



# DANE COUNTY DEPARTMENT of PUBLIC WORKS, HIGHWAY and TRANSPORTATION

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**County Executive**  
Joe Parisi

2302 Fish Hatchery Road ♦ Madison, Wisconsin 53713-2495  
Phone: (608) 266-4261 ♦ FAX: (608) 266-4269

**Commissioner / Director**  
Gerald J. Mandli

**To:** Public Works, Highway and Transportation Committee

**FROM:** Pam Dunphy  
Deputy Highway Commissioner

**DATE:** April 28, 2020

**RE:** Controlled Access Permit 20C003 CTH N  
Joseph A Bakke  
177 North Bristol Street  
Sun Prairie, WI 53590

**COMMENTS:** Staff at Dane County Highway denied the subject access permit since the parcel already has an existing access. The owner is in the process of a land division to divide the house from the remaining agricultural lands. The owner can utilize the existing access location for both properties through an easement. The existing access can also be relocated to the south to decrease the area of the easement.

Staff does not support the appeal by the landowner.

If the Committee determines that the access appeal should be approved, the following conditions should be included in the approval;

- Access to be for agricultural purposes only
- No additional access for the remaining properties
- Access to be constructed as per Department Specifications (The requested access location is low and will require a culvert pipe as well as a significant amount of fill to create a safe ingress/egress.)

Attached please find the landowners appeal letter, permit, and location information.

If you have any questions, contact me at 608-266-4036(office) or 608-575-2244(cell).

March 31, 2020

Kristine Walker, Associate Engineer  
Dane County Department of Public  
Works, Highway and Transportation  
2302 Fish Hatchery Road  
Madison, WI 53713-2495

**RE: County Permit Number 20C003**

Dear Ms. Walker:

Thank you for your correspondence dated March 26, 2020 regarding the above matter. I understand that Dane County Highways denied my request for a permit. This correspondence is my formal request to appeal that decision.

The property located on Highway N is currently in the process of being divided into two separate parcels/two different properties (see enclosed). The residential portion of the existing parcel is being sold separately from the agricultural portion, and the two individual parcels will have different owners. The new owners of the residential property do not want farm equipment utilizing their driveway and going across substantial portions of their property.

Please let me know if you need more information from me. Kindly advise as to the next steps in the appeal process. Thank you for your time.

Sincerely,



Joseph A. Bakke

(608) 572-1162  
[Joe.bakke@yahoo.com](mailto:Joe.bakke@yahoo.com)

Encl.



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2302 Fish Hatchery Road ♦ Madison, Wisconsin 53713-2495  
Phone: (608) 266-4261 ♦ FAX: (608) 266-4269

**Commissioner / Director**  
Gerald J. Mandli

**To:** Joseph A Bakke  
177 North Bristol Street  
Sun Prairie, WI 53590

**FROM:** Kristine Walker  
Associate Engineer

**DATE:** March 26, 2020

**SUBJECT:** Dane County Access to CTH N

**COMMENTS:** Dane County Highways denies your permit for access to County Highway N. County Highway N is a controlled access highway and additional access to the agricultural portion of your property cannot be granted. Applicants that are denied a permit may appeal the decision in writing to the Dane County Public Works and Transportation committee.

If you have any questions or would like to appeal the decision, contact me at 608-283-1486 or 608-206-0017.



APPLICATION FOR ACCESS PERMIT

This permit is required and shall be issued in accordance with the provisions of Section 83.027 of the Wisconsin Statutes and Chapter 79 of the Dane County Code of Ordinances.

