

Dane County Rezone Petition

Application Date	Petition Number
02/05/2024	DCPREZ-2024-12030
Public Hearing Date	
05/28/2024	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME M G C CORP c/o RICHARD KINDSCH	PHONE (with Area Code) (608) 712-0609	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 6466 MINT RD		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) MAZOMANIE, WI 53560		(City, State, Zip)	
E-MAIL ADDRESS lowflyingplane@gmail.com		E-MAIL ADDRESS	

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 6539 Mint Road along Recek Road					
TOWNSHIP MAZOMANIE	SECTION 34	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0906-342-9002-0		0906-342-9013-0			

REASON FOR REZONE

CREATING AN AGRICULTURAL LOT IN ORDER TO CORRECT A LAND DIVISION VIOLATION




FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	FP-1 Farmland Preservation District	10.8

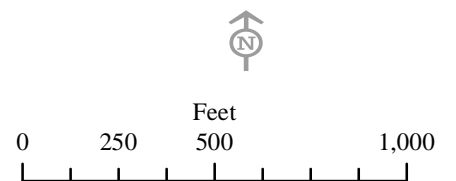
C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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COMMENTS: THERE APPEARS TO BE A BUILDING CONSTRUCTED ON THE PROPERTY WITHOUT A ZONING PERMIT BEING OBTAINED.



REZONE 12030

-  Wetland
-  Floodway Areas in Zone AE
-  Floodplain





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 Area:	\$495
Commercial:	\$545

- PERMIT FEES DOUBLE FOR VIOLATIONS.
- ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION.

REZONE APPLICATION

APPLICANT INFORMATION

Property Owner Name: <u>Mike K. Drich</u>	Agent Name:
Mailing Address: <u>6539 Mint Rd MAZOMANIE 53560</u>	Mailing Address:
Email Address: <u>low flying airplane@gmail.com</u>	Email Address:
Phone#: <u>608-712-0609</u>	Phone#:

PROPERTY INFORMATION

Township: <u>MAZOMANIE</u>	Parcel Number(s): <u>0906-342-9002-0, 0906-342-9013-0</u>
Section: <u>34</u>	Property Address or Location: <u>6539 Mint rd MAZOMANIE</u>

REZONE DESCRIPTION WEST OF 6539 MINT ROAD ALONG RECEK ROAD

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

CREATE AGRICULTURAL LOT - CORRECT LAND DIVISION VIOLATION

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
<u>FP-35</u>	<u>FP-1</u>	<u>10.8</u>

