

TOWN BOARD ACTION REPORT - REZONE

Regarding Petition # 10845

Dane County Zoning & Land Regulation Committee Public Hearing Date 5/26/15

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: 4 in favor 0 opposed abstained 1 Absent

Town Board Vote: 3 in favor 0 opposed 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:

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 May 5, 2015.
Town Clerk Julie Bigler Date: 5/14/, 2015.

Town of Montrose
Regular Board Meeting Minutes
Tuesday, May 5 2015, 8:00 p.m.

Meeting was called to order by Chair Roger Hodel at 8:03 p.m.

Clerk stated for the record that notice had been posted according to Open Meeting Laws.

Present: Chair Roger Hodel, Supervisors Dan Palmer and Randy Francois, Treasurer Jody Gerner and Clerk Julie Bigler.

Others Present: Janice Hageman, Gary Hageman, Mario Gobel, Mark Gobel, Ed Short, Land Use Chair Tim Schmitt, Bill Warner, Craig Kamholz from Rural Insurance, Dave Jenkins and Molly Freitag.

Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to approve April 7, 2015 Regular Board Meeting minutes as read. Motion carried.

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to approve April Treasurers report as read and pay all bills. Motion carried.

Announcements: The town extends their condolences to the families of Kate Fahey and Lester Palmer. May 4th - 8th is Municipal Clerks Week.

Tim Schmitt reported on the Hageman rezone - The county had issues regarding the septic easement and the two other tax parcels. The county request zoning be changed to A-4. However the town does not recognize A-4 in their comp plan. Rezoning to A-2 will be accepted. Lot one is now 2 acres. Land Use Committee did not vote on alterations and there must be a noting on the CSM Lot 2 to remain A1-Ex, lot is part of the Hageman Farm and shall not be sold as a separate parcel until such time as appropriate zoning is assigned to the lot. Lot 1 rezone from A1-EX to RH-1. Tim also reported that Jason Klein asked about a driveway permit and Sue Christensen asked about reconfiguring her lot. These are pending and there will not be a May Land Use Committee Meeting.

Craig Kamholz, Rural Insurance Presentation, Annual reviewed the town's insurance policy. There were no changes made on the policies.

Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to approve the request by the Jenkins Trustees to create Parcel B of 4.9568

acres to be zoned RH-2 with the remaining Parcel A of 36.133 acres to remain A1-EX for the purpose of parceling of the house and buildings Motion carried. Dave Jenkins presented information regarding his rezone request. The Land Use Committee voted 4 aye 0 nay with one member absent to recommend approval of the rezone of the 4.9568 acre Parcel B from A-1 EX to RH-2.

