9501-0, 0712-241-8140-0, 0712-241-8500-9, AND 0712-241-9001-0. DRIVEWAY EASEMENT AGREEMENT SHALL BE REQUIRED PER DANE COUNTY CODE OF ORDINANCES SECTION 75.19(8). LOTS WITHOUT FRONTAGE.



**Legend**

- |  |            |   |
|--|------------|---|
|  | Wetland    | <b>Significant Soils</b>  |
|  | Floodplain |  Class 1 |
|  |            |  Class 2 |



**Petition 11843  
ROBERT & KIM RIEGE**



**Dane County**  
**Department of Planning and Development**  
 Zoning Division  
 Room 116, City-County Building  
 210 Martin Luther King Jr. Blvd.  
 Madison, Wisconsin 53703  
 (608) 266-4266

Application Fees	
General:	\$395
Farmland Preservation:	\$495
Commercial:	\$545
<ul style="list-style-type: none"> <li>• PERMIT FEES DOUBLE FOR VIOLATIONS.</li> <li>• ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION.</li> </ul>	

## REZONE APPLICATION

### APPLICANT INFORMATION

Property Owner Name:	Robert & Kim Riege	Agent Name:	David R. Dinkel
Address (Number & Street):	140 Fair Oak Rd	Address (Number & Street):	P.O. Box 103
Address (City, State, Zip):	Deerfield, Wi 53531	Address (City, State, Zip):	Deerfield WI 53531
Email Address:		Email Address:	dave@propertyshop-realtors.com
Phone#:	608-692-5193	Phone#:	608-695-6262

### PROPERTY INFORMATION

Township:	Deerfield	Parcel Number(s):	0712-243-8001-1 0712-242-9501-5
Section:	24	Property Address or Location:	West of 168 Fair Oak Road

### REZONE DESCRIPTION

**Reason for the request.** In the space below, please provide a brief but detailed explanation of the rezoning request. Include both current and proposed land uses, number of parcels or lots to be created, and any other relevant information. For more significant development proposals, attach additional pages as needed.

Is this application being submitted to correct a violation?  
 Yes  No

Owner proposes to create 4 building sites on a hillside which is currently farmed.  
 He will transfer building rights from other lands he owns within the township.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
fp-35	rr-1	8.2

**Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for commercial development proposals, or as may be required by the Zoning Administrator.**

<input checked="" type="checkbox"/> Scaled drawing of proposed property boundaries	<input checked="" type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable)	<input checked="" type="checkbox"/> Pre-application consultation with town and department staff	<input type="checkbox"/> Application fee ( <b>non-refundable</b> ), payable to the Dane County Treasurer
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I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

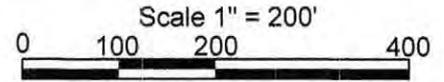
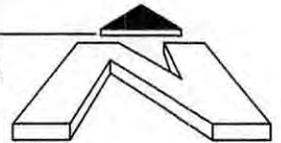
Owner/Agent Signature \_\_\_\_\_

