

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
08/19/2016	DCPREZ-2016-11052
Public Hearing Date	C.U.P. Number
10/25/2016	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME PHILIP L MARX	PHONE (with Area Code)	AGENT NAME TEYANNA LOETHER	PHONE (with Area Code) (608) 370-9731
BILLING ADDRESS (Number & Street) 7772 INAMA RD		ADDRESS (Number & Street) 306 FIRST STREET	
(City, State, Zip) SAUK CITY, WI 53583		(City, State, Zip) Prairie Du Sac, Wi 53578	
E-MAIL ADDRESS tey.loether@gmail.com		E-MAIL ADDRESS	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
Northeast of 7772 Inama Road					
TOWNSHIP ROXBURY	SECTION 5	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0907-054-8500-3					

REASON FOR REZONE	CUP DESCRIPTION
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CREATING ONE RESIDENTIAL LOT	
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FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1Ex Exclusive Ag District	RH-1 Rural Homes District	3.0		

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent)
Applicant Initials _____	Applicant Initials _____	Applicant Initials _____		PRINT NAME:

DATE:



DANE COUNTY
PLANNING DEVELOPMENT

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Zoning Change Application

Items that must be submitted with your application:

- o **Written Legal Description of the proposed Zoning Boundaries**
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- o **Scaled Drawing of the location of the proposed Zoning Boundaries**
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name	<u>Philip & Holly Marx</u>	Agent's Name	_____
Address	<u>7772 Inama Road</u>	Address	_____
	<u>Sauk City, WI 53583</u>		_____
Phone	_____	Phone	_____
	<u>(608) 370-9731</u>		_____
Email	_____	Email	_____
	<u>tey.loether@gmail.com</u>		_____

Town: Roxbury Parcel numbers affected: 090705485003

Section: 05 Property address or location: 7772 Inama Rd, Sauk City, WI 53583

Zoning District change: (To / From / # of acres) Rezone from A-1(EX) to RH-1, approximately 3 acres

Soil classifications of area (percentages) Class I soils: _____ % Class II soils: _____ % Other: 100 %

Narrative: (reason for change, intended land use, size of farm, time schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

See attached for more detailed description. Rezoning request is for a new home site for Phil & Holly's daughter, Teyanna Loether, and her husband Tyler Loether.

Driveway to home site is 983 ft. in length, with 66 ft. of ownership on either side.

Driveway is to be engineered upon an already exiting roadway. Upon rezoning approval, total acreage of approx. 3 acres would be sold and transferred to Tyler & Teyanna. Lot is part of the larger family farm of roughly 200 acres. Timeline: upon approval, basement would be dug in December 2016.

I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By:

Date: 8/19/16

Rezoning Request for Philip and Holly Marx, Town of Roxbury

Purpose: New home site for Phil & Holly's daughter, Teyanna Loether, and her husband Tyler Loether. Parcel number: 090705485003. Rezone from A-1(EX) to RH-1, approximately 3 acres to be rezoned. Upon approval of rezoning, this acreage would be sold and transferred into Tyler and Teyanna Loether's name.

Phil and Holly own a farm of approximately 210 acres in size, of which the 3 acres proposed for rezoning is a part of. The 210-acre farm is a working grain and livestock farm of which Phil and his son Nathan Marx operate. The property surrounding the 3 acres is currently utilized for agricultural production of cash crops (corn, wheat, alfalfa, soybeans, and vineyards). A horse pasture is adjacent to the lot.

Tyler and Teyanna are Sauk Prairie natives, and have recently relocated back to Prairie du Sac in anticipation of building at the home farm. It has always been Teyanna's dream to raise children on the farm she grew up on. The entirety of this farm is contained within a trust that will eventually be transferred to their children, Nathan Marx and Teyanna Loether. The farm will remain in agricultural production.

Meetings have been held with the Town of Roxbury Planning Commission, and on Wednesday, August 10th, the proposal for rezoning was approved. The Roxbury Town Board reviewed the approval and request on Monday, August 15th, and gave permission to apply for rezoning through Dane County.

