

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
09/18/2015	DCPREZ-2015-10919
Public Hearing Date	C.U.P. Number
12/22/2015	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME DENNIS MIDTHUN	PHONE (with Area Code) (608) 444-4797	AGENT NAME ROBIN MITTENTHAL	PHONE (with Area Code) ((608) 772-1091
BILLING ADDRESS (Number & Street) 13845 W BULLARD RD		ADDRESS (Number & Street) 306 PALOMINO LANEAPT 1	
(City, State, Zip) EVANSVILLE, WI 53536		(City, State, Zip) Madison, WI 53706	
E-MAIL ADDRESS midthun@hotmail.com		E-MAIL ADDRESS mittenth@gmail.com	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
South of 588 Remy Road					
TOWNSHIP MONTROSE	SECTION 26	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0508-262-8002-0					

REASON FOR REZONE	CUP DESCRIPTION
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REZONE TO ALLOW AGRICULTURAL ACCESSORY BUILDING WITHOUT PRIMARY RESIDENCE.	
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FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
RH-2 Rural Homes District	A-2 (4) Agriculture District	4.257		

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS AMA1	SIGNATURE:(Owner or Agent) PRINT NAME:
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COMMENTS: APPLICANT WILL BE FARMING PROPERTY AND NEEDS ACCESSORY STRUCTURE.

DATE:



Zoning Change Application

Items that must be submitted with your application:

- o **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.
→ please see CSM; There are currently no buildings on the site
- o **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>Dennis Midthun</u>	Agent's Name	<u>Robin Mittenenthal</u>
Address	_____	Address	<u>306 Palomino Lane, Apt. 1</u>
Phone	<u>608-444-4797</u>	Phone	<u>Madison, WI 53706</u>
Email	<u>midthun@hotmail.com</u>	Email	<u>608-772-1091</u>
			<u>mittenenth@gmail.com</u>

Town: Montrose Parcel numbers affected: 0508-262-8002-0

Section: 01 Property address or location: s. side of e. end of Butts Road

Zoning District change: (To / From / # of acres) A-2 / RH-2 / 4.257

Soil classifications of area (percentages) Class I soils: _____% Class II soils: _____% Other: _____%

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: Please see attached narrative

I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: Robin Mittenenthal Date: 9/13/15

Robin Mittenenthal

**Narrative for Zoning Change Request
for Dane County Planning and Development**

Robin Mittenthal, September 14, 2015
608-772-1091 / mittenth@gmail.com

Basic Narrative

The property for which I am requesting rezoning is a rectangular field of 4.257 acres located on the south side of the north end of Butts Road, just east of Remy Road in the town of Montrose. It is shown as Lot 2 in the attached Certified Survey Map (CSM). The property is now zoned RH-2, a zoning classification which I have been told by Mr. Brian Standing of Dane County Planning and Development would not allow me erect an accessory building for my planned small farm unless I built a residence first (which I do not plan to do).

The property is currently owned by Mr. Dennis Midthun. He has accepted my offer to purchase the property, but we have made closing contingent on my securing rezoning from RH-2 to some other zoning (either A-B or A-2, presumably). At their Aug. 24, 2015 meeting, the Land Use Committee of the the Montrose Town Board agreed to recommend rezoning to A-B to the full board. This seemed at the time like a kindness -- it would allow me to do piemaking and other small-scale processing that I may some day undertake -- but in a phone conversation on Sept. 14th, Mr. Standing said that he felt A-2 would also support my own potential small-scale processing plans while restricting undesired uses. As a result, I would like to request that the county rezone the property from RH-2 to A-2.

I am working to try to determine what the Montrose board would like to do -- so far, from town board chair Mr. Roger Hodel, it seems that they will need to discuss the issue at their next full board meeting (in early Oct.) and (hopefully) agree to A-2 instead of A-B.

I look forward to hearing how Dane County staff would like to proceed.

