



Dane County Planning & Development

Land Division Review

Date: January 9, 2024

To: Zoning & Land Regulation Committee

From: Daniel Everson, Land Division Review

Re: NICHOLAS RIVERA & KAYLA L ARNOLD (CSM 10786)
OREGON, S 24
Lot 1 – 3.961 acres
Lot 2 - 2.191 acres
Zoning District: RR-2, *Rural Residential*

The property owner has submitted a two-lot Certified Survey Map in order to adjust the lot lines. Lot 2 will have no frontage along CTH MM, but will have access with a shared access easement that meets the requirements of 75.19(8).

Standards and procedures for ingress/egress access via shared driveway easement. To promote the clustering of residential lots, preservation of farmland, and efficient use of land, the committee may approve exceptions to the frontage requirement of section 75.19(6)(b) where the committee finds that the exception protects the public health, safety, and welfare, but only in towns where the town board has previously voted to adopt policies to allow such exceptions. The zoning and land regulation committee and town board may approve the creation of lots with access provided by a shared driveway easement, in lieu of fee-title frontage onto a public right-of-way, provided all of the following criteria are met, and carries out the purposes stated in s. 75.19(6)(b).

Staff has reviewed the proposal and prepared the following conditions:

1. The document is to be completed in accordance with S.236.34, Wisconsin State Statutes.
2. As per the RR-2 District, Lot 1 and 2 are to maintain the minimum requirement of 2.00 acres net, excluding any lands for right-of-way purposes.
3. All owners of record are to be included in the owner's certificate. Spouse's signature, middle initials and a certificate of consent by all mortgagees/vendors shall be included and satisfied if relevant.

County records indicate the following owners:

- *NICHOLAS RIVERA & KAYLA RIVERA*

4. The required approval certificates are to be executed.
 - *Town of Oregon*
 - *Village of Oregon (Extra-Territorial Jurisdiction)*
 - *Dane County*
5. Comments from the Dane County Surveyor are to be satisfied:
 - *Change both the location heading and boundary description to the proper quarter quarters. Both currently reference the SE/NE and SW/NW. Should be SE/NE and SW/NE. 236.34(1m)(c) & 236.34(1m)(d)(2)*
6. The shared access easement shall meet the requirements of Ch. 75.19(8).
7. Comments from the Public Health department are to be recognized:
 - *No concerns – 12.18.23 as per John Hausbeck*
8. Comments from the Highway department are to be satisfied:
 - *CTH MM is a controlled access highway.*
 - *No access designated across the frontage of CTH MM is correct.*
 - *The CTH MM 33' and 50' width of Right of Way along Lot 1 is correct.*
 - *Any future change to existing access or change of use requires a new access permit from the Highway Department.*
 - *Right of way appears to be correct.*
 - *Email the CSM referenced driveway easements to Dane County Highway for review.*
9. The recordable document is to be submitted for review and approval.

