

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
04/07/2014	DCPREZ-2014-10692
Public Hearing Date	C.U.P. Number
06/24/2014	

OWNER INFORMATION				AGENT INFORMATION			
OWNER NAME DALE D SECHER		PHONE (with Area Code) (608) 835-5871		AGENT NAME <input type="checkbox"/>		PHONE (with Area Code)	
BILLING ADDRESS (Number & Street) 5683 LINCOLN RD				ADDRESS (Number & Street) <input type="checkbox"/>			
(City, State, Zip) OREGON, WI 53575				(City, State, Zip)			
E-MAIL ADDRESS caramda;@chorus.net				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			
1042 Tipperary Rd.				East of 1042 Tipperary Rd.,			
TOWNSHIP OREGON	SECTION 16	TOWNSHIP	SECTION	TOWNSHIP OREGON	SECTION 16		
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED			
0509-162-9000-9				0509-162-9561-1			
REASON FOR REZONE				CUP DESCRIPTION			
CREATING ONE RESIDENTIAL LOT							
FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION		ACRES		
A-1Ex Exclusive Ag District	A-2 (2) Agriculture District	2.0					
C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials: <i>DD</i>	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials: <i>DD</i>	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials: <i>DD</i>	INSPECTOR'S INITIALS SCW1	SIGNATURE: (Owner or Agent) <i>Dale D. Secher</i>			
				PRINT NAME: <i>Dale D. Secher</i>			
				DATE: <i>April 7, 2014</i>			

0509 183 93814



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>Dale D. Secher</u>	Agent's Name	_____
Address	<u>5683 Lincoln Rd</u>	Address	_____
Phone	<u>Oregon, WI 53575</u>	Phone	_____
	<u>(608) 835-5871 or 735-1632</u>		_____
Email	<u>Carandal@chorus.net</u>	Email	_____

Town: Oregon Parcel numbers affected: _____

Section: 01 16, T.5N-R.9E Property address or location: NW 1/4 - Access from Tipparary Road

Zoning District change: (To / From / # of acres) Change 2.0 Acres from A-1 to A-2(2)

Soil classifications of area (percentages) Class I soils: 0 % Class II soils: 100 % Other: %
Westville (Wv D2) - 30% highly erodable ; 70% Ag Use Forrest (untillable)

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:

Creation of a homesite for our son (Cory D. Secher) so he can live on-site and take over management of Cavendale Farm. This 118 acre specialty fruit crop farming operation, which has been in existence since 1968, requires on-site residency because of the very time sensitive management requirements of frost protection and other activities. The goal is to have residency by April 2015 for on-site management activities.

I authorize that I am the owner or have permission to act on behalf of the owner of the property.
Submitted By: Dale D. Secher Date: March 25, 2014

STATEMENT OF INTENT

As owners of Carandale Farm located in Section 16 with access to both Lincoln and Tipperary Roads (see attachment #1), it is our intent to:

1. Complete the cluster design concept for preserving agricultural land and maintaining the rural character of the Township while increasing the tax base with minimal increase of service needs. (see attachments #2 and 3)
2. Create a homesite for our son Cory D. Secher, so he can live on-site and take over management of Carandale Farm. (see attachments #4, 5 and 6)
3. Separate our farm house from the rest of the farmland. (see attachments #3, 7 and 8)
4. Survey and sell a 4 acre non-agricultural (wooded) parcel to Arlan & Lori Kay. (attachment #3)
5. Work with the Town and County to rezone the remaining 11.12 acres that was blanket rezoned from A-1 to A-2 back to A-1. The rezone back to A-1 was approved by the Town in 2012, but was never acted on by the County, an oversight the County is now in the process of correcting (attachment #3).
6. Complete an easement connection between Lincoln and Tipperary Roads that would meet Town and County standards that would allow for town dedication at the discretion of the Town (attachment #3).
7. After all above transactions and/or activities are completed we intend to deed all remaining ownership to the Dale and Cynthia Secher Joint Revocable Trust for continued agricultural and other open space land use as a public resource for future generations.