Additional details about the property and my plans for it

The brief legal description from Access Dane (parcel number 0508-262-8002-0) is as follows:

LOT 2 CSM 10304 CS60/251&252 1/29/2002 F/K/A LOT 1 CSM 9460 CS54/38&39 10/11/99
DESCR AS SEC 23-5-8 PRT SE1/4SW1/4 & SW1/4SE1/4 & SEC 26-5-8 PRT NE1/4NW1/4
(4.257 ACRES)

The full legal description is as follows:

The South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ and the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 23, Township 5 North, Range 8 East, in the Town of Montrose, Dane County, Wisconsin.

The East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 26, Township 5 North, Range 8 East, in the Town of Montrose, Dane County, Wisconsin, EXCEPT the South 60 rods thereof.

I hope to start a small farm growing blueberries, raspberries, and other small fruits (and, less likely but possibly, flowers and/or vegetables). Sales would be by pick-your-own and/or wholesale, most likely. In the long run, it might be nice to do some value-added processing on site (pies, jams, juices, etc.). A diagram of the property is shown on the next page with the most important of the proposed changes to the property. I will not have the money to make nearly all of these changes at once (I expect to take 3-7 years to complete all of them), but the changes I would like to make include:

- 1) Fencing -- For the eastern $\frac{3}{4}$ or so of the property the fence would closely follow the legal outline of the property with probably 1-2 mower widths on the outside. The fence would be necessary to keep deer away from the blueberries and some other crops. The fence would be eight feet high and as unobtrusive as possible (NOT 8 feet of chain link, no barbed wire -- likely four feet of woven wire fencing and single strands of wire from there up). I would plan to use the fence as a trellis for grapes and Juneberries over time such that it should be pretty at least in the long run. Would speak with neighbor on north side to get her input on the fence before installation (have already met and talked with her once). To install the fencing, I would be removing some of the scrubby trees (boxelders, an elderberry) along the property line, but would preserve all oaks and would add small trees as just mentioned.
- 2) A wellhead with control box -- not shown on the map, location TBD. Near the building but away from the parking area would make sense, except that the property slopes from east to west, so for irrigation purposes having the well at the east end might make more sense (gravity will help drive water delivery).
- 3) A driveway and parking area -- shown tentatively on the map; I would definitely need a driveway and parking spaces for a few vehicles, but may not go the pick-your-own route (in which case I would not need a large lot). If I do need a PYO lot, a quick guesstimate based on searching (e.g., <http://www.vaasphalt.org/parking-lot-design/>) is that for 30 cars I would need a lot 60 feet wide and about 130 feet long.
- 4) A small building that would serve as a combined storage area and checkout station -- This would likely be 400-500 square feet, especially if the business is successful and I need to put in a walk-in cooler. In the short term while just establishing plants, I would potentially use something like a shipping container for storage.
- 5) Portable toilet -- it's got to go somewhere (no pun intended).