Authenti  
*David Dinkel*  
4/17/2022 10:34:39 PM CDT

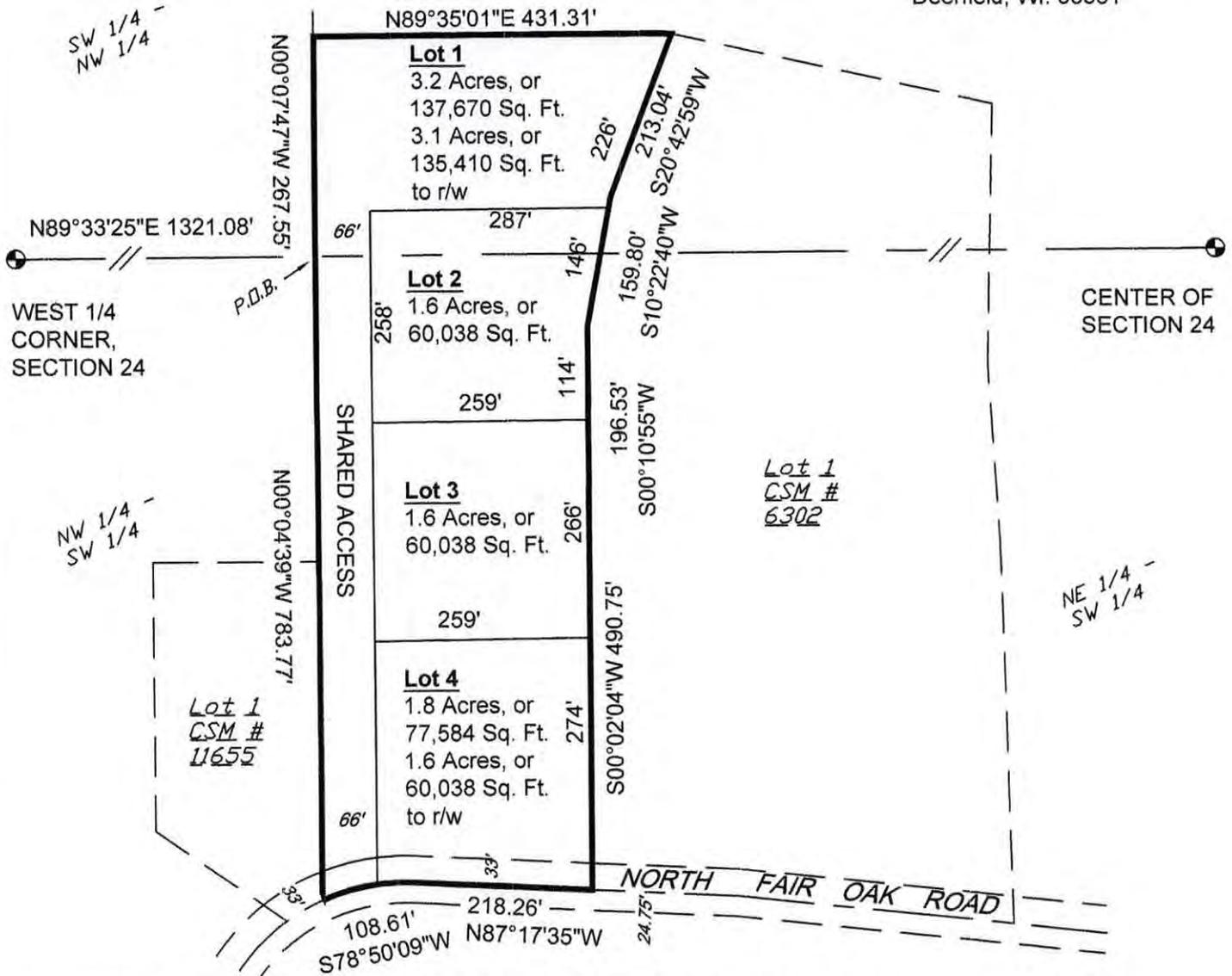
Date 4/17/20

# PRELIMINARY CERTIFIED SURVEY

PARTS OF THE SE 1/4 OF THE NW 1/4 AND THE NE 1/4 OF SW 1/4, ALL IN SECTION 24, T.07N., R.12E., TOWN OF DEERFIELD, DANE COUNTY, WISCONSIN.



**Prepared for:**  
 Robert P. Riege  
 140 Fair Oak Rd.  
 Deerfield, WI. 53531



PART OF THE SE 1/4 OF THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 12 EAST, TOWN OF DEERFIELD, DANE COUNTY, WISCONSIN:  
 COMMENCING AT THE WEST 1/4 CORNER, SECTION 24; THENCE N89°33'25"E ALONG THE EAST - WEST 1/4 LINE, 1321.08 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, ALSO THE POINT OF BEGINNING; THENCE N00°07'47"W ALONG THE WEST LINE OF SAID 1/4 -1/4, 267.55 FEET; THENCE N89°35'01"E, 431.31 FEET TO THE NORTHWEST CORNER OF LOT 1, DANE COUNTY CERTIFIED SURVEY MAP NUMBER 6302, THE NEXT FOUR COURSES FOLLOW SAID LOT 1 BOUNDARY; THENCE S20°42'59"W, 213.04 FEET; THENCE S10°22'40"W, 159.80 FEET; THENCE S00°10'55"W, 196.53 FEET; THENCE S00°02'04"W, 490.75 FEET TO THE CENTER OF NORTH FAIR OAK ROAD; THENCE N87°17'35"W ALONG SAID CENTERLINE, 218.26 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 240 FEET, THE LONG CHORD OF WHICH BEARS S78°50'09"W, 108.61 FEET; THENCE N00°04'39"W ALONG THE WEST LINE OF THE NE 1/4 OF THE SW 1/4, ALSO BEING PARTIALLY THE EAST LINE OF LOT 1, DANE COUNTY CERTIFIED SURVEY MAP NUMBER 11655, 783.77 FEET TO THE POINT OF BEGINNING. THE ABOVE AREA DESCRIBED CONTAINING 8.2 ACRES .