Time Schedule: Upon approval of the rezoning request, Tyler and Teyanna are on schedule to dig the basement in December with the home being built through the winter and completed in the spring. Ganser Construction of Prairie du Sac is the contractor currently in discussions of home plans with the Loethers.

Home site: The proposed home site sits on a Seaton soil classification of SmC2. It is near a pond/marsh, but the home will be built more than the required 75ft away from the shoreline. Land and Water Conservation has been contacted, and applications for Stormwater Management and Erosion Control are being drawn up by an engineer.

Driveway: The driveway to the proposed home site will sit on an existing roadway and will be 983 ft. in length, with the required ownership of 66 ft. in width included. The drive is currently utilized for access to approximately 14 acres of vineyards that Wollersheim Winery manages. Phil and Holly Marx have entered into a long-term lease agreement with Wollersheim, and they rent the land from the Marx family in order to maintain the vineyards for production. The drive that is included in this lease will have an easement that

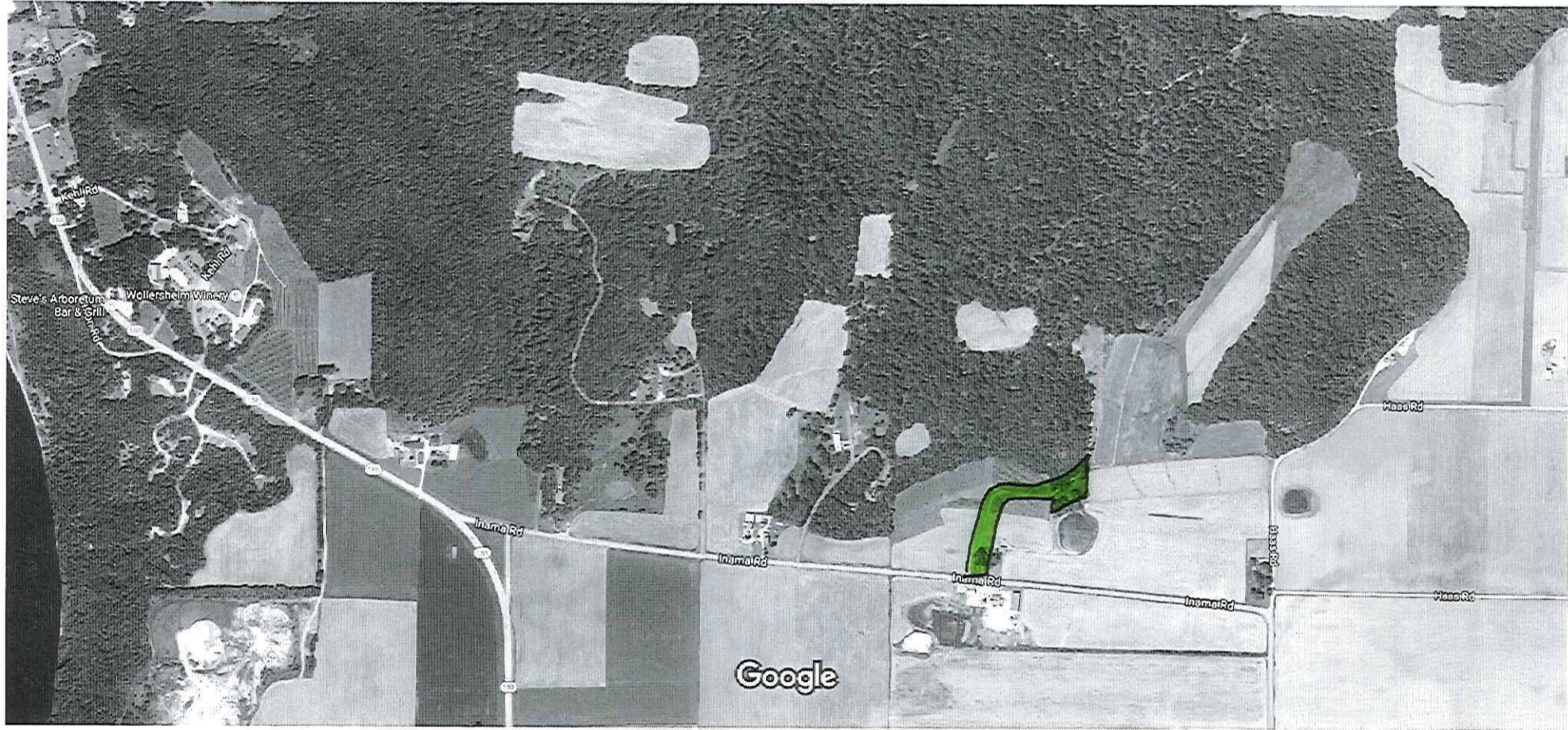
allows them access, and this easement will be transferred and apply to Tyler and Teyanna upon approval of rezoning. Daryl Matzke of Ramaker & Associates will be engineering the drive to meet all codes and regulations.

