



Dane County Zoning & Land Regulation Committee
Land Division / Subdivision Variance Application

Date: 1-22-19

Landowner information:

Name: Josh Ireland
Address: 4818 Hwy 73 City: Deerfield Zip Code: 53531
Daytime phone: 608-444-9488
Fax: _____ E-mail: _____

Applicant information (if different from landowner):

Name: Jim Lowrey
Address: 2316 Bergle Hinny Rd City: Cambridge Zip Code: 53523
Daytime phone: 608-334-5376
Fax: _____ E-mail: jimsrealfarm@yahoo.com
Relationship to landowner: Agent
Are you submitting this application as an authorized agent for the landowner? Yes No

Property information:

Property address: _____
Tax Parcel ID #: 0812-334-9130-1, 0812-334-9150-7
Certified Survey Map application #: 14366 Date Submitted: 10-12-18
Subdivision Plat application #: _____ Subdivision Name: _____
Rezone or CUP petition #(if any): _____ Rezone / CUP public hearing date: _____

Summary of Variance Request:

What ordinance provision(s) are you seeking a variance from? (e.g., 66' lot road frontage requirement)

66' lot road frontage

What hardship(s) will result if a variance is not granted? (Be specific, use additional pages if necessary.)

Ireland's do NOT own any land near the road, There IS an EASEMENT in place for the driveway they currently use

Applicants will be informed as to time and date of the meeting when their appeal will be heard by the Zoning & Land Regulation Committee.



Dane County Planning and Development Department

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

Community Development

(608)261-9781, Rm. 362

Planning

(608)266-4251, Rm. 116

Records & Support

(608)266-4251, Rm. 116

Chapter 75 (Subdivision) Variance Application

Zoning

(608)266-4266, Rm. 116

A variance application is required for any proposed Certified Survey Map (CSM) or Subdivision Plat which does not meet one or more of the design standards, or other applicable regulations, specified in Chapter 75 of the Dane County Code of Ordinances (Land Division and Subdivision Regulations). Chapter 75 variance appeals are decided by the county Zoning & Land Regulation Committee.

§75.21(1) of the Dane County Code details the variance procedures:

“Where the [Zoning] committee finds that unnecessary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done; provided that public interest is secured and that such variation will not have the effect of nullifying the intent and purpose of these regulations.”

To grant a variance, the committee must find that “unnecessary hardships” may result from complying with the land division / subdivision regulations. Applicants are advised to provide evidence of such hardship on the attached variance application form. Staff or the committee may request additional information be submitted to assist the committee in making its decision on the variance appeal.

Chapter 75 variance applications will only be accepted if there is a corresponding preliminary CSM or Subdivision Plat application currently pending. Variance appeals will be heard by the Zoning & Land Regulation Committee at a regularly scheduled meeting and, if practical, as part of committee’s consideration of the preliminary CSM or Subdivision Plat application. Variances associated with a pending rezoning and / or Conditional Use Permit application may be heard by the committee at the same meeting.

There is a \$100 applicaton review fee for a Chapter 75 variance application. Applications should be submitted in person at the Dane County Zoning office, Room 116, City-County Building, or sent to:

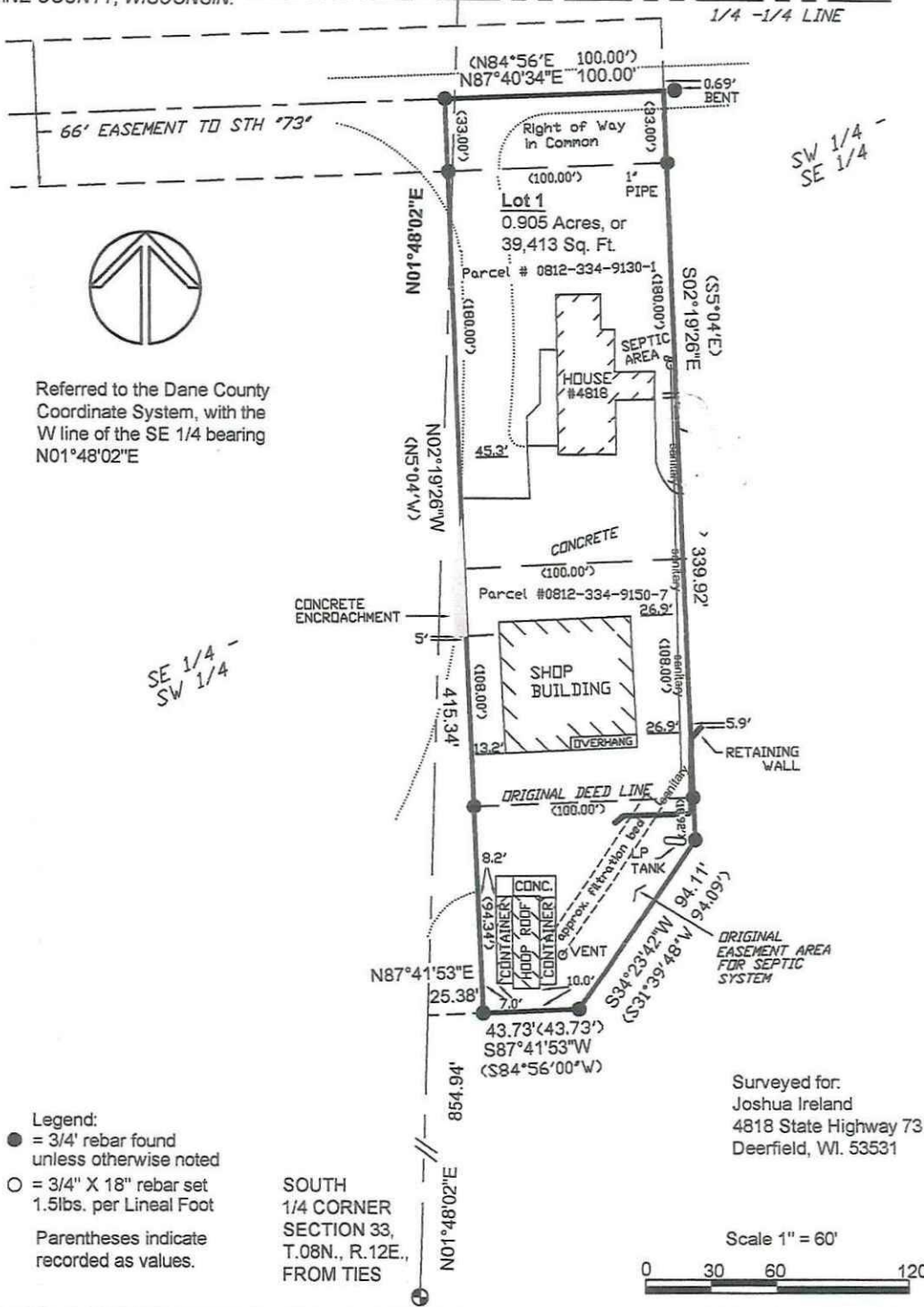
**Dane County Planning and Development
c/o, Daniel Everson
210 Martin Luther King Jr., Blvd – Room 116
Madison, WI 53703-3342**

Applicants will be informed as to time and date of the meeting when their appeal will be heard by the Zoning & Land Regulation Committee.

Certified Survey Map

PART OF THE S.W. 1/4 OF THE S.E. 1/4 OF
SEC. 33, T.8N., R.12E., TOWN OF MEDINA,
DANE COUNTY, WISCONSIN.

CENTER OF
SECTION 33,
T.08N., R.12E.,
1" PIPE FOUND



Referred to the Dane County
Coordinate System, with the
W line of the SE 1/4 bearing
N01°48'02"E

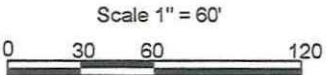
SE 1/4 -
SW 1/4

SW 1/4 -
SE 1/4

- Legend:
- = 3/4" rebar found unless otherwise noted
 - = 3/4" X 18" rebar set 1.5lbs. per Lineal Foot
- Parentheses indicate recorded as values.

SOUTH
1/4 CORNER
SECTION 33,
T.08N., R.12E.,
FROM TIES

Surveyed for:
Joshua Ireland
4818 State Highway 73
Deerfield, WI. 53531



Wisconsin Mapping, LLC
surveying and mapping services
306 West Quarry Street, Deerfield, Wisconsin 53531
(608) 764-5602

Dwg. No. 5318-18 Date 01/17/2019
Sheet 1 of 2
Document No. _____
C. S. M. No. _____ V. _____ P. _____

1142117

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Office of Register of Deeds ss. Dane County, Wisconsin

THIS INDENTURE, Made this 11th day of June, A. D. 1965, between Elmer Pooch and Blanche Pooch, husband and wife, individually and as joint tenants,

Received for Record Sept 13 A. D. 1965 at 4:20 o'clock P. M.

part ies of the first part, and Earl Harbort and Karen Harbort, husband and wife, as joint tenants,

and recorded in vol. 806 of Deeds and page 310 Register

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One Dollar and other good and valuable considerations

RETURN TO

to them in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey, and confirm unto the said parties of the second part, their heirs and assigns forever, the following described real estate, situated in the County of Dane and State of Wisconsin, to-wit:

Part of the SW-1/4 of the SE-1/4 and part of the SE-1/4 of the SW-1/4 of Section 33, Town 8 North, Range 12 East, Township of Medina, Dane County, Wisconsin, more fully described as follows: Commencing at the South Quarter corner of said Section; Thence North 1285.25 feet along the North-South Quarter line of said Section to the point of beginning of this description, said point being on the Southerly right-of-way of a proposed 66 foot roadway; Thence N5°04'W, 33.00 feet to the centerline of said proposed right-of-way; Thence N84°56'E, 100.00 feet; Thence S5°04'E, 213.00 feet; Thence S84°56'W, 100.00 feet; Thence N5°04'W, 180.00 feet to the point of beginning of this description. Subject to a right-of-way to be used in common with both grantors and grantees over the North 33 feet thereof. Together with a right-of-way for ingress and egress purposes to be used in common by both grantors and

(continued on back)

(IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said parties of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

To Have and to Hold the said premises as above described with the hereditaments and appurtenances, unto the said parties of the second part, and to their heirs and assigns FOREVER.