Dale/Cindy Secher
Carandale Farm
5683 Lincoln Rd.
Oregon, WI 53575

DRIVEWAY
EASEMENT

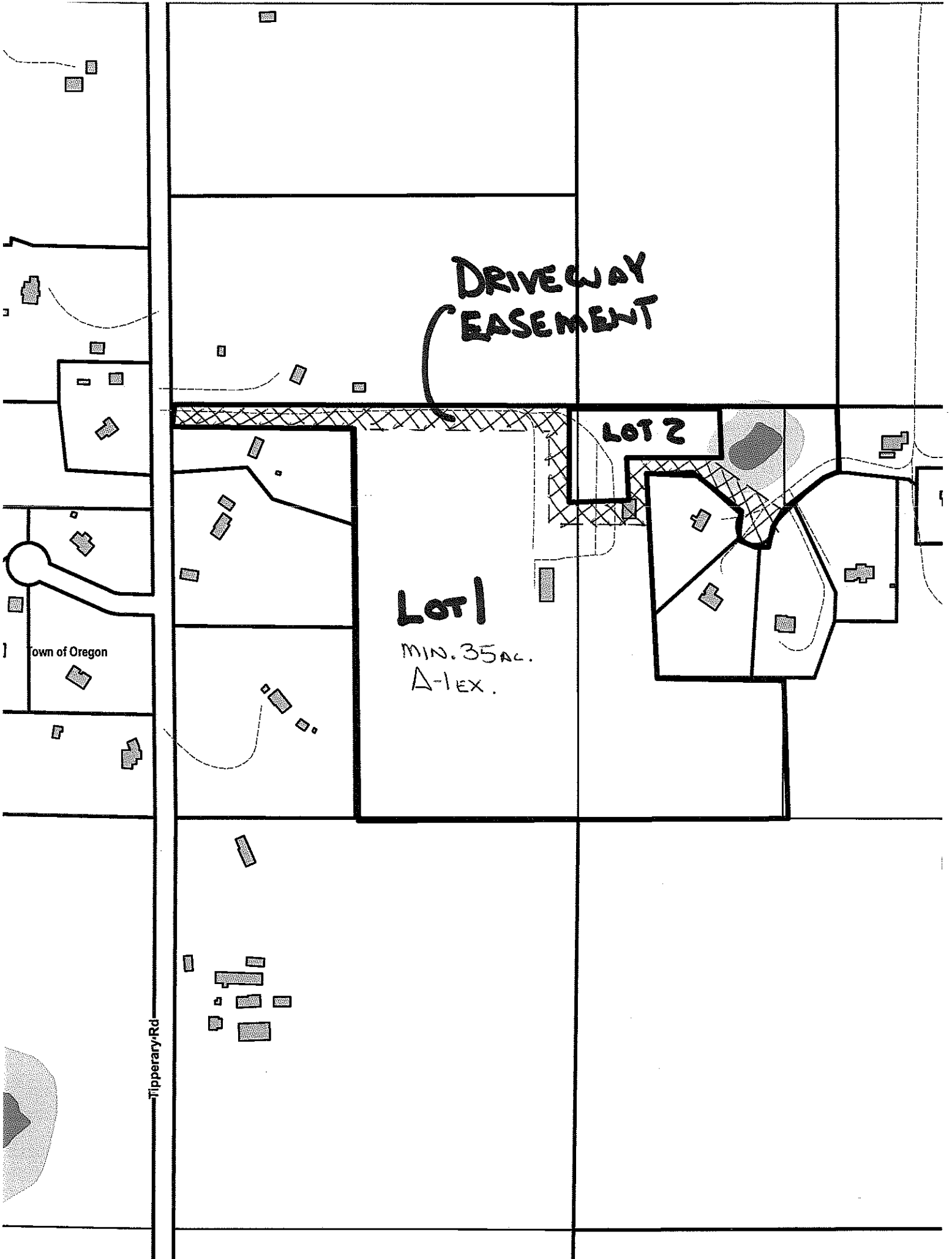
LOT 2

LOT 1

MIN. 35 AC.
A-1 EX.