APPLICANT INFORMATION
Name: Joseph A. Bakke
E-Mail Address: joe.bakke@yahoo.com
Street Address: 177 North Bristol Street
City: Sun Prairie
State: WI
Zip: 53590
Home Phone: 608-572-1162
Work Phone: 608-8342400
Fax Number: 608-834-2444

PROPOSED ACCESS LOCATION
County Trunk Highway in which access is requested: N
Controlled Access? (see list on page 2) [X] Yes [ ] No
Existing Access? [ ] Yes [X] No
Describe Use: Access to Agricultural land
Which Side of County Trunk Highway? [ ] North [X] South [ ] East [ ] West
Nearest Cross Road: Baily Road
Distance and Direction of Nearest Cross Road: 2000 feet from Baily Road
Existing Zoning: G4
Zoning Meets Intended Use? [X] Yes [ ] No

PERMIT FEE

Type of Permit Requested:

- Permit fee options: \$110 Temporary Controlled Access, \$110 Agricultural Controlled Access, \$110 Residential (single family) Controlled Access, \$220 Residential, Joint Access > 1 parcel, \$1,100 Private/Public, New/Existing, Street or Road, \$45 Miscellaneous, \$75 Temporary Non-Controlled Access, \$75 Agricultural Non-Controlled Access, \$75 Residential (single family) Non-Controlled Access, \$220 Commercial, <100 ADT\*\*, \$550 Commercial, >100 and <1,000 ADT, \$1,100 Commercial, >1,000 ADT

\*\*ADT denotes Average Daily Traffic. Data substantiating ADT for access or road intersections may be required.

Permit fee made payable to Dane County Highway Department must accompany all applications.

PERMIT CONDITIONS & SIGNATURE

Applicant acknowledges that (s)he has read and understand the requirements for obtaining an Access permit. By signing this application, applicant agrees that Dane County may establish additional provisions prior to application approval.

Applicant further understands and agrees that the permitted work shall comply with all permit provisions and conditions listed on the reverse side hereof, any special provisions, and any and all plans, details or notes attached hereto and made a part hereof.

By: Joseph A. Bakke
Signature of Applicant / Representative
Print Name and Title
Date: 3/18/20
Phone: 608-572-1162

NOTE: Application should be accompanied by plans or plat or CSM when appropriate. Submit application to Dane County Department of Public Works, Highway and Transportation, 2302 Fish Hatchery Rd, Madison, WI 53713.

## CONDITIONS

You are required to contact the authorized representative on the previous page before starting construction. **THIS PERMIT IS VOID ONE YEAR AFTER THE DATE IT IS ISSUED.** If construction is not completed at that time, the applicant is responsible for obtaining a new permit.

**You are required to contact the Township and other governmental agencies, including but not limited to, the Dane County Land and Water Resources Department, who have authority to permit the construction of the driveway on and off of highway right-of-way.**

Runoff from the driveway shall not be directed toward the roadway shoulder, nor shall the driveway obstruct drainage on the highway. Concrete driveways are not allowed to directly abut the edge of roadway pavements. Decorative paving on highway right-of-way will not be repaired or replaced in kind if damaged during maintenance or removed during repaving/reconstruction. Normal setback is 20 feet from the edge of pavement for concrete and decorative pavement. No poured concrete, stone, brick, wood, or other types of endwalls/headwalls shall be constructed on highway right-of-way. **Proper traffic control and signing shall be provided in accordance with the "Manual of Uniform Traffic Control Devices". This permit does not exempt the applicant from any State, County or Local Agency permits or approval processes.**

## INDEMNIFICATION/HOLD HARMLESS

For purposes of this document, "the Permit Holder or their Agent(s)" is understood to mean the individual(s) causing this access construction and/or access improvements.

- a. Permit holder shall indemnify, hold harmless and defend County, its boards, commissions, agencies, officers, employees and representatives against any and all liability, loss (including, but not limited to, property damage, bodily injury and loss of life), damages, costs or expenses which County, its officers, employees, agencies, boards, commissions and representatives may sustain, incur or be required to pay as a result of the permit or activities associated with the permit, provided, however, that the provisions of this paragraph shall not apply to liabilities, losses, charges, costs, or expenses caused by or resulting from the acts or omissions of County, its agencies, boards, commissions, officers, employees or representatives. The obligations of the permit holder under this paragraph shall survive the expiration or termination of the permit.
- b. If any and all claims against Dane County or any of its officers, agents, or employees by any employee of the Permit Holder, the Permit Holder's Agent(s), anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the indemnification obligation under this contract shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Permit Holder or the Permit Holder's Agent(s) under worker's compensation acts, disability benefit acts, or other employee benefit acts.
- c. The obligations of the Permit Holder or the Permit Holder's Agent(s) under this Contract shall not extend to the liability of an architect or engineer, his/her agents or employees arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, or specifications or (2) the giving of or the failure to give directions or instructions by an architect or engineer, his/her agents or employees provided such giving or failure is the primary cause of the injury or damage.
- d. Dane County shall not be liable to the Permit Holder or the Permit Holder's Agent(s) for damages or delays resulting from work by third parties or by injunctions or other restraining orders obtained by third parties.