And the said Elmer Pooch and Blanche Pooch, husband and wife, individually and as joint tenants for themselves and their heirs, executors and administrators, do covenant, grant, bargain, and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the ensembling and delivery of these presents they are well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever,

and that the above bargained premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, they will forever WARRANT AND DEFEND.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals this 11th day of June, A. D., 1965.

SIGNED AND SEALED IN PRESENCE OF

Margie K. Peck Margie K. Peck

Solon W. Pierce

Elmer Pooch (SEAL)

Blanche Pooch (SEAL)

(SEAL)

(SEAL)

State of Wisconsin, Dane County, Personally came before me, this 11th day of June, A. D., 1965, the above named Elmer Pooch and Blanche Pooch, husband and wife, individually and as joint tenants, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

THIS INSTRUMENT WAS DRAFTED BY ATTY. SOLON W. PIERCE, DEERFIELD, WIS.

(NOTARY SEAL)

Solon W. Pierce H. J. Crawford Notary Public, Dane County, Wis. My commission expires permanent 5-4-69

(Section 59.51 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantor, grantee, witness and notary. Section 59.513 similarly requires that the name of the person who, or governmental agency which, drafted such instrument, shall be printed, typewritten, stamped or written thereon in a legible manner).

TYPED
 COMP
 INIT
 No. **1142117** INDEXED
Elmer Pooch 29
 Blanch Pooch, h/w
 TO
 Earl Harbort
 Karen Harbort, h/w
 82
 Premises
 [Signature]

Warranty Deed

This instrument should be immediately placed upon record to avoid future trouble and litigation.

REGISTER'S OFFICE,
State of Wisconsin,

Dane County.

Received for Record this 13 day of
September A. D., 1965
 at 4:20 o'clock P.M., and recorded
 in Vol. 806 of Deeds on page 310

Harold K. Hig
 Register of Deeds.

Deputy.

RETURN TO
Earl Harbort
2338 E. Johnson St.
Madison, Wisconsin

Description Continued -
 Grantees, the Southernly edge of said right-of-way being described as follows:
 Beginning at the point of beginning of the aforesaid description; Thence N84°56' E,
 100.00 feet; Thence S84°56' W, 608.86 feet to the intersection with the East right-
 of-way line of State Trunk Highway 73.

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Exhibit "A"

PARCEL A:

Part of Section 33, Township 8 North, Range 12 East, in the Town of Medina, Dane County, Wisconsin described as follows: Commencing at the South quarter corner of said section; thence North 1,285.25 feet along the North-South quarter line of said Section, to a point, said point being on the Southerly right of way of a proposed 66 foot roadway; thence North 84° 56' East, 100.00 feet; thence South 5° 04' East, 180.00 feet to the point of beginning of this description; thence South 5° 04' East, 108.00 feet; thence South 84° 56' West, 100.00 feet; thence North 5° 04' West, 108.00 feet; thence North 84° 56' East to the point of beginning.

PARCEL NO. 036-0812-334-9130-1

Address per tax roll: 4818 STH 73, Deerfield, WI

PARCEL B:

Part of the Southwest 1/4 of the Southeast 1/4 and part of the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 8 North, Range 12 East, in the Town of Medina, Dane County, Wisconsin, more fully described as follows: Commencing at the South quarter corner of said section; thence North 1,285.25 feet along the North-South quarter line of said section to the point of beginning of this description, said point being on the South right of way of a proposed 66 foot roadway; thence North 5° 04' West 33.00 feet to the centerline of said proposed right of way; thence North 84° 56' East 100.00 feet; thence South 5° 04' East 213.00 feet; thence South 84° 56' West, 100.00 feet; thence North 5° 04' West 180.00 feet to the point of beginning.

Together with a right of way for ingress and egress purposes to be used in common by both grantors and grantees, the Southerly edge of said right of way being described as Follows: Beginning at the point of beginning of the aforesaid description; thence South 84° 56' West, 508.86 feet to the intersection with the East right of way line of State Trunk Highway 73.

Subject to a right of way to be used in common with both grantors and grantees over the North 33 feet of the above-described premises as set forth in Warranty Deed from Elmer Pooch and Blanche Pooch, husband and wife, individually and as joint tenants, to Earl Harbort and Karen Harbort, husband and wife, as joint tenants, dated June 11, 1965 and recorded September 13, 1965, in Volume 806 of Deeds, page 310 as Document Number 1142117.

PARCEL NO. 036-0812-334-9150-7

Address per tax roll: 4818 STH 73, Deerfield, WI