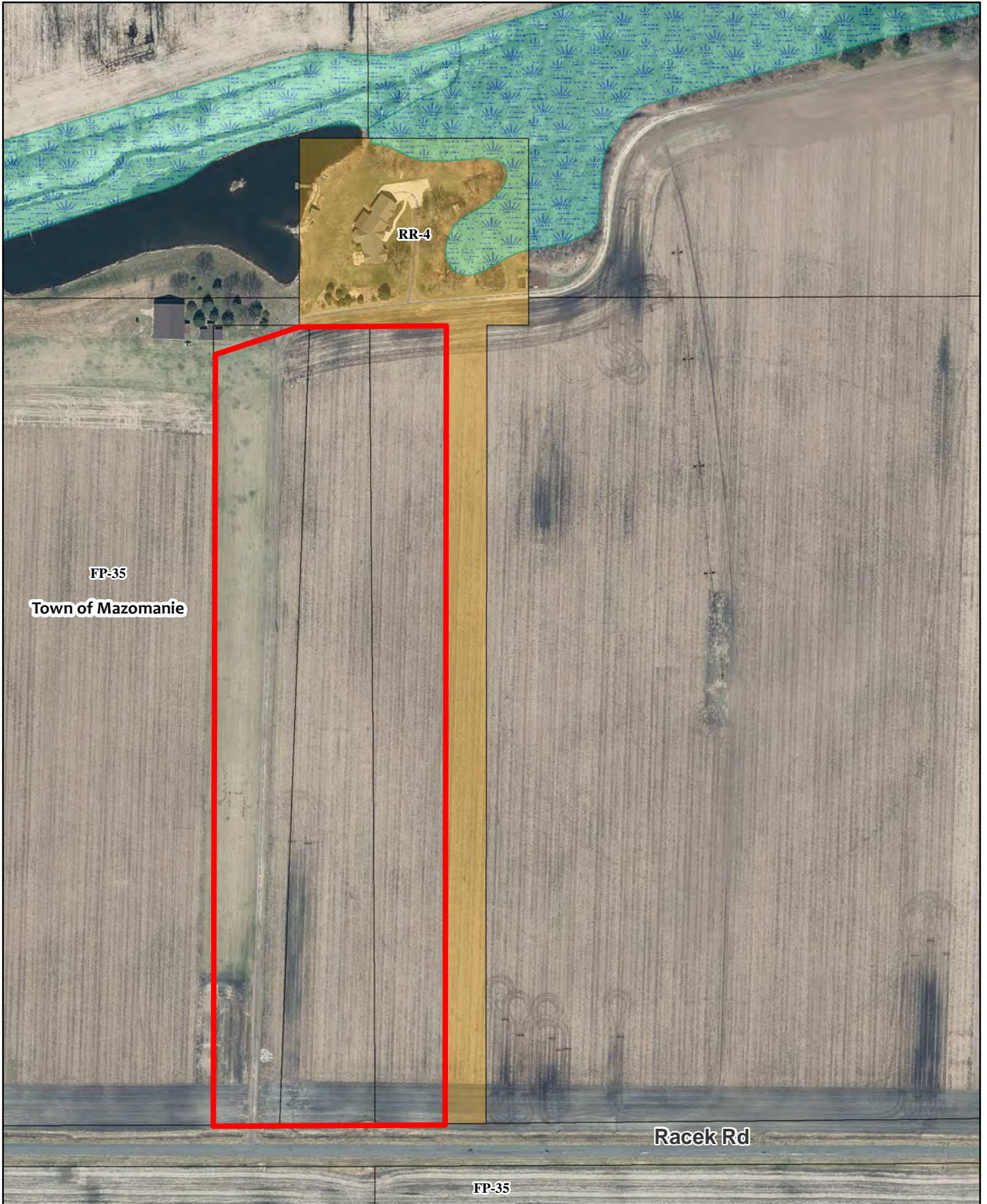
Applications will not be accepted until the applicant has met with department staff to review the application and determine that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application 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 checked="" type="checkbox"/> Information for commercial development (if applicable)	<input checked="" type="checkbox"/> Application fee (non-refundable), payable to the Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature _____

Date _____



0 100 200 400 Feet

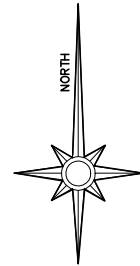
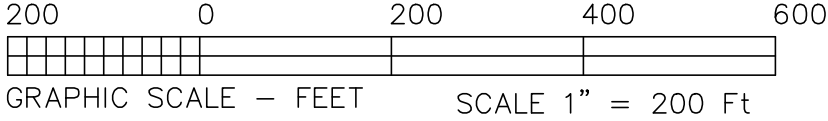
Kindschi

CERTIFIED SURVEY MAP

WALKER SURVEYING INC.

5964 LINDA CT. MAZOMANIE, WI. 53560

PART OF THE SW 1/4 OF THE NW 1/4 AND PART OF THE SE 1/4 OF THE NW 1/4, SECTION 34, T09N, R06E, TOWN OF MAZOMANIE, DANE COUNTY, WISCONSIN.