Upon evaluation of the soil types near the existing driveway, the Dane County soil map indicates that it crosses Batavia soils BbA and BbB. A soil test was conducted to determine the accuracy of the soil map near the proposed driveway for the home site.

Soil Test: As per the attached soil test by certified surveyor Jim Ramaker, it was found that the soil map was incorrect in the classification of Batavia being present where the existing roadway/proposed driveway would cross. The soil type that the existing roadway crosses is of a Seaton classification, which is an extension of the Seaton soil type on which the home site sits just northwest of the site of testing.

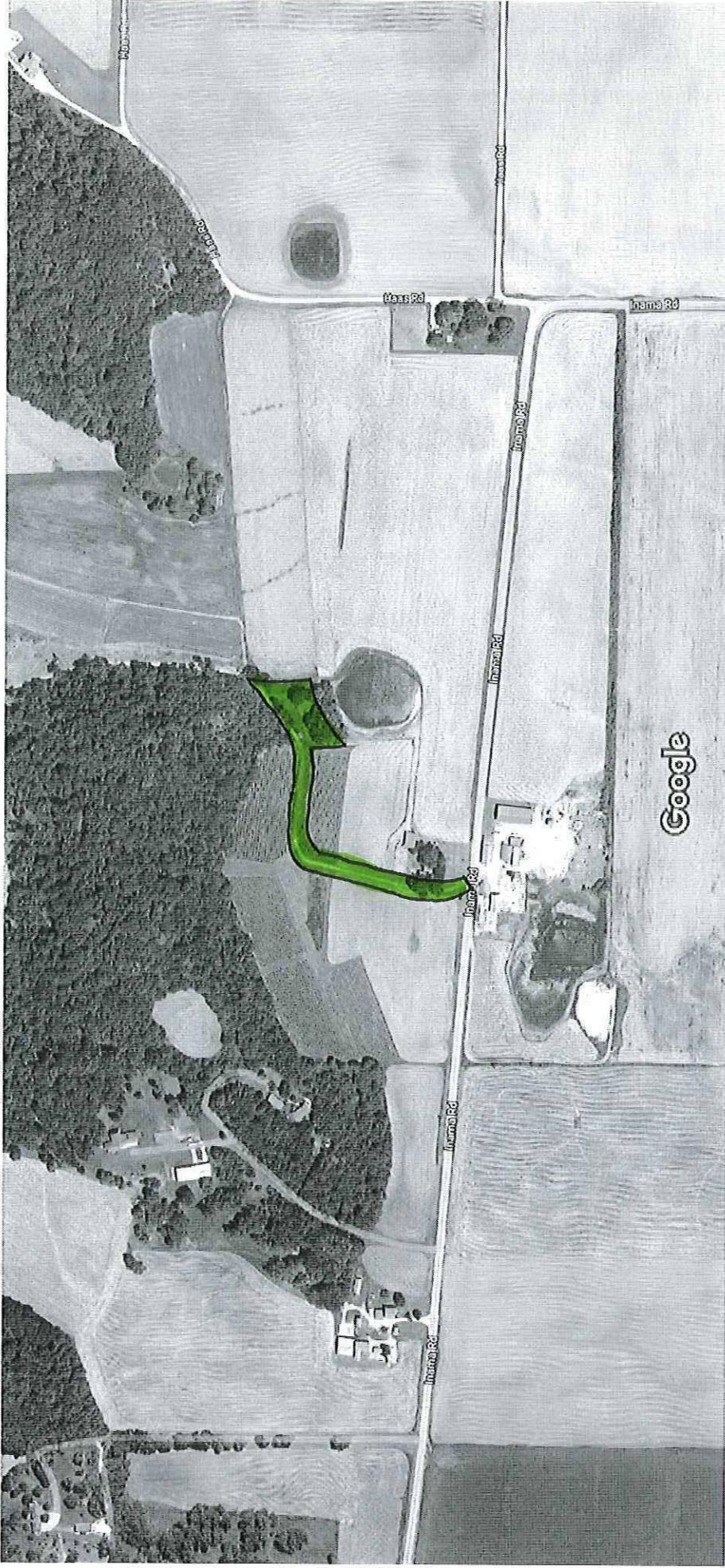
It was also determined that the level of compaction of the existing roadway is so severe it could never be restored for agricultural production. This indicates that the roadway is indeed considered "existing" or has existed for many decades, if not centuries. Due to this fact, it could not be restored to production.