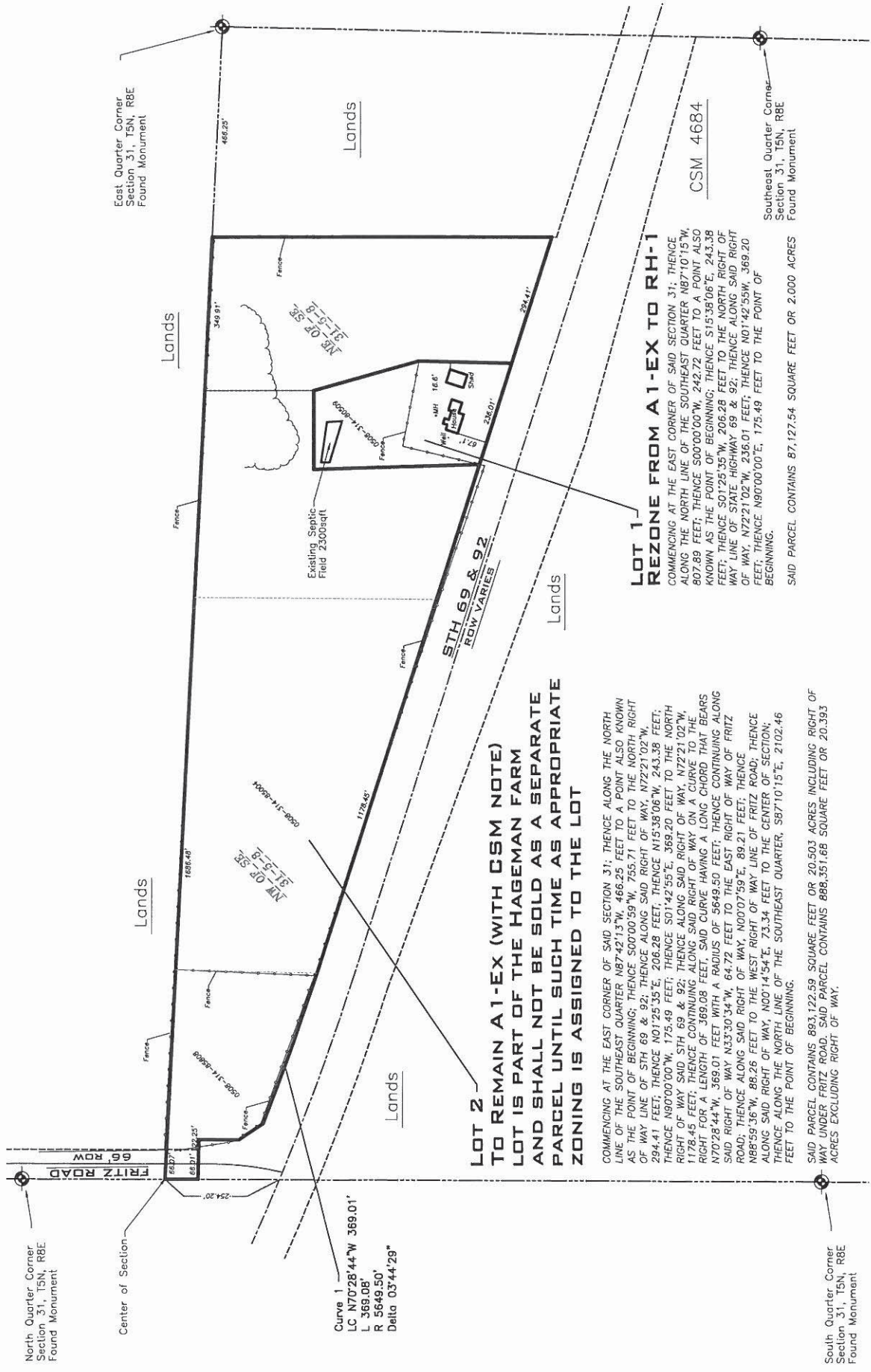
Motion made by Dan Palmer to amend motion made on April 7, 2015 Hageman request to change lot 1 from 2.35 acres to 2.00 acres, and Lot 1 will be zoned RH-1 and the remaining Lot 2 will be 20.5 acres to remain A1-EX with a notation on the CSM, seconded by Randy Francois and made unanimous by Roger Hodel Motion carried. Lot 2 is part of the Hageman Farm and shall not be sold as a separate parcel until such time as appropriated zoning is assigned to the lot.

Public Input-Molly Freitag commented on the great job Mark did on her road.

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to adjourn May 5, 2015 Board Meeting at 8:55 p.m. Motion carried.

Respectfully Submitted,
Julie L. Bigler, Town Clerk

Minutes are not official until approved by Town Board



North Quarter Corner
Section 31, T5N, R8E
Found Monument

Center of Section

Curve 1
LC N70°28'44"W 369.01'
L 369.08'
R 5649.50'
Delta 03°44'29"

LOT 2
TO REMAIN A1-EX (WITH CSM NOTE)
LOT IS PART OF THE HAGEMAN FARM
AND SHALL NOT BE SOLD AS A SEPARATE
PARCEL UNTIL SUCH TIME AS APPROPRIATE
ZONING IS ASSIGNED TO THE LOT