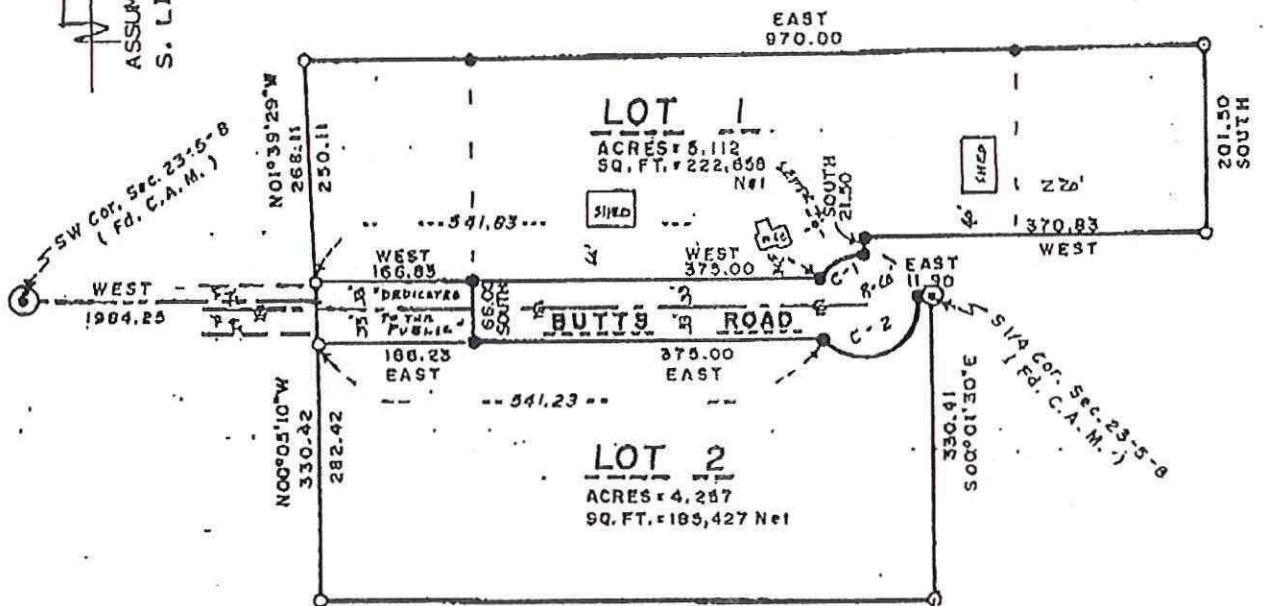
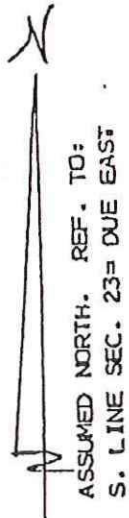
State of Wisconsin)
 County of Dane) SS.

CERTIFIED SURVEY

I, Thom R. Grenlie, hereby certify that this survey is in compliance with Chapter 236.34 of Wisconsin Statutes.

I also certify that I have surveyed and mapped the lands described hereon and that the map is a correct representation in accordance with the information provided.

Thom Grenlie 12-28-01
 Thom R. Grenlie, Registered Land Surveyor



CURVE TABLE				
CURVE	RADIUS	CHORD	BEARING	DELTA
C-1	60	56.92	S61°41'W	56°38'00"
C-2	60	118.37	N66°04'39"E	161°06'39"

LEGEND
 Scale: 1 inch = 200 ft.
 ● iron stake found
 ○ 1"x24" iron pipe set
 min. wt. = 1.13#/ln ft.
 C.A.M. = CAST ALUM. MONUMENT.

SURVEYED RT TG
 DRAWN HC
 APPROVED TG
 FIELD BOOK 139-77
 DATE 12-28-01
 TAPE/FILE FILE

GRENIE OFFICE MAP NO. 2821-A

SURVEYED FOR: DENNIS MIDTHUN, REMAX 277-2727
 6442 NORMANDY LANE, MADISON, WI 53719

DESCRIPTION-LOCATION: PRT SE1/4, SW1/4 & SW1/4, SE1/4, SEC. 23, AND PRT NE1/4, NW1/4, SEC. 26, ALL IN TSN. RBE. TOWN OF MONIROSE, DANE CO, WI
 APPROVED FOR RECORDING PER DANE COUNTY ZONING & NAT RES COMM. action of January 28, 2001

REGISTER OF DEEDS CERTIFICATE N. SCRIBNER, AGENT
 Received for recording this 29th day of January, 2002 at 2:36 o'clock P.M. and recorded in Volume 60 of Certified Survey Maps of Dane County on Page 251-252
Gene Licht by *Colleen M. Schaefer*, deputy Register of Deeds

Possible layout of a pick-your-own and/or wholesale farm located on the south side of Butts Road

Robin Mittenthal, July 2015

