

# Dane County Rezone & Conditional Use Permit

<b>Application Date</b>	<b>Petition Number</b>
08/07/2020	DCPREZ-2020-11596
<b>Public Hearing Date</b>	<b>C.U.P. Number</b>
10/27/2020	

<b>OWNER INFORMATION</b>	<b>AGENT INFORMATION</b>
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OWNER NAME DIANA M NELSON	PHONE (with Area Code) (608) 279-0491	AGENT NAME AYRES ASSOCIATES	PHONE (with Area Code) (262) 424-3347
BILLING ADDRESS (Number & Street) 4927 FELLAND RD		ADDRESS (Number & Street) 5201 E. TERRACE DRIVE	
(City, State, Zip) MADISON, WI 53718		(City, State, Zip) Madison, WI 53718	
E-MAIL ADDRESS nelhomes@gmail.com		E-MAIL ADDRESS vaughnN@ayresassociates.com	

<b>ADDRESS/LOCATION 1</b>	<b>ADDRESS/LOCATION 2</b>	<b>ADDRESS/LOCATION 3</b>
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ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
4927 Felland Road					
TOWNSHIP BURKE	SECTION 35	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0810-352-9645-0					

<b>REASON FOR REZONE</b>	<b>CUP DESCRIPTION</b>
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DIVISION OF AN EXISTING RESIDENTIAL LOT TO CREATE TWO SMALLER LOTS	
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FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
RR-8 Rural Residential District	RR-4 Rural Residential District	9.46		

<b>C.S.M REQUIRED?</b>  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  Applicant Initials _____	<b>PLAT REQUIRED?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  Applicant Initials _____	<b>DEED RESTRICTION REQUIRED?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  Applicant Initials _____	<b>INSPECTOR'S INITIALS</b>  RWL1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>
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**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:	\$495
Commercial:	\$545
<ul style="list-style-type: none"> <li>• PERMIT FEES DOUBLE FOR VIOLATIONS.</li> <li>• ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION.</li> </ul>	

## REZONE APPLICATION

### APPLICANT INFORMATION

Property Owner Name:	DIANA M. NELSON	Agent Name:	AYRES ASSOCIATES
Address (Number & Street):	4927 FELLAND ROAD	Address (Number & Street):	5201 E. TERRACE DRIVE
Address (City, State, Zip):	MADISON, WI, 53718	Address (City, State, Zip):	MADISON, WI. 53718
Email Address:	NELHOMES@GMAIL.COM	Email Address:	VaughnN@AYRESASSOCIATES.COM
Phone#:	608-279-0491	Phone#:	1-262-424-3347

### PROPERTY INFORMATION

Township:	BURKE	Parcel Number(s):	014/0810-352-9645-0
Section:	35	Property Address or Location:	4927 FELLAND ROAD

### REZONE DESCRIPTION

**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

Diana M. Nelson owner of Parcel 014/0810-352-9645-0 has requested a division of the Lot located at 4927 Felland Rd. The current property is 9.46 acres and is currently zoned RR-8 meeting zoning requirements. Mrs. Nelson is proposing the current lot be split into two smaller sized lots. One lot being 5.00 acres with no current home residence and the acreage being retained in the current home residence will be 4.46 acres. Under the current zoning of RR-8 the proposed lot sizes would not meet this requirement. This rezone application is to request a rezone to RR-4 for the creation of two smaller sized lots by the way of Certified Survey Map. This division should qualify for the exemption in the Town of Burke Cooperative Plan for a one time division of a five acre or larger parcel into two residential lots.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
RR-8	RR-4	5.00 / 4.46