COMMENCING AT THE EAST CORNER OF SAID SECTION 31; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER N87°42'13"W, 466.25 FEET TO A POINT ALSO KNOWN AS THE POINT OF BEGINNING; THENCE S00°00'59"W, 755.71 FEET TO THE NORTH RIGHT OF WAY LINE OF STH 69 & 92; THENCE ALONG SAID RIGHT OF WAY, N72°21'02"W, 294.41 FEET; THENCE N01°25'35"E, 206.28 FEET; THENCE N15°38'06"W, 243.38 FEET; THENCE N90°00'00"W, 175.49 FEET; THENCE S01°42'55"E, 369.20 FEET TO THE NORTH RIGHT OF WAY SAID STH 69 & 92; THENCE ALONG SAID RIGHT OF WAY, N72°21'02"W, 1178.45 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE RIGHT FOR A LENGTH OF 369.08 FEET, SAID CURVE HAVING A LONG CHORD THAT BEARS N70°28'44"W, 369.01 FEET WITH A RADIUS OF 5649.50 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY N33°30'34"W, 64.72 FEET TO THE EAST RIGHT OF WAY OF FRITZ ROAD; THENCE ALONG SAID RIGHT OF WAY, N00°07'59"E, 89.21 FEET; THENCE N88°59'36"W, 88.25 FEET TO THE WEST RIGHT OF WAY LINE OF FRITZ ROAD; THENCE ALONG SAID RIGHT OF WAY, N00°14'54"E, 73.34 FEET TO THE CENTER OF SECTION; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER, S87°10'15"E, 2102.46 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 893,122.59 SQUARE FEET OR 20.503 ACRES INCLUDING RIGHT OF WAY UNDER FRITZ ROAD, SAID PARCEL CONTAINS 888,351.68 SQUARE FEET OR 20.393 ACRES EXCLUDING RIGHT OF WAY.

South Quarter Corner
Section 31, T5N, R8E
Found Monument

East Quarter Corner
Section 31, T5N, R8E
Found Monument

Southeast Quarter Corner
Section 31, T5N, R8E
Found Monument

LOT 1
REZONE FROM A1-EX TO RH-1
COMMENCING AT THE EAST CORNER OF SAID SECTION 31; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER N87°10'15"W, 807.89 FEET; THENCE S00°00'00"W, 242.72 FEET TO A POINT ALSO KNOWN AS THE POINT OF BEGINNING; THENCE S15°38'06"E, 243.38 FEET; THENCE S01°25'35"W, 206.28 FEET TO THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY 69 & 92; THENCE ALONG SAID RIGHT OF WAY, N72°21'02"W, 236.01 FEET; THENCE N01°42'55"W, 369.20 FEET; THENCE N90°00'00"E, 175.49 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 87,127.54 SQUARE FEET OR 2.000 ACRES

CSM 4684

Julie Bigler

From: Ed Short [exeterdesign@yahoo.com]
Sent: Thursday, April 30, 2015 8:26 AM
To: Julie Bigler; Sandy Werner; Janice/gary Hageman; Roger Lane
Subject: Hageman Land Division & Rezone
Attachments: New rezone and legals 4-29-15.pdf

Julie,

Attached is the latest revision addressing the comments from the Client, Town and County on the above mentioned project. In conversation with Mr Hodel, he wanted to have this for next Tuesday Town Board meeting for their Preliminary review and comment. I will be attending this meeting to answer questions should they arise.

Overview:

Final division will be a two lot - CSM effecting tax parcels 0508-314-80509, 0508-314-85004 & 0508-314-85808 al lying north of STH 69 and east of Fritz Road. Lot 1 will be 2 acres in size and rezone from A1-Ex to RH-1. Lot 2 will be 20.393 acres (not including ROW) in size and remain in A1-Ex. On the recorded CSM a note stating that "Lot 2 as shown on this Certified Survey Map is part of the Hageman Farm and shall not be sold as a separate parcel until such time as appropriate zoning is assigned to the lot".