## Lane, Roger

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**From:** Lane, Roger  
**Sent:** Tuesday, April 19, 2022 8:50 AM  
**To:** 'David R. Dinkel'; David Riesop  
**Cc:** kimreige@aol.com; Allan, Majid  
**Subject:** RE: Additional information for Riege 4-lot re-zone in the Town of Deerfield

Dear Dave,

Thanks for the information.

I will use parcel numbers 0712-241-9501-0, 0712-241-8140-0, 0712-241-8500-9, and 0712-241-9001-0 as the parcels for the housing density units.

I don't think you can add lands to an original farm when calculating density.

I would strongly suggest reaching out to Majid Allan to go over the transfer of development rights to avoid delays.

Regards,

Roger Lane  
Dane County Zoning Administrator

**From:** David R. Dinkel <dave@propertyshop-realtors.com>  
**Sent:** Monday, April 18, 2022 11:22 PM  
**To:** Lane, Roger <lane.roger@countyofdane.com>; David Riesop <wismapping@charter.net>  
**Cc:** kimreige@aol.com  
**Subject:** Additional information for Riege 4-lot re-zone in the Town of Deerfield

CAUTION: External Email - Beware of unknown links and attachments. Contact Helpdesk at 266-4440 if unsure

SORRY TO ALL OF YOU. JUST HIT THE WRONG BUTTON AND SENT YOU WHAT WAS PREPARED FOR KORBY HOLZHUTER OF THE TOWN OF DEERFIELD PLANNING COMMISSION. IT HAPPENS. DAVE DINKEL

Hello Korby,

Attached is the zoning application Dave Reisop is sending to Dane County Zoning together with this additional information memo and attachment for the 4-lot zoning petition on land owned by Bob and Kim Riege.

The intent of this re-zoning petition is to create four residential building sites for sale to others using a transfer of building rights from other lands owned by this land Owner. The land for the CSM is presently part of the Bob and Kim Riege "homefarm" and is originally part of the Max Strauss farm in 1978.

In the 1978 Plat book, Albert Baumgartner had 160 acres in the Town of Deerfield and there were no existing dwelling units on that farm. Riege purchased approximately 148 acres in August of 2000. In the recorded deeds for that transaction, there was no reference to the allocation of any Dwelling Unit Rights (DURs). In lieu of specific direction, the DURs are to stay with the larger part. (We are looking for any pertinent documents but do not have anything to date.) Therefore, Riege had  $160/35 = 4.57$  DURs on this farm.

Circa 2001, a dwelling was built on the 12 acres retained and sold by Baumgartner in the very northeast part of the original Baumgartner farm. The road access for that home is from Hwy O in Jefferson County where the present owner of the home (Denert/Casey) own additional land. The address is N6083 Cty Hwy O, Waterloo WI 53594.

This seems to be a situation which the Town of Deerfield Comprehensive Plan addresses on Page 27 in Item #7, which page is attached above for easy reference. That is, Riege is entitled to the 4.57 DURs. Accordingly, the DURs for this petition would be transferred using the TDR process from the original Baumgarten Farm to the proposed CSM. Those parcel numbers are now 0712-241-9501-0, 0712-241-8140-0, 0712-241-8500-9, 0712-241-9001-0. These parcel numbers constitute 120.7 acres of the original Baumgartner farm. The other 28 acres purchased by Riege in 2000 are now part of their parcel number 0712-244-8675-0. (The purchased 148 acres divided by 35 equals 4.22 DURs)

In the 1978 Plat Book, Max Strauss had 158.4 acres in the Town of Deerfield. Riege purchased approximately 147.1 acres of the original Strauss farm in 1994. The farmhouse on 11.3 acres had been split off from the land. Bob and Kim Riege built their present farmstead on part of the 147.1 acres of the land. Additionally, Riege used the Town's TDR process for a DUR from this farm to their land on Nuland Road in 2021.