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 500 ft

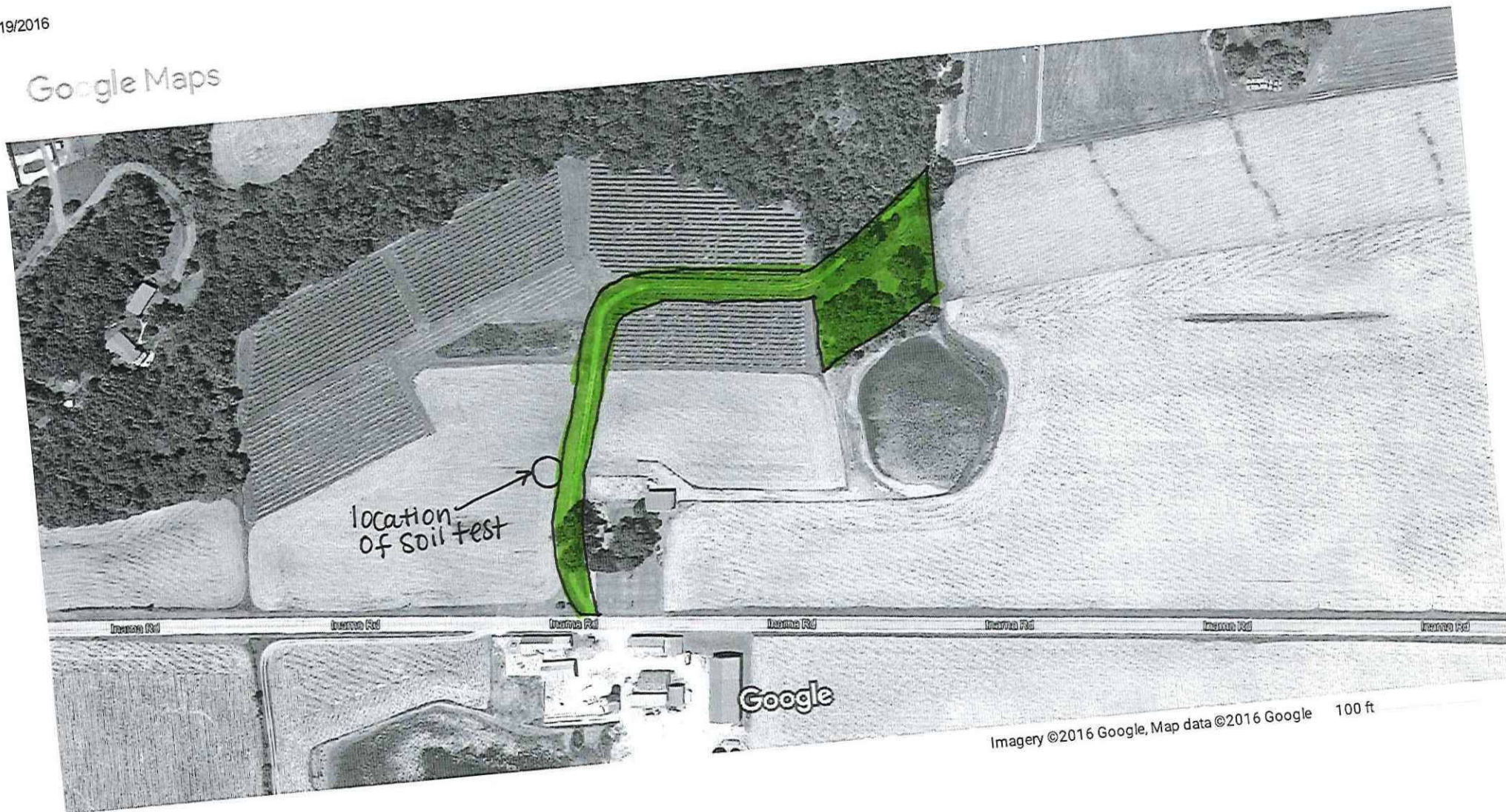
Google Maps



Imagery ©2016 Google, Map data ©2016 Google 200 ft

8/19/2016

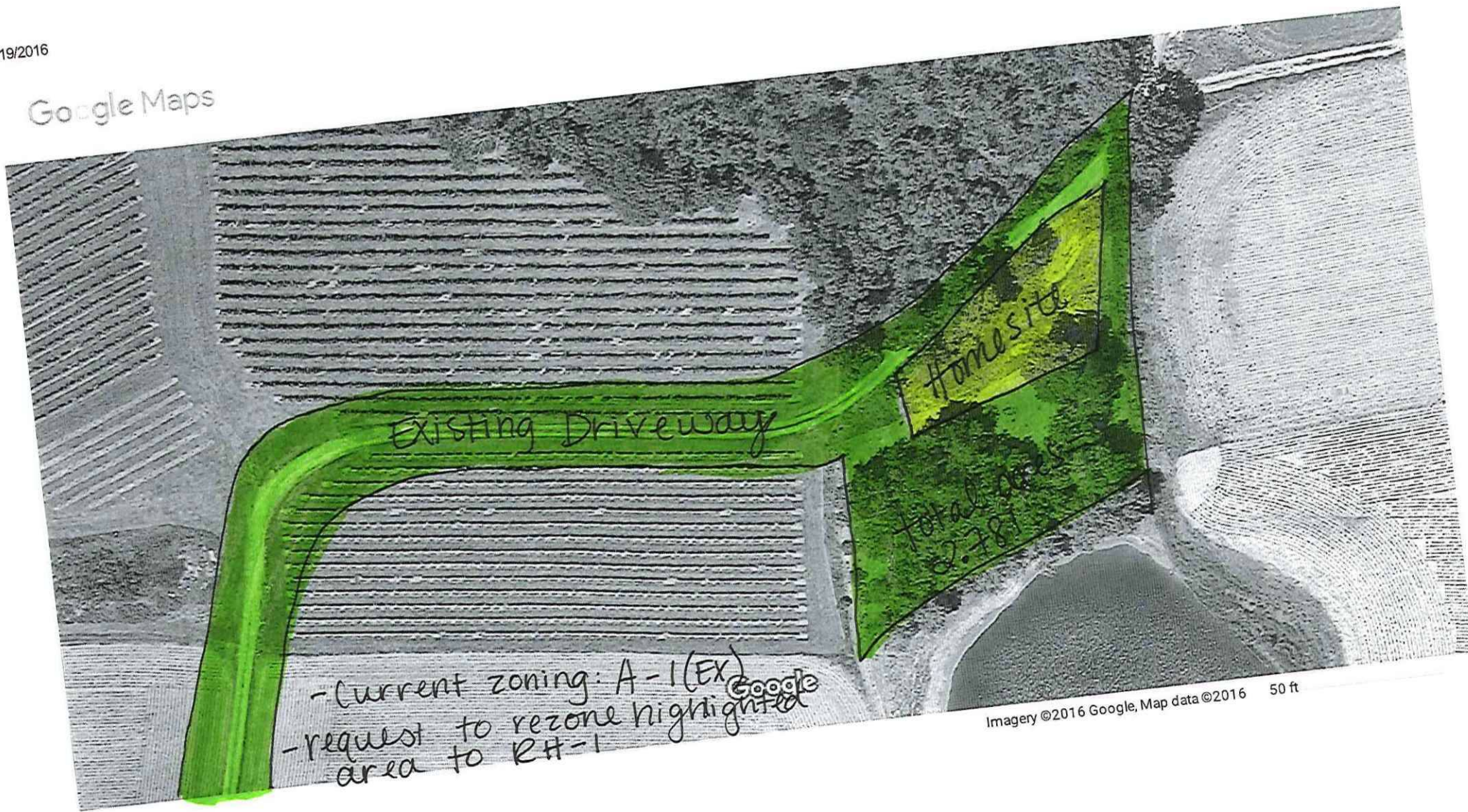
Google Maps



Imagery ©2016 Google, Map data ©2016 Google 100 ft

8/19/2016

Google Maps



- Current zoning: A-1 (Ex)
- request to rezone highlighted area to R#-1

Over **40** years of experience!

Tri-County Percolation Service

S 8839 Keller Rd.

Prairie du Sac, Wisconsin 53578

Phone: 608-963-2561

July 16, 2016

To Whom It May Concern:

On Friday, July 15th, a boring was dug to examine soils in the area of the proposed residential driveway at 7772 Inama Rd. belonging to Phillip Marx. The purpose of this evaluation was to determine if this area mapped Batavia, is representative of this soil type.

Although the soil is silt loam to silty clay loam, no clay loam or sand and gravel were encountered as described to Batavia. It is not unusual to find different soil types that cannot be shown or mapped due to the small scale of these maps.