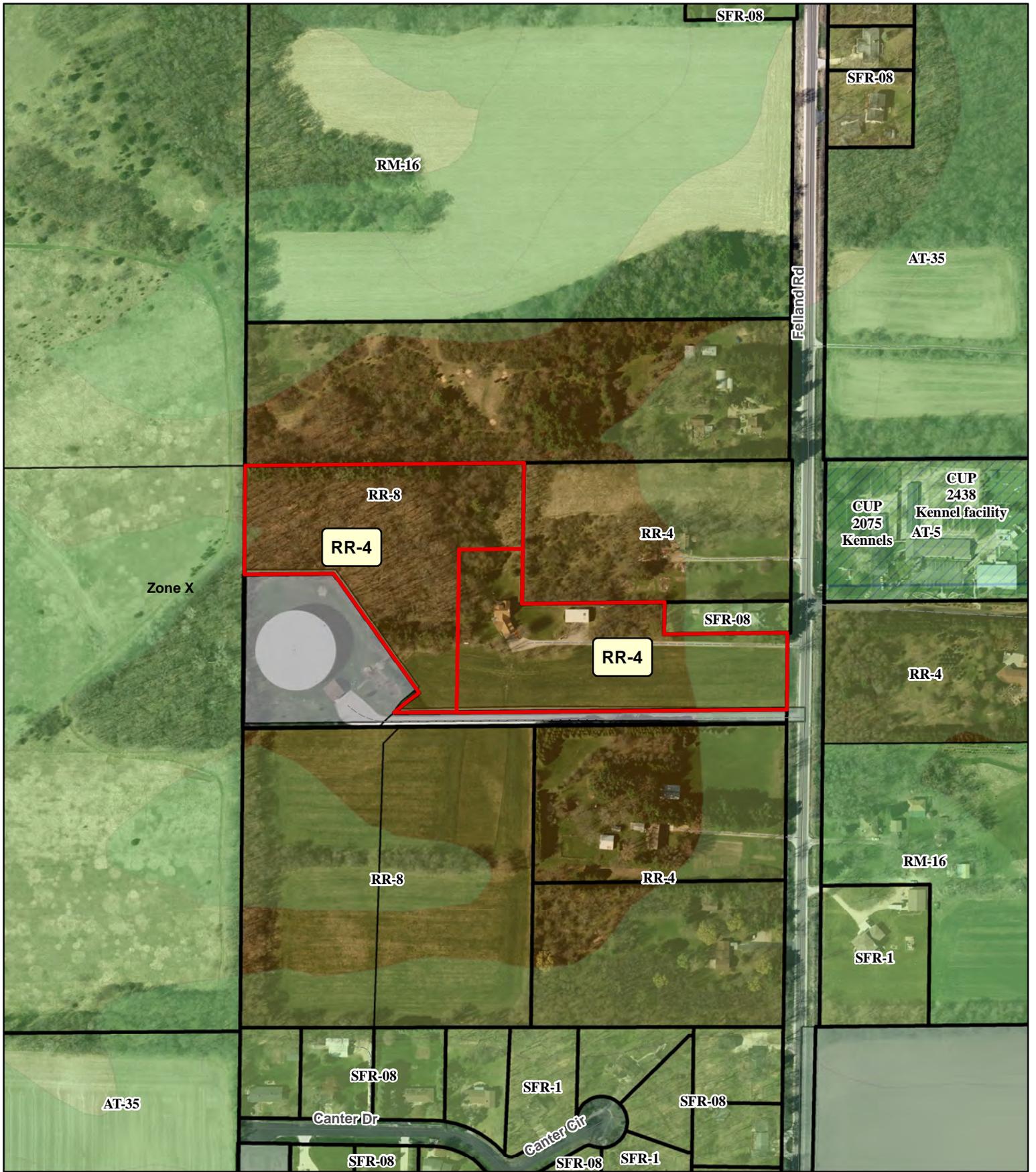
**Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional 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 type="checkbox"/> Information for commercial development (if applicable)	<input checked="" type="checkbox"/> Pre-application consultation with town and department staff	<input checked="" type="checkbox"/> Application fee ( <b>non-refundable</b> ), payable to the Dane County Treasurer
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I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

