

# TOWN BOARD ACTION REPORT - REZONE

Regarding Petition # 10700

Dane County Zoning & Land Regulation Committee Public Hearing Date July 8 2014

Whereas, the Town Board of the Town of Montrose having considered said zoning petition,

be it therefore resolved that said petition is hereby (check one):  Approved  Denied  Postponed

Town Planning Commission Vote: 5 in favor 0 opposed 0 abstained

Town Board Vote: 3 in favor 0 opposed 0 abstained

## THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

1.  Deed restriction limiting use(s) in the \_\_\_\_\_ zoning district to only the following:  
\_\_\_\_\_  
\_\_\_\_\_
2.  Deed restrict the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):  
\_\_\_\_\_  
\_\_\_\_\_
3.  Deed restrict the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):  
\_\_\_\_\_  
\_\_\_\_\_
4.  Condition that the applicant must record a Notice Document which states all residential development units (a.k.a: splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):  
\_\_\_\_\_  
\_\_\_\_\_
5.  Other Condition(s). Please specify:  
Deed restrictions for no home sites  
\_\_\_\_\_  
\_\_\_\_\_

Please note: The following space is reserved for comment by the minority voter(s), OR, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.  
\_\_\_\_\_  
\_\_\_\_\_

I, Julie Bigler, as Town Clerk of the Town of Montrose, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on July 1, 2014.  
Town Clerk Julie Bigler Date: 7/2, 2014.

**Town of Montrose Land Use Committee**

**June 23, 2014 Meeting Report**

All members present: Deb Brucaya, Junior Eichelkraut, Jerome Gobel, John Sayles, Tim Schmitt

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Minutes are not official until approved by land use committee (LUC) members.  
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*The Town of Montrose uses acreage owned as of September 11, 1978 to determine the number of divisions available.*  
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Minutes of the April 28, 2014 meeting were approved as read.

Two items of business were posted, however, the Mark and Nancy Downs' request to rezone lands in Section 18 was withdrawn, leaving consideration of David and Carolyn Mertens' request to rezone lands in Section 13 as the only item of business.

The approximately 15-acre parcel in question was purchased in 1984 by land contract, after which approximately 1-acre was separated so the Mertens could obtain a bank loan on the house. The Mertens now propose to replace the 1-acre lot with an approximately 3-acre lot that will then encompass the house, water lines, the entire septic system, and various out buildings.

After Mr. Mertens answered routine questions, **Junior moved and Tim seconded to recommend township approval of the Mertens' request to rezone in Section 13 the approximately 3 acres from A-1 Exc. to A-2(2) and the remaining approximately 12 acres from A-1 Exc. to A-2(8), with a deed restriction prohibiting construction of a residence on the remaining acreage. The motion carried unanimously.**

NOTE: The original 15-acre split in 1984 was from the Judd farm on which no additional divisions remain.

No members of the public were present. There were no additional land use issues. The meeting adjourned.

Submitted by:

Deborah A. Brucaya, Recording Secretary  
Town of Montrose Land Use Committee