BEARING REFERENCE
S. LINE NW 1/4 SEC. 34

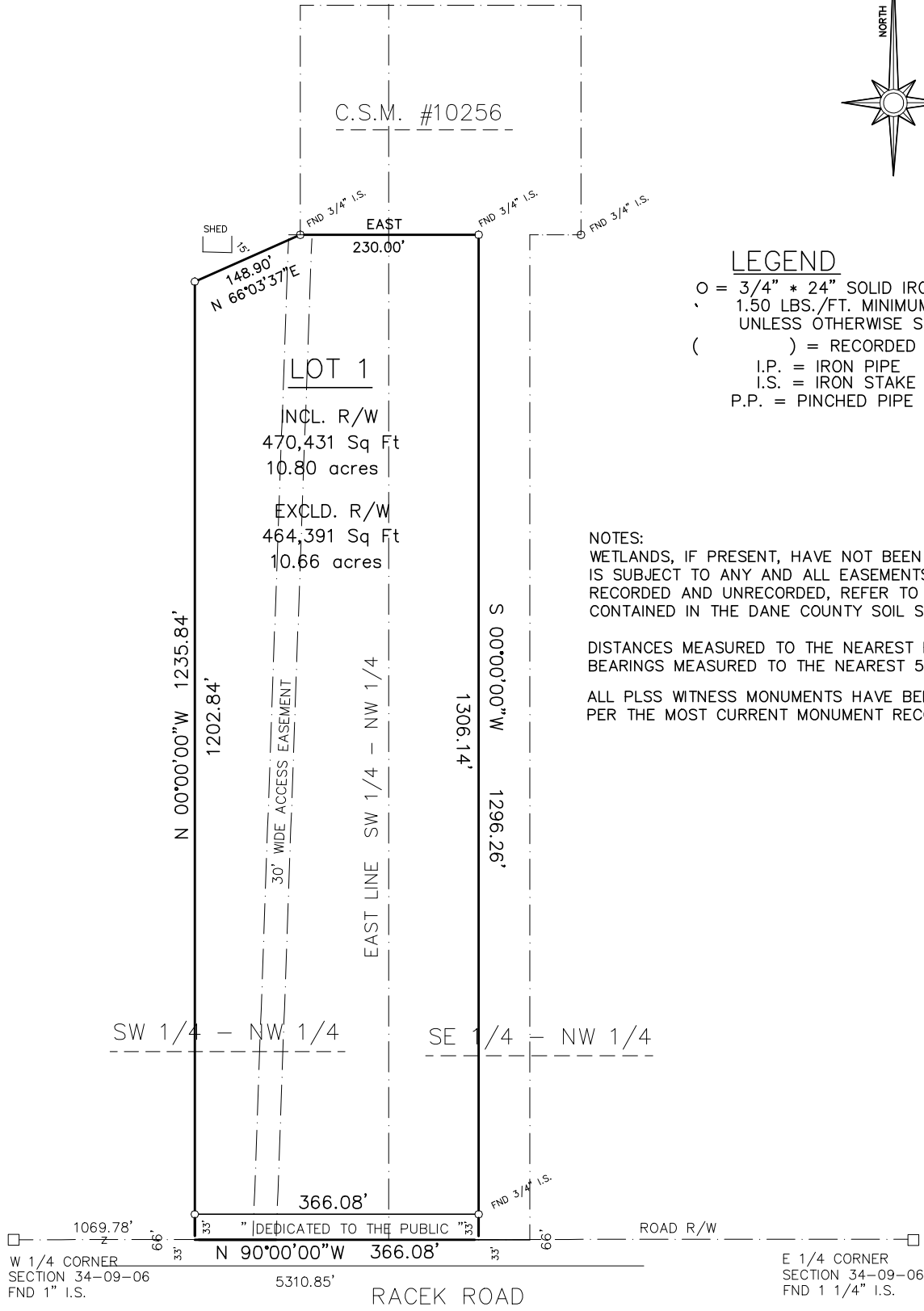
LEGEND

- O = 3/4" * 24" SOLID IRON ROD SET
- 1.50 LBS./FT. MINIMUM WEIGHT UNLESS OTHERWISE STATED
- () = RECORDED INFORMATION
- I.P. = IRON PIPE
- I.S. = IRON STAKE
- P.P. = PINCHED PIPE

NOTES:
WETLANDS, IF PRESENT, HAVE NOT BEEN DELINEATED, THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED, REFER TO BUILDING SITE INFORMATION CONTAINED IN THE DANE COUNTY SOIL SURVEY.

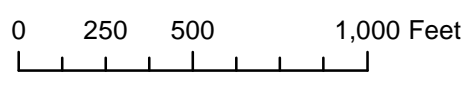
DISTANCES MEASURED TO THE NEAREST HUNDRETH OF A FOOT
BEARINGS MEASURED TO THE NEAREST 5"