Using the original land mass,  $158.4/35 = 4.65$  DUR's less three DURs already used leaves 1.65 DURs remaining to this farm. In the event, the Baumgartner Farm does not yield 4 DURs, Bob and Kim understand one of the DURs for the proposed petition will come from the Strauss Farm.

Mr. Reige dropped off a check to Dane County Zoning last Thursday for the density studies needed.

Bob will bring the Town the appropriate check and we would like to be on the next agendas.

Please contact me with questions and concerns. drd

**David R. Dinkel Broker/Owner**

**RE/MAX** Property Shop

33 N. Main St. PO Box 103

Deerfield, WI 53531

608-695-6262 cell

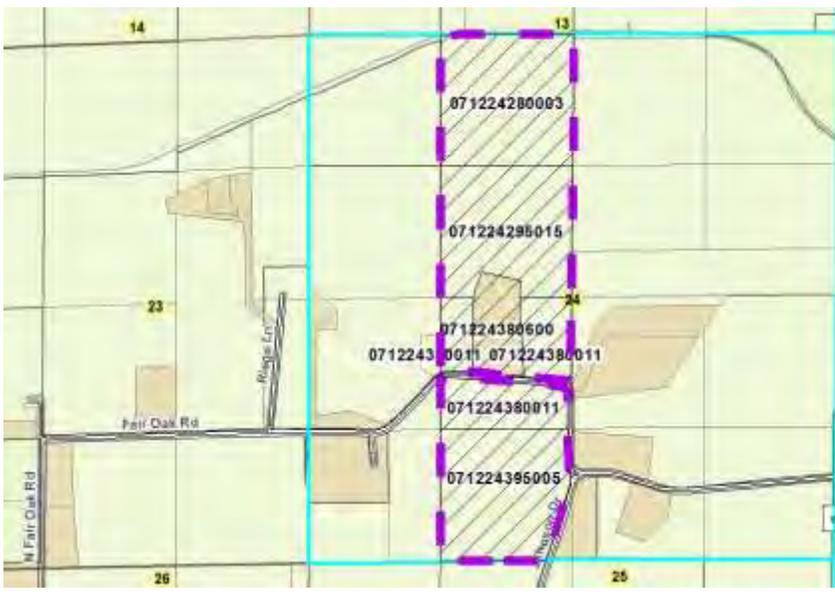
608-764-5451 office

608-764-5452 fax

# DRAFT: FOR DISCUSSION PURPOSES ONLY

IMPORTANT NOTE: ACREAGE VALUES AND OWNERSHIP HEREIN ARE DERIVED FROM HISTORICAL AND CURRENT RECORDS LOCATED AT THE DANE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT (EG. GIS, PLAT BOOKS, ZONING PERMIT DATA, CSM'S, ETC). DENSITY POLICIES VARY AMONG TOWNS AND MAY REQUIRE INTERPRETATION.

<b>Applicant:</b> Robert Riege					
<b>Town</b>	Deerfield	<b>A-1EX Adoption</b>	10/26/1978	<b>Orig Farm Owner</b>	Max Strauss
<b>Section:</b>	24	<b>Density Number</b>	35	<b>Original Farm Acres</b>	155.03
<b>Density Study Date</b>	3/1/2021	<b>Original Splits</b>	4.43	<b>Available Density Unit(s)</b>	3



**Reasons/Notes:**

Three (3) possible density units ("splits") remain available to the property. Proposal is to transfer 1 split to applicant's property off Nuland Rd in sec 33.

Note: Parcels included in the density study reflect farm ownership and acreage as of the date of town plan adoption, or other date specified. Density study is based on the original farm acreage, NOT acreage currently owned.

