

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
02/08/2017	DCPREZ-2017-11113
Public Hearing Date	C.U.P. Number
04/25/2017	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DANIEL S BREUNIG	PHONE (with Area Code)	AGENT NAME BIRRENKOTT SURVEYING	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 6469 VIADUCT RD		ADDRESS (Number & Street) 1677 N. BRISTOL STREET	
(City, State, Zip) DANE, WI 53529		(City, State, Zip) Sun Prairie, WI 53590	
E-MAIL ADDRESS breunigdk@frontier.com		E-MAIL ADDRESS akasper@birrenkottsurveying.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
East of 6625 Viaduct Road					
TOWNSHIP DANE	SECTION 12	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0908-122-8671-0					

REASON FOR REZONE	CUP DESCRIPTION
CREATING ONE RESIDENTIAL LOT	

FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1Ex Exclusive Ag District	A-2 (4) Agriculture District	6.8		

C.S.M REQUIRED?	PLAT REQUIRED?	DEED RESTRICTION REQUIRED?	INSPECTOR'S INITIALS	SIGNATURE:(Owner or Agent)
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	RWL1	
Applicant Initials _____	Applicant Initials _____	Applicant Initials _____		

PRINT NAME:
DATE:



Dane County Planning and Development Department

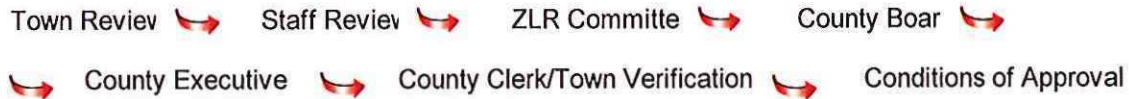
Zoning Division

Room 116, City-County Building, 210 MLK Jr Boulevard, Madison, Wisconsin 53703
(608) 266-4266 Fax (608) 267-1540

ZONING MAP AMENDMENT (Rezoning Petition) & CONDITIONAL USE PERMIT PROCESS

Zoning Petition No:	DCPREZ-2017-11113	Conditional Use Permit No:	NONE
Public Hearing Date:	04/25/2017	Time:	<u>6:30 PM</u>
Committee:	Dane County Zoning and Land Regulation Committee		
Location:	City-County Building, Room 354, 210 Martin Luther King, Jr., Blvd.		

Please follow these steps to ensure your application is processed in a timely manner.



1. TOWN REVIEW

All petitions require a formal review by the town's Plan Commission and Board. Please contact the town as soon as possible to notify them that you have submitted a CUP and/or Rezone Petition with Dane County Zoning. A copy of your application will be sent to the Town, approximately one week after the deadline date as noted on the ZLR meeting schedule.

Please note that the town may have specific procedures or fees to process your proposal. In order for the Dane County Zoning and Land Regulation (ZLR) Committee to act on your petition, the Town Clerk must submit a formal Town Action Report by the Thursday prior to the public hearing date. The ZLR Committee will not take action until it has received a Town Action Report.

2. STAFF REVIEW

Dane County staff will begin a review of your application approximately one month prior to the public hearing. Your proposal will be reviewed for consistency against the Town Land Use/Comprehensive Plan and the Dane County Comprehensive Plan. If your proposal involves the creation of new residential lot, a housing density study will be performed to determine the housing density rights associated with the original farm. In addition, the property will be reviewed

for environmentally sensitive areas. You will be contacted if any conflicts arise with your petition. A staff report will be prepared for the ZLR Committee and you will be provided with a copy of this report approximately one week prior to the meeting. All proposed land use changes, rezones, and land divisions must be consistent with the Dane County Comprehensive Plan.

3. ZONING AND LAND REGULATION COMMITTEE PUBLIC HEARING

A public hearing will be held in front of the ZLR Committee. The staff will publish notices in the Wisconsin State Journal approximately two weeks prior to the ZLR public hearing. In addition, all property owners within 300 feet of the property will be notified by mail of your request.

An agenda will be sent to you and your agent approximately one week prior to the meeting. This meeting is an opportunity for individuals to speak in support, opposition, or raise concerns about your proposal.

At the public hearing, the ZLR Chairperson will announce your petition and request that you or your agent speak on behalf of your petition. You will need to approach the podium and state your name, location of your property, the current zoning district of the property, the change request, and reason for the change of zoning. After hearing testimony, The ZLR Committee may recommend approval, postponement, or denial of your petition.

Actions by the Zoning and Land Regulation Committee

Approval: If the Committee received a timely Town Action Report, a favorable Staff report, no public opposition, and no unresolved issues/questions by the committee, the ZLR Committee may recommend approval of your petition to the County Board. See ZLR schedule sheet.