## CONTROLLED/NON-CONTROLLED ACCESS COUNTY TRUNK HIGHWAYS

Following is a list of controlled access County Trunk Highways. All other County Trunk Highways are non-controlled access.

CTH "AB" ..... From the eastern boundary of the City of Madison to CTH "MN".  
CTH "B" ..... From the eastern boundary of the City of Fitchburg to USH 51.  
CTH "B" ..... From USH 51 to CTH "N" (except areas within the City of Stoughton).  
CTH "B" ..... From the northern boundary of the Village of Rockdale to the southern boundary of the Village of Cambridge.  
CTH "BB" ..... From the eastern boundary of the City of Madison to the western boundary of the Village of Cottage Grove.  
CTH "BB" ..... From the eastern boundary of the Village of Cottage Grove to STH 73.  
CTH "BW" ..... (Broadway) From Raywood Road easterly to Copps Avenue  
CTH "C" ..... From STH 19 to Happy Valley Road (except areas within the City of Sun Prairie).  
CTH "CC" ..... From CTH "D" to the western boundary of the Village of Oregon.  
CTH "CV" ..... From the northern boundary of the City of Madison to USH 51.  
CTH "CV" ..... From the southern boundary of the Village of DeForest to STH 19.  
CTH "D" ..... From CTH "CC" to Wingra Drive (except areas within the Cities of Madison and Fitchburg).  
CTH "G" ..... From STH 92 to USH 18-151.  
CTH "ID" ..... From the west county line to the intersection of STH 78 (except areas within the Village of Blue Mounds).  
CTH "K" ..... From USH 12 to CTH "M".  
CTH "M" ..... From the northern boundary of the City of Verona to CTH "S".  
CTH "M" ..... From the eastern boundary of the City of Middleton to STH 113.  
CTH "MC" ..... Those segments outside the City of Madison.  
CTH "MM" ..... From the northern boundary of the Village of Brooklyn to the southern boundary of the Village of Oregon.  
CTH "MM" ..... From the northern boundary of the City of Fitchburg to CTH "MC" (except areas in the City of Madison).  
CTH "N" ..... From the northern boundary of the City of Stoughton to the southern boundary of the Village of Cottage Grove.  
CTH "N" ..... From the northern boundary of the Village of Cottage Grove to the southern boundary of the City of Sun Prairie.  
CTH "N" ..... From the northern boundary of the City of Sun Prairie to CTH "V".  
CTH "P" ..... From CTH "S" in Section 33 Town of Cross Plains to the southern boundary of Village of Cross Plains.  
CTH "PB" ..... From STH 69/92 in Section 33 Town of Montrose to CTH "M".  
CTH "PD" ..... From the eastern boundary of the Village of Mt. Horeb to the City of Fitchburg (except areas in City of Madison).  
CTH "Q" ..... From the northern boundary of the City of Middleton to the southern boundary of the Village of Waunakee.  
CTH "S" ..... From STH 78 to the western boundary of the City of Madison.  
CTH "T" ..... From the eastern boundary of the City of Madison to the Village of Marshall.  
CTH "TT" ..... From Seminary Springs to Ridge Road.  
CTH "V" ..... From STH 113 to USH 51 (except areas within the Village of DeForest).