The profile that I found, appears to be more representative of a Seaton Soil, which is mapped down slope from where this pit was dug.

0-6" 10yr4/3 sandy loam w/gravel (fill) 6-20" 10yr3/3 sandy loam (fill) compacted and firm. 20-24" 7.5yr2.5/2 silt loam (original top soil) compacted and platy. 24-36" 10yr3/4 silt loam, compacted. 36-48" 10yr4/6 silt loam, 1fsbk 48-60" 10yr5/4 silty clay loam with redox features (zone of seasonal saturation) 60-80" 10yr5/4 silt loam with redox features, also a zone of seasonal saturation.

It appears that this has been used as an access for a long time, even before the gravel was added because of the compaction and mixing of the horizons from 24 -36"

James Ramaker

CST# 223094

Over **40** years of experience!

Tri-County Percolation Service

S 8839 Keller Rd.

Prairie du Sac, Wisconsin 53578

Phone: 608-963-2561

August 16, 2016, 2016


To Whom It May Concern:

In response to the request for additional information and verification as to where and why the test was taken where it was is because it was on a contour which was midway between the upper and lower edges of the mapped Batavia soil. The test was taken just off the edge of the existing drive way and extending about 6 feet west into the tillable area of the field. This was about 225' North down the existing driveway from the right of way of Inama Rd.

It is my feeling that due to the extreme compaction of the soil, that it would never be able to be restored to agricultural production. I have an area near me on the Zander Farm that was a previous road. No amount off tilling and fertilizing has restored it. You can see clearly where the road was originally.

It is my feeling this would best be kept as the roadway to the proposed building site.

James Ramaker

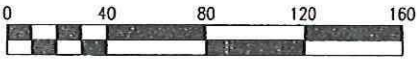
A handwritten signature in cursive script, appearing to read "James Ramaker". The signature is written in dark ink and is positioned below the printed name.

DANE COUNTY CERTIFIED SURVEY MAP

Located in the NW 1/4 of the SE 1/4, Section 5, Township 9 North, Range 7 East, Town of Roxbury
Dane County, Wisconsin.