Postponement: If the Committee did not receive a Town Action Report, or if concerns are raised, the petition will be postponed until the next ZLR work meeting. This meeting (called the work meeting) will be held 2 weeks after the public hearing. The delay provides an opportunity for the applicant and staff to address concerns. Staff will contact you to review your options.

Denial: If the Committee recommends denial of your petition, the petition will be sent to the County Board. See ZLR schedule sheet. Proposals which are not consistent with adopted Town or County Comprehensive Plans may be denied.

4. COUNTY BOARD

After the ZLR Committee acts on your petition, it is then placed on the next County Board agenda. At the Board meeting, all zoning petitions on the agenda are generally acted upon in one action. Your attendance is generally not needed. However, if your petition was controversial or if the ZLR Committee did not pass the petition unanimously, you should plan to attend the

County Board meeting in case questions arise. Conditional Use Permits do not require approval of the County Board.

5. COUNTY EXECUTIVE

All zoning petitions approved by the ZLR Committee and County Board are sent to the County Executive for approval. The Executive may approve or veto your petition and are generally acted upon within 10 days of County Board action. Conditional Use Permits do not require approval by the County Executive.

6. COUNTY CLERK / TOWN CONFIRMATION

If your petition was amended or conditions placed on it, such as the recording a Certified Survey Map or a Deed Restrictions, the County is required to send the petition back to the town to confirm the set conditions. The town is given 40 days to act. Please contact the Town

Clerk to see if any additional town meetings require your attendance. Final approval may begin when County receives the town confirmation or the 40 days expires.

7. FINAL APPROVAL

The final step in the process is to meet the conditions imposed on the petition. A letter will be sent to you and your surveyor informing you of all actions that are needed to make the zoning change effective. **You are generally given a 90-day period in which to complete the actions (called the "Delayed Effective Date")**. Failure to complete the actions in the designated time frame will render the petition **VOID**.

Contact your Surveyor as soon as possible to submit any required Certified Survey Map (CSM). Please note that the Town or a neighboring municipality may need to approve the CSM as a separate action. Further, signatures may be needed from the owners, mortgage holder, Town Official, neighboring municipality, Dane County Highway Department, and Dane County Land Division Officer, in order to record the CSM.

If a deed restriction is required, a form will be provided to you by Dane County Staff. Please note that your surveyor may need to provide a suitable property description for the deed restriction document.

When all conditions are satisfied, the Zoning Division will notify you by mail that the zoning change or Conditional Use Permit has become effective. Once the zoning becomes effective, a zoning permit for construction may be issued for the property.

348.00



DANE COUNTY PLANNING & DEVELOPMENT

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Zoning Change Application

Items that must be submitted with your application:

- **Written Legal Description of the proposed Zoning Boundaries**
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- **Scaled Drawing of the location of the proposed Zoning Boundaries**
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name	<u>DANIEL S BREUNIG</u>	Agent's Name	<u>BIRRENKOTT SURVEYING INC.</u>
Address	<u>6469 VIADUCT RD</u> <u>DANE WI 53529</u>	Address	<u>1677 N. BRISTOL ST. SUN PRAIRIE,</u> <u>WIS. 53590</u>
Phone	<u>712-0086</u>	Phone	<u>(608) 837-7463</u>
Email	<u>breunigdl@frontier.com</u>	Email	<u>akasper@birrenkottsurveying.com</u>

Town: Dane Parcel numbers affected: 0908-122-8671-0 & 0908-111-8291-0

Section: 12 Property address or location: 6469 VIADUCT RD

Zoning District change: (To / From / # of acres) A-2(4) / A-1(EX) / 6.83

Soil classifications of area (percentages) Class I soils: % Class II soils: % Other: 100 %
see attached

Narrative: (reason for change, intended land use, size of farm, time schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

To create a new lot and build a home in the woods

RECEIVED

JUL 24 2015

DANE COUNTY PLANNING & DEVELOPMENT

I authorize that I am the owner or have permission to act on behalf of the owner of the property.
Submitted By: *[Signature]*