Ed Short

Julie Bigler

From: Ed Short [exeterdesign@yahoo.com]
Sent: Monday, May 11, 2015 7:06 AM
To: Lane, Roger; Sandy Werner; Janice/gary Hageman; Julie Bigler
Subject: Re: Hageman Land Division & Rezone

Roger,

I received the letter from Planning and Development on Saturday pertaining to petition 10845. However, the map sent only has the one lot RH-1 on it. Will the map be updated for the May 26th meeting to meet the most current rezone request for two lots (1 RH-1 and 2 - A1-Ex with special noting on CSM)?

As a side note:

We did meet with the Town last Tuesday and the lasted two lot version as sent to you on April 30th was approved by the Board.

Ed Short

From: "Lane, Roger" <lane.roger@countyofdane.com>
To: 'Ed Short' <exeterdesign@yahoo.com>
Sent: Thursday, April 30, 2015 12:02 PM
Subject: RE: Hageman Land Division & Rezone

Looks good.

Roger

From: Ed Short [<mailto:exeterdesign@yahoo.com>]
Sent: Thursday, April 30, 2015 8:26 AM
To: Julie Bigler; Sandy Werner; Janice/gary Hageman; Lane, Roger
Subject: Hageman Land Division & Rezone

Julie,

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Dane County Rezone & Conditional Use Permit

| | |
|----------------------------|------------------------|
| Application Date | Petition Number |
| 03/19/2015 | DCPREZ-2015-10845 |
| Public Hearing Date | C.U.P. Number |
| 05/26/2015 | |

| OWNER INFORMATION | | AGENT INFORMATION | |
|--|--|--|--|
| OWNER NAME HAGEMAN REV TR, JESSIMAE | PHONE (with Area Code) (608) 225-0389 | AGENT NAME EXETER DESIGN | PHONE (with Area Code) (608) 712-1040 |
| BILLING ADDRESS (Number & Street) 7698 STATE HIGHWAY 69 | | ADDRESS (Number & Street) N8096 BUOL ROAD | |
| (City, State, Zip) BELLEVILLE, WI 53508 | | (City, State, Zip) Belleville, WI 53508 | |
| E-MAIL ADDRESS | | E-MAIL ADDRESS | |

| ADDRESS/LOCATION 1 | | ADDRESS/LOCATION 2 | | ADDRESS/LOCATION 3 | |
|-----------------------------------|---------------|-----------------------------------|---------|-----------------------------------|---------|
| ADDRESS OR LOCATION OF REZONE/CUP | | ADDRESS OR LOCATION OF REZONE/CUP | | ADDRESS OR LOCATION OF REZONE/CUP | |
| 7698 State Highway 69 | | | | | |
| TOWNSHIP MONTROSE | SECTION 31 | TOWNSHIP | SECTION | TOWNSHIP | SECTION |
| PARCEL NUMBERS INVOLVED | | PARCEL NUMBERS INVOLVED | | PARCEL NUMBERS INVOLVED | |
| 0508-314-8050-9 | | | | | |

| REASON FOR REZONE | | | CUP DESCRIPTION | |
|---|---------------------------|-------|---------------------------------------|-------|
| SEPARATING EXISTING RESIDENCE FROM FARMLAND | | | | |
| FROM DISTRICT: | TO DISTRICT: | ACRES | DANE COUNTY CODE OF ORDINANCE SECTION | ACRES |
| A-1Ex Exclusive Ag District | RH-1 Rural Homes District | 2.4 | | |

| | | | | |
|--|---|---|---|--|
| C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials <u>EJS</u> | PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <u>EJS</u> | DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <u>EJS</u> | INSPECTOR'S INITIALS SCW1 | SIGNATURE:(Owner or Agent)  |
| | | | | PRINT NAME: <u>Ed Stewart</u> |
| | | | | DATE: <u>3/19/15</u> |