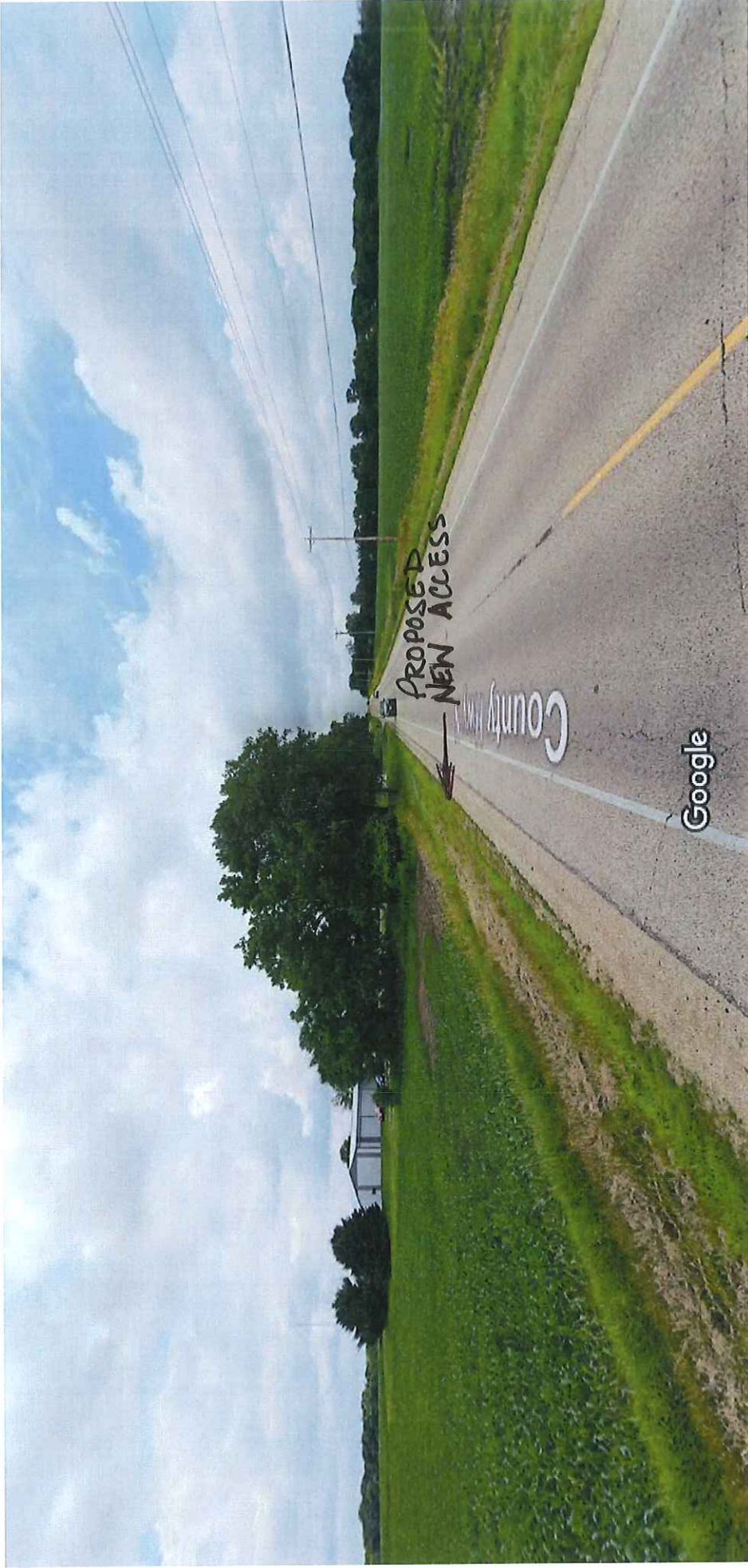


Image capture: Jul 2019 © 2020 Google

Sun Prairie, Wisconsin



Street View

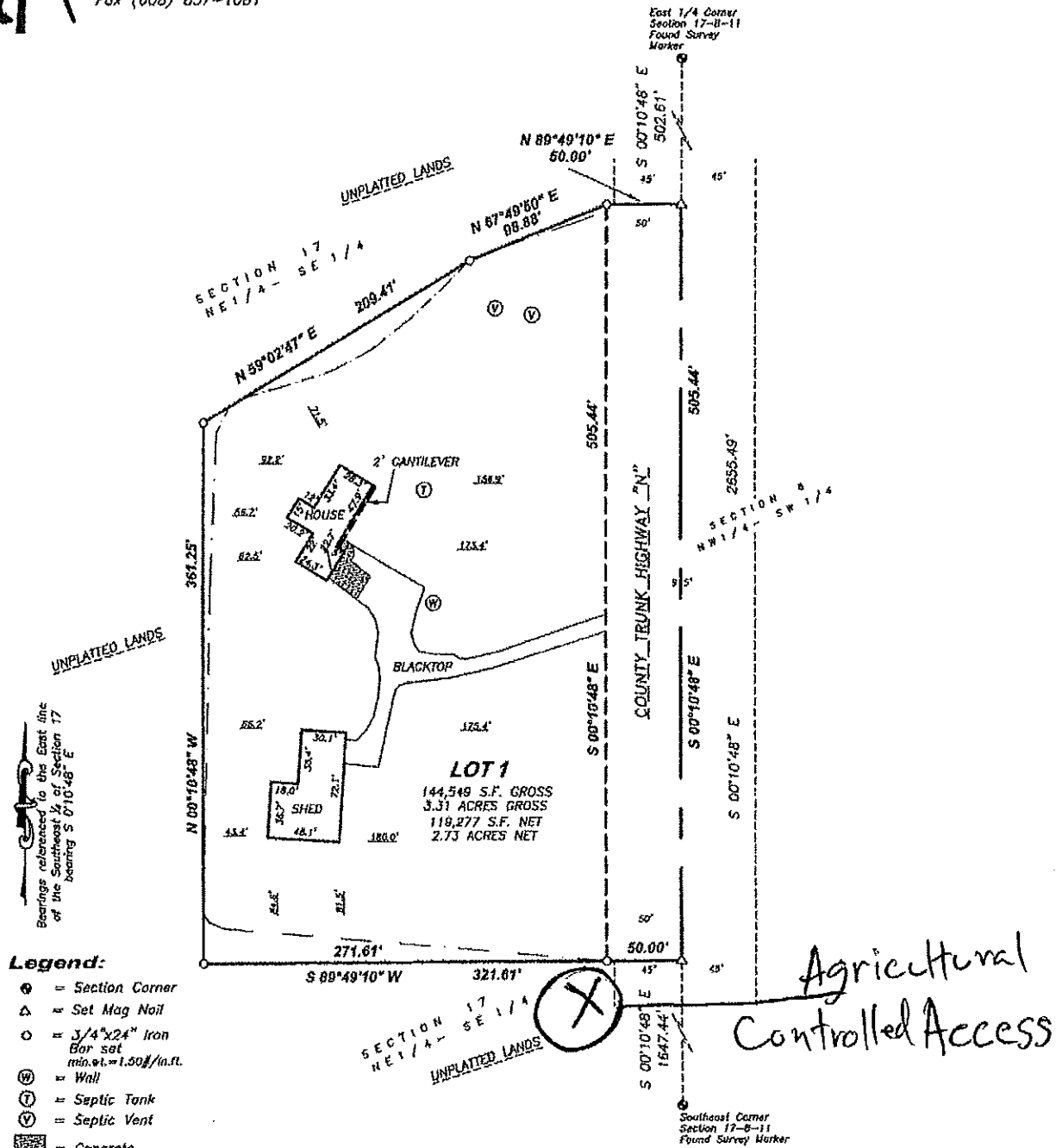


**BIRRENKOTT SURVEYING, INC.**

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

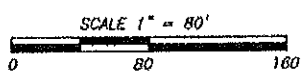
**CERTIFIED SURVEY MAP**

PART OF THE NORTHEAST 1/4 OF THE  
SOUTHEAST 1/4, SECTION 17, T8N, R11E, TOWN OF  
SUN PRAIRIE, DANE COUNTY, WISCONSIN



Bearings referred to the East line of the Southeast 1/4 of Section 17 bearing S 0°10'48" E