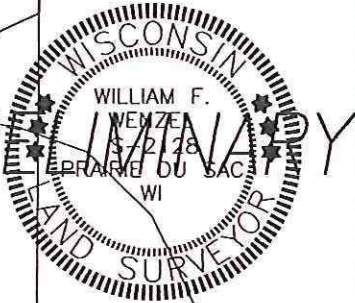
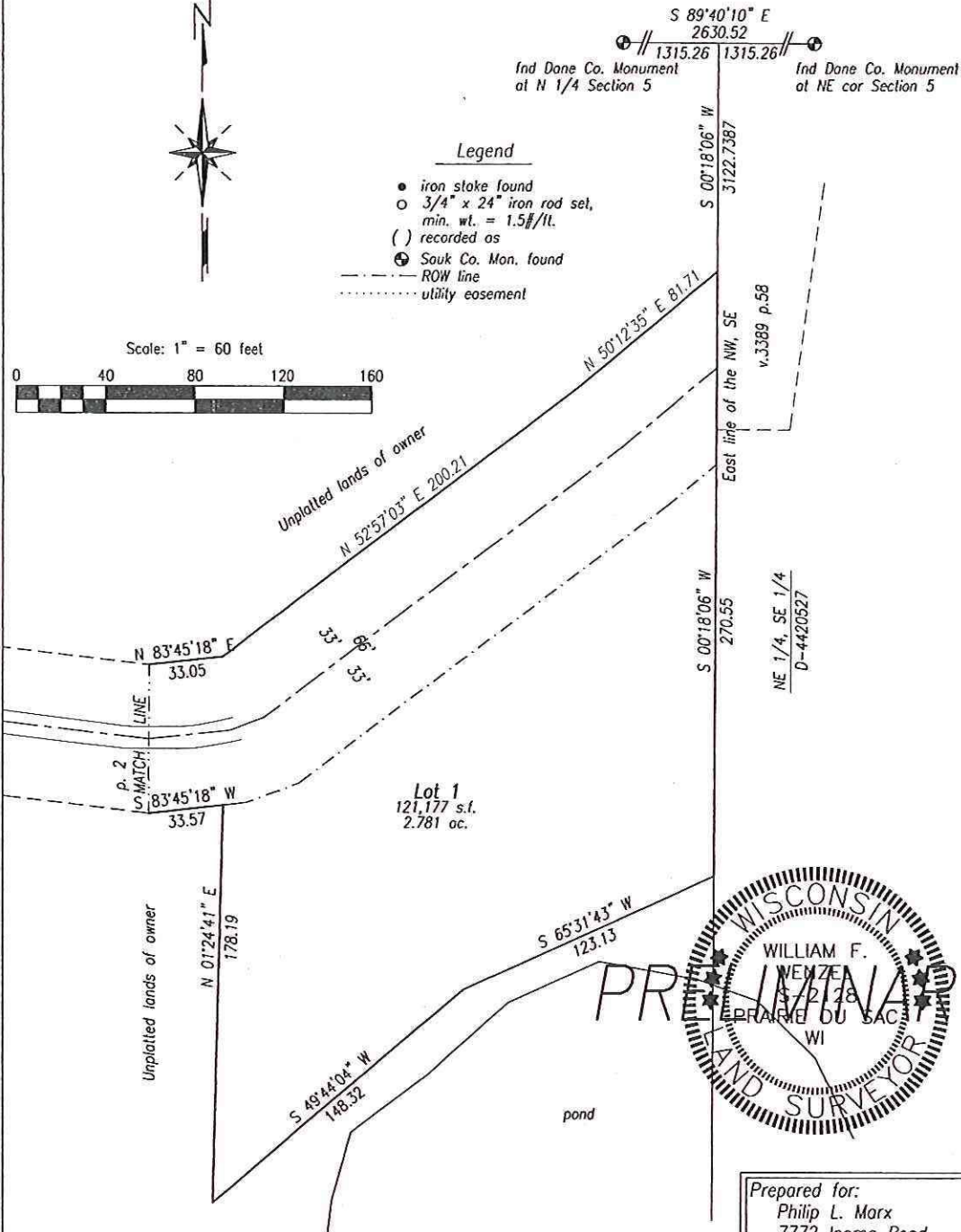


Scale: 1" = 60 feet



Legend

- iron stake found
- 3/4" x 24" iron rod set,
min. wt. = 1.5#/ft.
- () recorded as
- ⊕ Souk Co. Mon. found
- ROW line
- utility easement