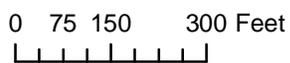
Owner/Agent Signature Nathan Vaughn

Date 7/13/20



**Legend**

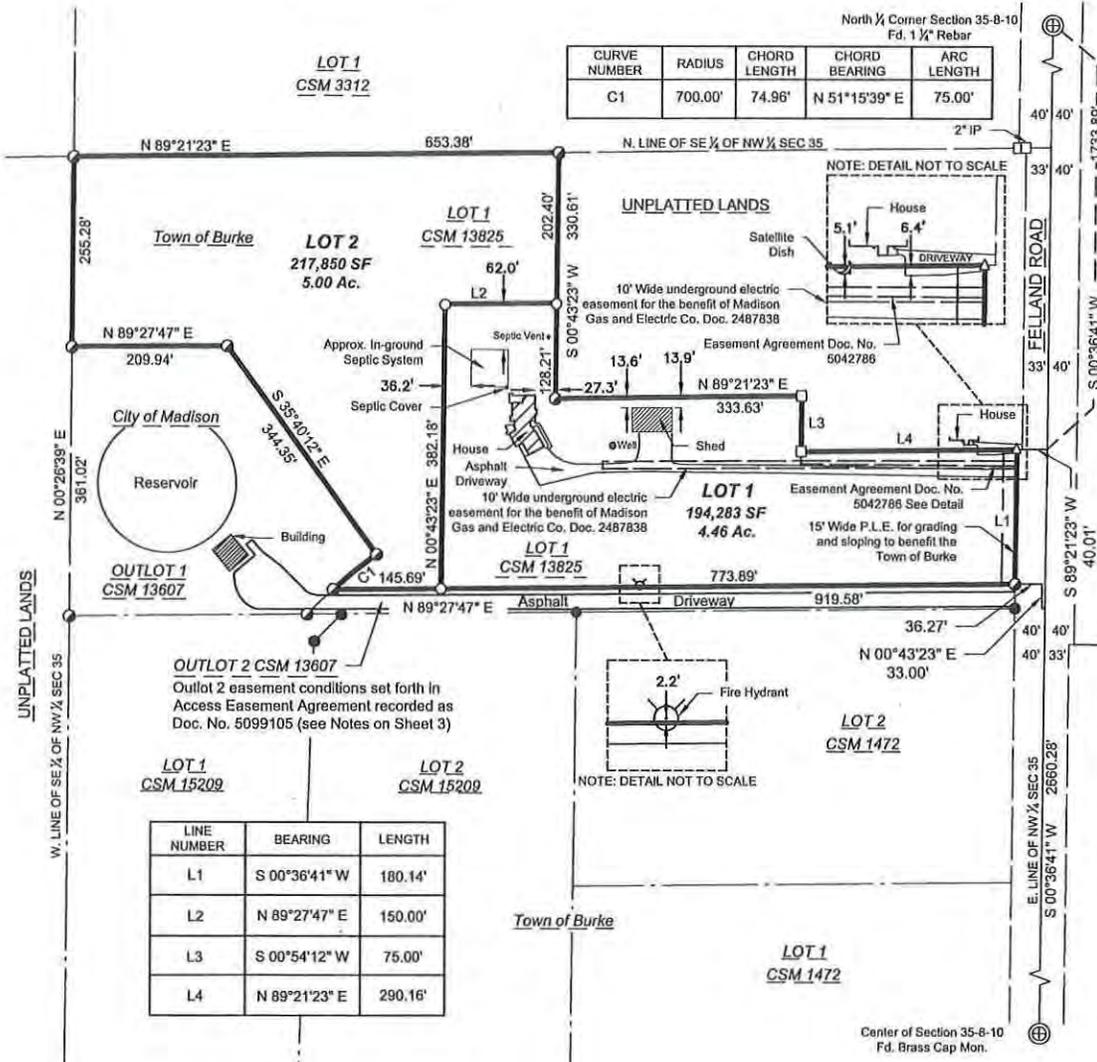
- |  |            |   |   |         |
|--|------------|---|---|---------|
|  | Wetland    | <b>Significant Soils</b>  |  | Class 1 |
|  | Floodplain |  | Class 2   |         |



Petition 11596  
 DIANA M NELSON

**DANE COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

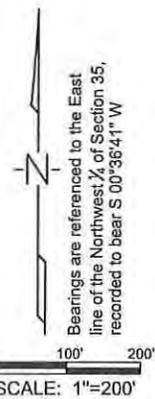
LOT 1 OF CERTIFIED SURVEY MAP NO. 13825, BEING A PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 10 EAST, TOWN OF BURKE, DANE COUNTY, WISCONSIN.



**AYRES**  
5201 E. Terrace Dr., Suite 200  
Madison, WI 53718  
(608) 443-1200

**LEGEND**

- ⊕ FOUND SECTION CORNER
- FOUND 3/4" REBAR
- ⊙ FOUND 1-1/4" REBAR
- SET 3/4" O.D. X 18" IRON REBAR W/CAP "AYRES ASSOC." @ 1.50 LBS. / LIN. FT.
- FOUND 1" IRON PIPE
- △ FOUND SURVEY MARKER NAIL
- (100.00') RECORD BEARING OR DISTANCE
- P.L.E. - PERMANENT LIMITED EASEMENT



**OWNER & SUBDIVIDER:**  
DIANA M. NELSON  
4927 FELLAND RD.  
MADISON, WI 53718

Drawn By: CJS  
Date: 05/15/2020  
Project No. 76-0160.00

**DANE COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

LOT 1 OF CERTIFIED SURVEY MAP NO. 13825, BEING A PART OF THE SOUTHEAST  
1/4 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 10  
EAST, TOWN OF BURKE, DANE COUNTY, WISCONSIN.