ALL PLSS WITNESS MONUMENTS HAVE BEEN FOUND AND VERIFIED PER THE MOST CURRENT MONUMENT RECORD ON FILE



SURVEYED FOR:
M G C CORP.
6466 MINT RD
MAZOMANIE, WI 53560

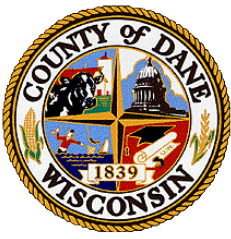
DOCUMENT NO. _____
CERTIFIED SURVEY MAP NO. _____
VOLUME _____ PAGE _____



Kindschi

FP-35 to FP-1

Part of the SW 1/4 of the NW 1/4, and part of the SE 1/4 of the NW 1/4, Section 34, T09N, R06E, Town of Mazomanie, Dane County, Wisconsin more fully described as follows; Commencing at the W 1/4 corner of said Section 34, THENCE South 90 degrees 00 minutes 00 seconds East for a distance of 1069.78 feet along the south line of said NW 1/4 and the centerline of Racek Road to the point of beginning. THENCE North 00 degrees 00 minutes 00 seconds West for a distance of 1235.84 feet, THENCE North 66 degrees 03 minutes 37 seconds East for a distance of 148.90 feet to the south line of C.S.M. #10256, THENCE North 89 degrees 59 minutes 59 seconds East for a distance of 230.00 feet along said line, THENCE South 00 degrees 00 minutes 00 seconds West for a distance of 1296.26 feet along the west line of said C.S.M. #10256 to the centerline of said Racek Road, THENCE North 89 degrees 59 minutes 59 seconds West for a distance of 366.08 feet to the point of beginning.



DANE COUNTY PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

December 22, 2023

Attorney Jama Graves
634 Water St.
Prairie Du Sac, WI 53578

RE: Register of Deeds document #5939243
Deed between M G C CORP and Kindschi

*Housing &
Economic Development*
(608)266-4270, Rm. 362

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

Dear Ms. Graves,

Dane County Land Division is in receipt of another deed instrument that was prepared by yourself. This deed was identified by the Land Records Review Analyst due to peculiarities in its configuration and was sent to Dane County Land Division for review for compliance with Dane County Code of Ordinances.

Dane County Code of Ordinances, Chapter 75, *Land Division Regulations*, a land division which creates a parcel under 35 acres in size is required to have a Certified Survey Map prepared and approved. The Quit Claim deed under Register of Deeds document #5939243 violates Dane County Code of Ordinance Section, 75.17.

75.17 CERTIFIED SURVEY MAPS.

(1) Procedure. (a) Application. Any land divider who shall divide land located in an unincorporated area of Dane County which results in a land division shall prepare a certified survey map in accordance with section 236.34 of the Wisconsin Statutes and all of the requirements in this chapter which may apply. All certified survey maps shall be submitted to the committee for approval and shall, after approval, be recorded in the office of the Dane County Register of Deeds.

The purpose of this chapter is to promote the public health, safety and general welfare of the county. It is designed to further the orderly layout and use of land and to facilitate the further resubdivision of larger parcels into smaller parcels of land.

Under Dane County Code of Ordinances, Chapter 10, Zoning Regulations, Section 10.123(7)(a), the minimum size for a lot in the Farmland Preservation, FP-35 Zoning District is 35 acres net. The afore mentioned document creates a parcel of land within the FP-35 zoning district that is approximately 3.80 acres in size and violates the minimum size requirements of the FP-35 Zoning District.

This letter serves as notice that the transaction that has occurred under Register of Deeds document #5939243 is in violation of the Dane County Codes of Ordinance sections as stated. A parcel of land was created under 35 acres in size without being part of a Certified Survey Map. Further, the property did not receive approvals for the necessary zoning district classification or for the creation of the lot.

In order to correct the situation, a rezone petition will need to be submitted to the County Zoning Division to change the classification of FP-35 to a zoning district that is in compliance with the current size and land use for the subject parcel. No parcel may have two different zoning districts and zoning boundaries are to be coterminous with parcel lines.

You are hereby instructed to submit the aforesaid information within 30 days of the date of this letter to avoid further enforcement action.

Attached with this letter is a copy of the recorded Warranty Deed #5939243. Your cooperation and attention is appreciated in this matter. Please contact me with any questions, everson.daniel@countyofdane.com

Sincerely,

Daniel Everson
Dane County Plat Review Officer
608.267.1541

CC:
Town of Mazomanie
Barb Szilagyi - Land Records Review Analyst
Roger Lane – Zoning Administrator