Date: 7-16-15



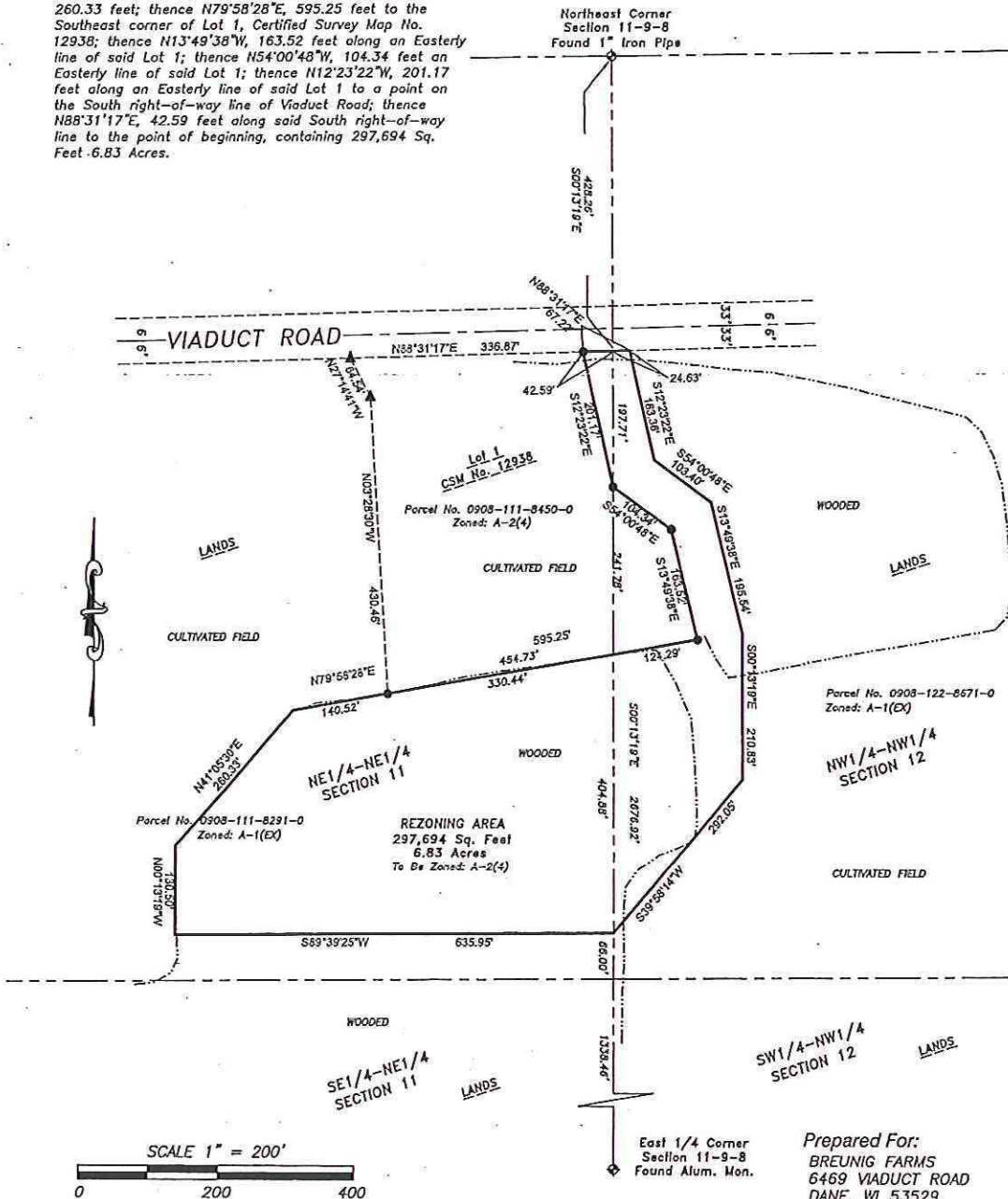
BIRRENKOTT SURVEYING, INC.

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, WI. 53590
Phone (608) 837-7463
Fax (608) 837-1081

ZONING MAP

ZONING DESCRIPTION:

A part of the Northeast 1/4 of the Northeast 1/4 of Section 11 and a part of the Northwest 1/4 of the Northwest 1/4 of Section 12, T9N, R8E, Town of Dane, Dane County, Wisconsin. More fully described as follows: Commencing at the Northeast corner of said Section 11; thence S00°13'19"E, 428.26 feet along the East line of said Northeast 1/4 of the Northeast 1/4 of Section 11 to a point on the South right-of-way line of Viaduct Road and the point of beginning; thence N88°31'17"E, 24.63 feet along said South right-of-way line; thence S12°23'22"E, 163.36 feet; thence S54°00'48"E, 103.40 feet; thence S13°49'38"E, 195.54 feet; thence S00°13'19"E, 210.83 feet; thence S39°58'14"W, 292.05 feet to a point on the East line of said Northeast 1/4 of the Northeast 1/4 of Section 11; thence S89°39'25"W, 635.95 feet; thence N00°13'19"E, 130.50 feet; thence N41°05'30"E, 260.33 feet; thence N79°58'28"E, 595.25 feet to the Southeast corner of Lot 1, Certified Survey Map No. 12938; thence N13°49'38"W, 163.52 feet along an Easterly line of said Lot 1; thence N54°00'48"W, 104.34 feet an Easterly line of said Lot 1; thence N12°23'22"W, 201.17 feet along an Easterly line of said Lot 1 to a point on the South right-of-way line of Viaduct Road; thence N88°31'17"E, 42.59 feet along said South right-of-way line to the point of beginning, containing 297,694 Sq. Feet .683 Acres.