- Legend:**
- ⊙ = Section Corner
  - △ = Set Mag Nail
  - = 1/4" x 24" Iron Bar set min. wt. = 1.50#/in. fl.
  - ⊙ = Well
  - ⊙ = Septic Tank
  - ⊙ = Septic Vent
  - = Concrete
  - - - = Edge of Field





# CERTIFIED SURVEY MAP

DATED: March 25, 2020

## Birrenkott Surveying, Inc.

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

### Surveyor's Certificate:

I, Daniel V. Birrenkott, herby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

\_\_\_\_\_  
Daniel V. Birrenkott, Registered Land Surveyor No. S-1531

### Description:

Part of the Northeast 1/4 of the Southeast 1/4 of Section 17, T8N, R11E, Town of Sun Prairie, Dane County, Wisconsin more fully described as follows. Commencing at the East 1/4 corner of Section 17, thence S00°10'48"E along the East line of the Southeast 1/4 of Section 17 also known as the centerline of County Highway "N", 502.61 feet to the point of beginning; thence continuing on said Southeast 1/4 line S00°10'48"E, 505.44 feet; thence S89°49'10"W, 321.61 feet; thence N00°10'48"W, 361.25 feet; thence N59°02'47"E, 209.41 feet; thence N67°49'50"E, 98.88 feet; thence N89°49'10"E, 50.00 feet to the point of beginning. Containing 144,549 square feet, or 3.31 acres gross or 119,277 square feet or 2.73 acres net.

### Owners Certificate:

As Owner, Bakke Farms LLC, hereby certifies that it has caused the lands described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this Certified Survey Map. It also certifies that this Certified Survey Map is required to be submitted to the Town of Sun Prairie and City of Sun Prairie for approval.

### Bakke Farms LLC

\_\_\_\_\_  
Candice L. Skibba, Manager

### State of Wisconsin)

Dane County ) ss Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above-named Candice L. Skibba, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, Dane County, Wisconsin

\_\_\_\_\_  
Printed name

### Town of Sun Prairie Approval Certificate:

This Certified Survey Map is hereby acknowledged, accepted and approved for recording by the Town of Sun Prairie.

\_\_\_\_\_  
Rhonda L. Wiedenbeck,  
Town of Sun Prairie, Clerk

\_\_\_\_\_  
Dated

### City of Sun Prairie Approval Certificate

Approved for recording per City of Sun Prairie Planning Director.

\_\_\_\_\_  
Tim Semmann, Planning Director  
City of Sun Prairie

\_\_\_\_\_  
Dated

### Notes:

- Utility Easement: No poles or buried cables are to be placed on any lot line or corner.
- The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.
- This survey is subject to any and all easements and agreements both recorded and unrecorded.
- Refer to the building site information contained in the Dane County Soil Survey.
- As owners of Lots 1 of this Certified Survey Map, I hereby stipulate that I and my heirs or assigns will not object to any of the legally permitted uses that occur on the adjoining property.

**Surveyed For:**  
Bakke Farm LLC  
C/O Candy Skibba  
5673 County Highway N  
Sun Prairie, WI 53590

Surveyed: TAS  
Drawn: BTS  
Checked: DVB  
Approved: DVB  
Field book: 377/54  
Tape/Pile: J:\2019\Carlson  
Sheet 2 of 2  
Office Map No. 200250