**Surveyor's Certificate:**

That I have surveyed, divided and mapped Lot 1 of Certified Survey Map No. 13825, being a part of the Southeast 1/4 of the Northwest 1/4 of Section 35, Township 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin.

Said Parcel contains 412,133 square feet or 9.46 acres, more or less.

That I have made such survey, land division and map by the direction of Diana M. Nelson, the owner of said land.

That such map is a correct representation of the exterior boundaries of the land surveyed and subdivision made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes in surveying and mapping the same.

Dated this 6th day of May, 2020.

*Nathan Vaughn*

Nathan A. Vaughn, PLS No. S-2986



**City of Madison Certificate:**

Pursuant to a certain cooperative plan between the Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan dated January 5, 2007, the City of Madison does hereby waive its extraterritorial land division approval jurisdiction for this Certified Survey Map to allow the creation of not more than two residential lots as provided for in Sec. 11 B.(3) of said cooperative plan. Future additional subdivision, rezoning, or development of the resulting lots may be subject to the review and approval of the City of Madison as provided for in the cooperative plan.

\_\_\_\_\_  
Natalie Erdman, Secretary of Madison Plan Commission      Date

**Town Board Resolution:**

Resolved, that this Certified Survey Map, including any dedications shown thereon, which has been duly filed for the approval of the Town of Burke is hereby approved by the Town Board of the Town of Burke. I hereby certify that the foregoing is a copy of the resolution adopted by the Town Board of the Town of Burke on \_\_\_\_\_, 2020.

\_\_\_\_\_  
Brenda Ayres, Clerk/Treasurer      Date

**Dane County Zoning and Land Regulation Committee:**

Approved for recording per Dane County Zoning and Natural Resources Committee action of \_\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_  
, Authorized Representative

**Certificate of Register of Deeds:**

Received for record the \_\_\_\_\_ day of \_\_\_\_\_, 2020 at \_\_\_\_\_ o'clock \_\_\_\_\_ m. and recorded in Volume \_\_\_\_\_ of Certified Survey Maps on Pages \_\_\_\_\_

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

**DANE COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

LOT 1 OF CERTIFIED SURVEY MAP NO. 13825, BEING A PART OF THE SOUTHEAST  
1/4 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 10  
EAST, TOWN OF BURKE, DANE COUNTY, WISCONSIN.

**Notes:**

The lands within the CSM are subject to a private sewage system maintenance agreement covenant recorded May 5, 1992 as Document No. 2350442.

Refer to building site information contained in the Dane County soil survey.

Outlots 1 and 2 of adjacent CSM No. 13607 are located in the City of Madison and Lots 1 and 2 are located in the Town of Burke.

Cross Access Easement: A private cross access easement created by CSM 13607 to the owner of Lots 1 and 2 for the right to use adjacent Outlot 2 CSM 13607 for pedestrian and vehicular access between Lot 1 and 2, with conditions of said easement contained in access easement agreement recorded as Doc. No. 5099105.

Access Easement: A private access easement created by CSM 13607 to the owner of adjacent Lot 2 of CSM 13825 for the right to access Felland Road over Outlot 2 CSM 13607. This right shall run with the land and shall terminate only when Lot 2 of CSM 13825 has approved access to a public street. Conditions of said easement are contained in access easement agreement recorded as Doc. No. 5099105.

Lands covered by this plat are within an area subject to height limitations owing to the operation of aircraft and equipment from a nearby airport. Owners of lands within the area covered by this plat are required by law to restrict the height of trees, other vegetation and man-made structures to less than the height limitations set forth in that certain map dated April 24, 2008, entitled 'Height Limitation Zoning Map, Dane County Regional Truax Field, Madison, Wisconsin', said map being on file in the Dane County Clerk's office.

Lands covered by this plat are located within an area subject to heightened noise levels emanating from the operation of aircraft and equipment from a nearby airport.

All PLSS corners and witness monuments were found and verified.

**Owner's Certificate:**

As Owners, we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required by S. 75.17(1)(a), Dane County Code of Ordinances to be submitted to the Dane County Zoning and Natural Resources Committee for approval.

In witness hereof, Diana M. Nelson, have caused these presents to be signed:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_  
DIANA M. NELSON, OWNER

State of Wisconsin)  
ss )  
\_\_\_\_\_ County)SS



Personally care before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020 the above named OWNERS, to me known to be the person who executed the above and foregoing instrument and acknowledged the same.

\_\_\_\_\_ Notary Public, \_\_\_\_\_, WI

My Commission Expires: \_\_\_\_\_

(SEAL)



5201 E. Terrace Dr., Suite 200  
Madison, WI 53718  
(608) 443-1200