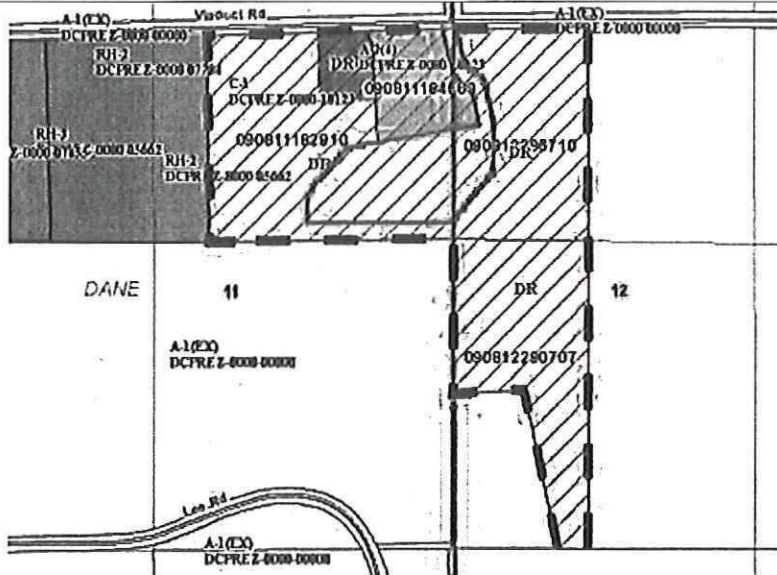


Prepared For:
BREUNIG FARMS
6469 VIADUCT ROAD
DANE, WI 53529
712-0086

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.

Public Hearing Date 10/27/2015		Petition Number 10895	Applicant: Daniel Breunig	
Town Dane	A-1EX Adoption 6/28/1979	Orig Farm Owner B.J. Chapman		
Section: 11, 12	Density Number 35	Original Farm Acres 47.42		
Density Study Date 10/27/2015	Original Splits 1.35	Available Density Unit(s) 0		



Reasons/Notes:
 Property eligible for 1 split. One prior split taken per CSM 12938. Property deed restricted to prohibit further development. Applicant proposes to transfer split from another property. See other density study.

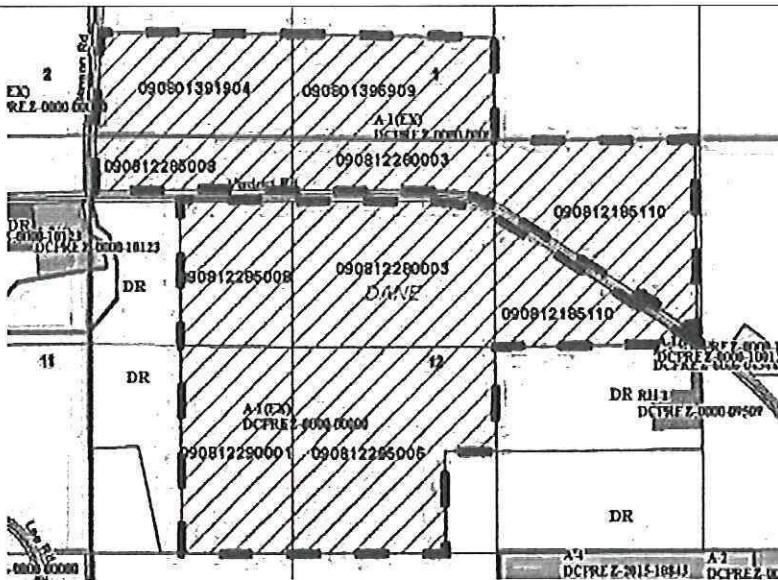
Note: Parcels included in the density study reflect farm ownership and acreage as of the date of town plan adoption, or other date specified. Density study is based on the original farm acreage, NOT acreage currently owned.