Prepared for:
Philip L. Marx
7772 Inamo Road
Sauk City, WI 53583

Date of Survey: June, 2016

ORION LAND SURVEYORS

290 Fifth Street
Prairie du Sac, WI 53578
(608) 643-8851

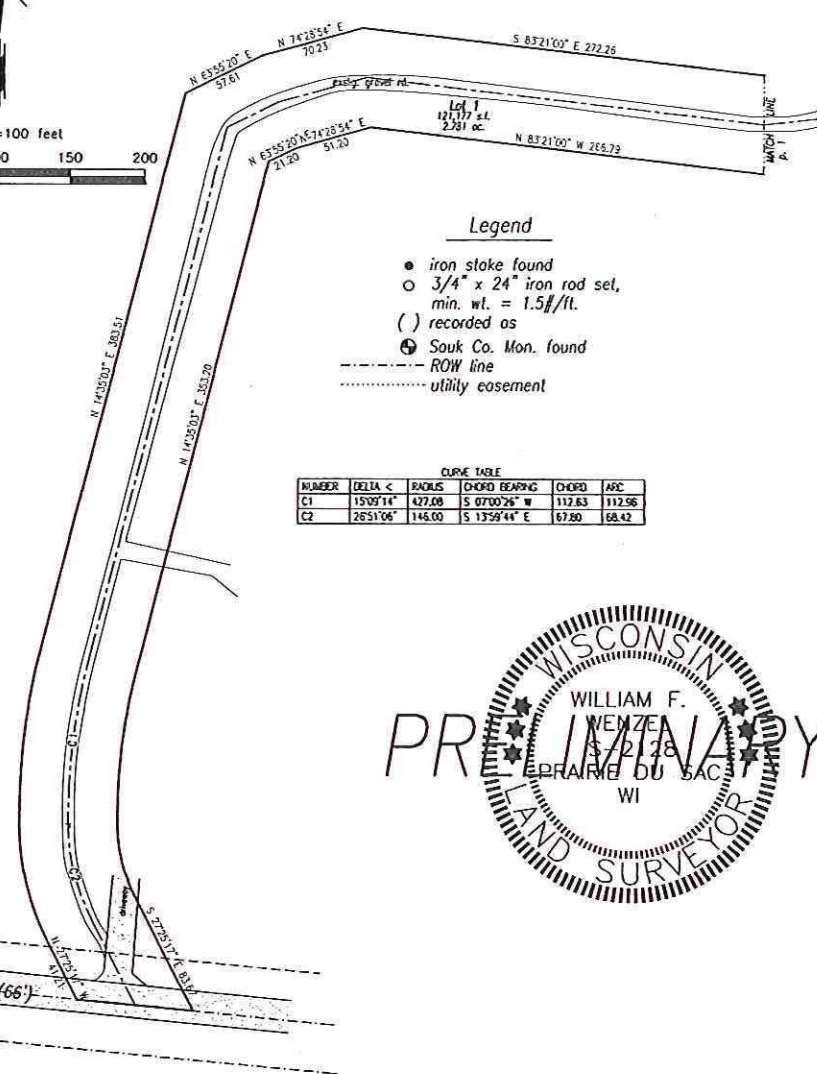
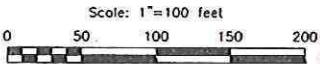
Received for record this _____ day of _____,
2016 at _____ M. and recorded in volume _____
of Certified Surveys on page _____.

Register of Deeds _____ Sheet 1 of 3
CSM number _____

Document number _____

DANE COUNTY CERTIFIED SURVEY MAP

Located in the NW 1/4 of the SE 1/4, Section 5, Township 9 North, Range 7 East, Town of Roxbury
Dane County, Wisconsin.



Legend

- iron stake found
- 3/4" x 24" iron rod set,
min. wt. = 1.5#/ft.
- () recorded as
- ⊕ Souk Co. Mon. found
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CURVE TABLE

NUMBER	DELTA \angle	RADIUS	CHORD BEARING	CHORD	ARC
C1	15°09'14"	427.08	S 07°00'26" W	112.63	112.96
C2	26°51'06"	146.00	S 13°59'44" E	67.80	68.42



Prepared for:
Philip L. Marx
7772 Inama Road
Sauk City, WI 53583

Date of Survey: June, 2016

ORION LAND SURVEYORS

290 Fifth Street
Prairie du Sac, WI 53578
(608) 643-8851

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