Parcel #	Acres	Owner Name	CSM
071224395005	37.25	ROBERT P RIEGE & KIM D RIEGE	
071224380011	28.91	ROBERT P RIEGE & KIM D RIEGE	
071224295015	37.66	ROBERT P RIEGE & KIM D RIEGE	
071224280003	40.5	ROBERT P RIEGE & KIM D RIEGE	
071224380600	10.76	STEVEN W GEIS & JENNIFER R HORGAN-GEIS	06302



## Dane County Planning and Development Department

Room 116, City-County Building, Madison, Wisconsin 53703

Fax (608) 267-1540

*Planning*

(608)266-4251, Rm. 116

*Records & Support*

(608)266-4251, Rm. 116

*Zoning*

(608)266-4266, Rm. 116

April 19, 2022

Bob & Kim Riege  
140 Fair Oak Rd  
Deerfield, WI 53531  
Delivered via email

Dear Bob & Kim,

Attached is a density study report you requested for property you own owned in section 24 of the Town of Deerfield. The property is located in the town's Agricultural Preservation Area, where the density of residential development is limited to 1 dwelling unit (a/k/a, "density unit" or "split") per 35 acres of land owned as of October 26, 1978. The property was owned by Albert Baumgartner and totaled approximately 160 acres in 1978.

As indicated on the attached report, the farm was eligible for 4 splits under the density policy, with one prior split per rezone petition 7769 and the home that now sits on parcel 0712-241-8001-0. Three possible splits remain available to the property that you currently own.

Please note that this analysis does not guarantee or preclude town or county approval of a particular land division, rezone, or development proposal. The Town of Deerfield Plan Commission and Board of Supervisors review all applications to rezone, and apply interpretations, standards and criteria as set forth in the Town plan to guide their decisions. Such standards include considerations for soil type, environmental features, site characteristics, proposed location of driveways and utility extensions, and proposed lot size and location. In addition, all rezones are subject to county Zoning Committee, Board, and Executive approval.

If you have any questions, please contact me by phone at 267-2536 or 720-0167, or email at [allan@countyofdane.com](mailto:allan@countyofdane.com).

Sincerely,

Majid Allan  
Senior Planner

cc: Korby Holtzheuter, Town of Deerfield Plan Commission (by email)

# DRAFT: FOR DISCUSSION PURPOSES ONLY

IMPORTANT NOTE: ACREAGE VALUES AND OWNERSHIP HEREIN ARE DERIVED FROM HISTORICAL AND CURRENT RECORDS LOCATED AT THE DANE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT (EG. GIS, PLAT BOOKS, ZONING PERMIT DATA, CSM'S, ETC). DENSITY POLICIES VARY AMONG TOWNS AND MAY REQUIRE INTERPRETATION.

<b>Applicant:</b> Bob Riege					
<b>Town</b>	Deerfield	<b>A-1EX Adoption</b>	10/26/1978	<b>Orig Farm Owner</b>	Albert Baumgartner
<b>Section:</b>	24	<b>Density Number</b>	35	<b>Original Farm Acres</b>	157.94
<b>Density Study Date</b>	4/19/2022	<b>Original Splits</b>	4.51	<b>Available Density Unit(s)</b>	3



**Reasons/Notes:**

The original farm was eligible for a total of 4 density units or "splits". One prior split used per petition 7769 and the home on PIN 071224180010. Three possible density units remain available. See attached letter for additional info.

Note: Parcels included in the density study reflect farm ownership and acreage as of the date of town plan adoption, or other date specified. Density study is based on the original farm acreage, NOT acreage currently owned.

Parcel #	Acres	Owner Name	CSM
071224180010	12.42	DAVID E DEHNERT & MONICA L CASEY	
071224486750	34.8	ROBERT P RIEGE & KIM D RIEGE	14494
071224195010	26.34	ROBERT P RIEGE & KIM D RIEGE	
071224190010	26.22	ROBERT P RIEGE & KIM D RIEGE	
071224185009	40.3	ROBERT P RIEGE & KIM D RIEGE	
071224181400	27.58	ROBERT P RIEGE & KIM D RIEGE	