Parcel #	Acres	Owner Name	CSM
090812290707	12.33	DANIEL S BREUNIG & KAY A BREUNIG	
090812286710	12.16	DANIEL S BREUNIG & KAY A BREUNIG	
09081184500	3.99	DANIEL S BREUNIG & KAY A BREUNIG	12938
09081182910	18.94	DANIEL S BREUNIG & KAY A BREUNIG	

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Public Hearing Date 10/27/2015		Petition Number 10895		Applicant: Daniel Breunig	
Town	Dane	A-1EX Adoption	6/28/1979	Orig Farm Owner	Don Skarda
Section:	01, 12	Density Number	35	Original Farm Acres	199.77
Density Study Date	10/27/2015	Original Splits	5.71	Available Density Unit(s)	4



Reasons/Notes:
 Property eligible for five possible splits. Existing residence on parcel 090812280003 counts under the town density policy. Four possible splits remaining.

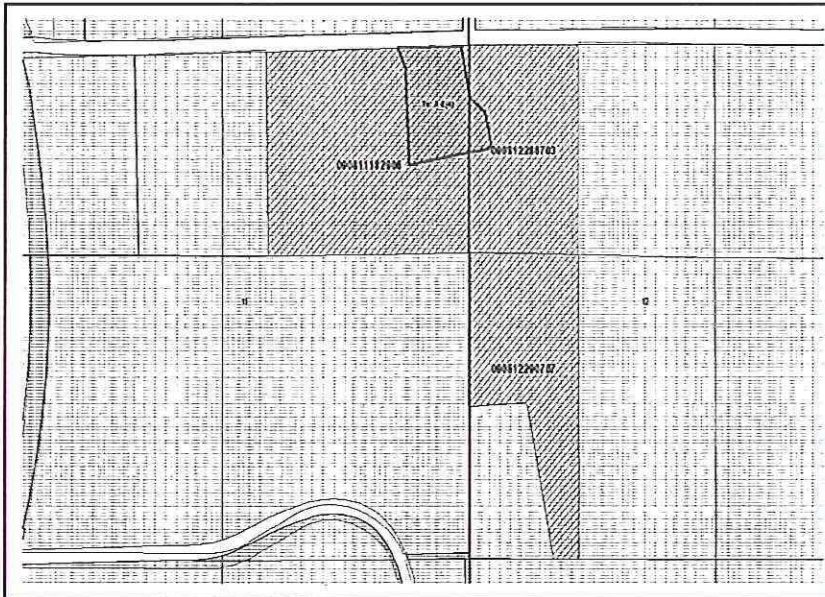
Note: Parcels included in the density study reflect farm ownership and acreage as of the date of town plan adoption, or other date specified. Density study is based on the original farm acreage, NOT acreage currently owned.

Parcel #	Acres	Owner Name	CSM
090812280003	38.67	BREUNIG LIVING TR	
090812295006	35.33	DANIEL S BREUNIG & KAY A BREUNIG	
090812290001	22.44	DANIEL S BREUNIG & KAY A BREUNIG	
090812285008	26.05	DANIEL S BREUNIG & KAY A BREUNIG	
090812185110	37.59	DANIEL S BREUNIG & KAY A BREUNIG	
090801396909	20.26	DANIEL S BREUNIG & KAY A BREUNIG	
090801391904	19.46	DANIEL S BREUNIG & KAY A BREUNIG	

DRAFT: FOR DISCUSSION PURPOSE ONLY

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Public Hearing Date:	12/22/2009	Petition Number:	10123	Applicant:	GREGG CHAPMAN
Town:	Dane	A1-EX Adoption:	6/28/1979	Orig. Farm Owner:	B.J. Chapman
Section:	11	1 Split Per 35 Acres Owned		Original Farm Acres:	47.42
Previous Density Study:	12/22/2009	Original Splits: [47.42 / 35 = 1.35]		Available Splits:	1



Reasons/Notes:

- 1 split exists.
- Separation of farm home counts againts 1 per 35.
- Separation of business counts against 1 per 35.
- Home and business both currently exist.
- Entire property should be Deed Restricted to prevent any futher development.

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 this original farm acreage, *not* acreage currently owned

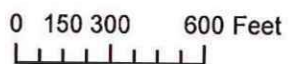
Parcel #	Acres	Owner Name	CSM
090812286703	12.58	GREGG A CHAPMAN	
090812290707	12.33	GREGG A CHAPMAN	
090811182906	22.52	GREGG A CHAPMAN	



Legend

Steep slopes

- 12 to 20%
- Greater than 20%



Petition 10895
Breunig