### Register of Deeds Certificate:

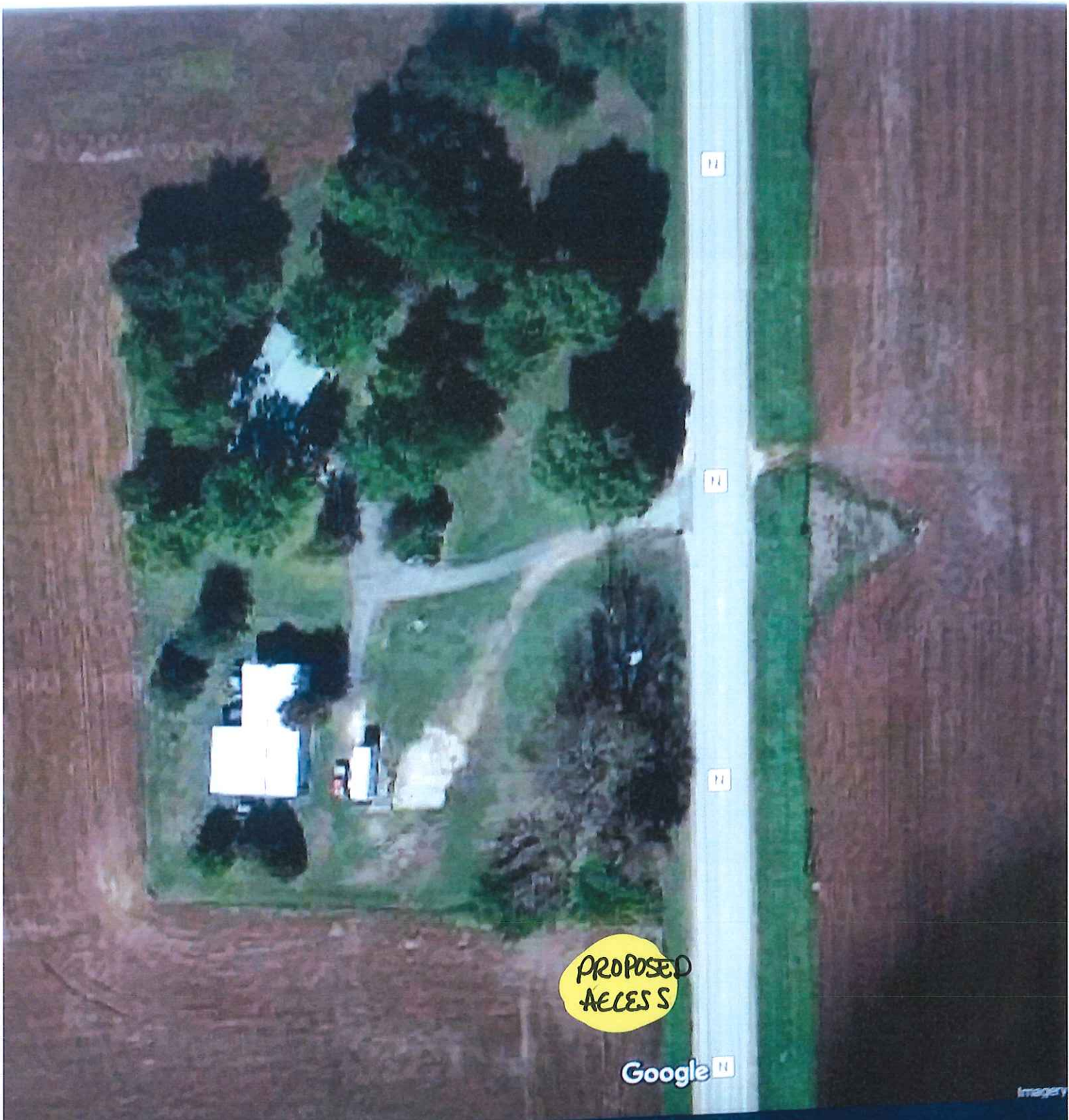
Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 2020  
at \_\_\_\_\_ o'clock \_\_\_\_\_ m and recorded in Volume \_\_\_\_\_ of Certified Survey Maps  
of Dane County on Pages \_\_\_\_\_.

\_\_\_\_\_  
Kristi Chlebowski, Register of Deeds

Document No. \_\_\_\_\_

Certified Survey Map No. \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_





PROPOSED ACCESS

Google

Imagery