town of Oregon

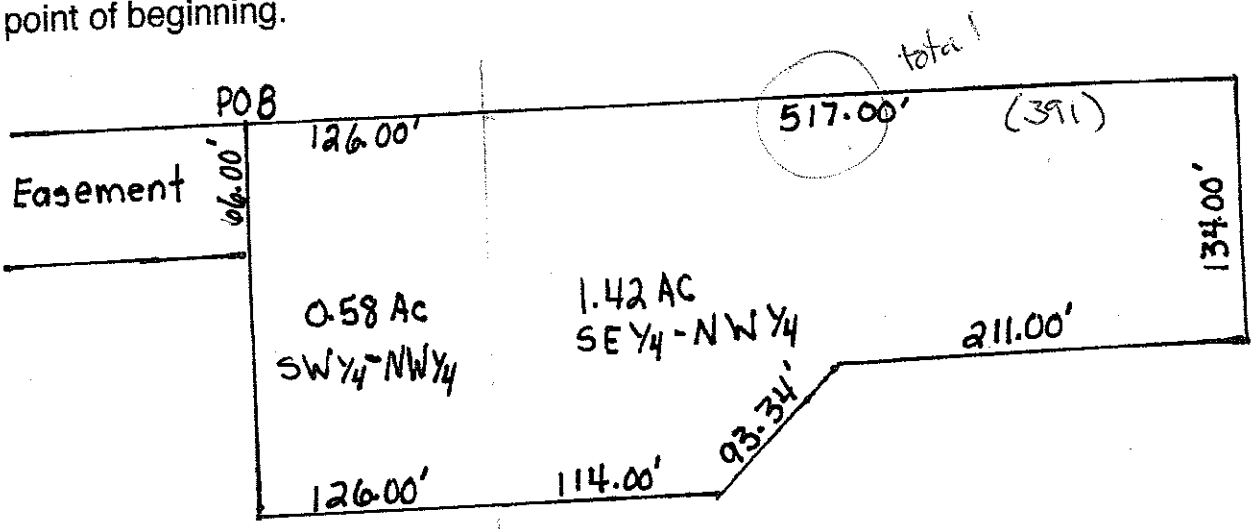
Tipperary Rd



WOLF

LEGAL DESCRIPTION: Lot

Commencing at the northwest corner of Section 16, T.5N-R.9E.; thence southerly along the west line of said section to the northwest corner of the SW1/4-NW 1/4; thence easterly along the north line of said SW 1/4-NW 1/4 for 1,210.76 feet to the point of beginning; thence continue easterly for 126.00 feet to the northwest corner of the SE 1/4-NW 1/4; thence continue easterly along the north line of said 1/4-1/4 section for 391.00 feet; thence southerly perpendicular to said 1/4-1/4 section for 134.00 feet; thence westerly for 211.00 feet parallel to the north line of said 1/4-1/4 section; thence southwesterly for 93.34 feet; thence westerly parallel to the north line of the said 1/4-1/4 section for 114.00 feet and then continuing for 126.00 feet parallel to the north line of the SW 1/4-NW 1/4; thence northerly perpendicular to the north line of said 1/4-1/4 section for 200.00 feet back to the point of beginning.



With the desire to preserve farmland and make more efficient use of land, we are requesting an exception to the frontage requirement of Section 75.19(6)(b) of the Dane County Code of Ordinances based on Ordinance amendment #12, 2013-2014, which was approved by the Dane County Board of Supervisors on 9.12.2013.

We plan to meet all the requirements of Article 6. Section 75.19(8). This access will be shared with an existing farm entrance under the name of the Dale and Cynthia Secher Joint Revocable Trust.

LEGAL DESCRIPTION: Access Easement

The north 66. feet of the SW 1/4-NW 1/4 of Section 16, T. 5N R.9E. commencing from the center of Tipperary Road to the lot described in the proposed CSM

SHARED DRIVEWAY EASEMENT AGREEMENT

This non-exclusive shared driveway easement agreement provides unrestricted access to lot 1 of CSM_____. It is understood that granters shall continue to use the easement for ongoing farming activities and as a seasonal access for customers. This document also acknowledges and affirms a prior right-of-way agreement requested by the Town of Oregon to reduce the number of driveways on Tipperary Road. The existing agreement is for the first 300 feet and provides access to the owners of lot 1 of CSM 2206, recorded as doc #1494606 in Vol 744 page 617, dated November 8, 1976.

This shared driveway easement shall constitute a covenant running with the land. The Town of Oregon, and County of Dane are co-holders of the following described easement, and as such have full enforcement right.

LEGAL DESCRIPTION:

The North 66.00 feet of the SW 1/4-NW 1/4 of Section 16,T.SN-R.9E commencing from the center of Tipperary Road to the above described CSM, a length of approximately 1,211 feet.

TERMS AND CONDITIONS

This shared driveway will be maintained to provide access for emergency vehicles, school buses and other equipment as determined by the town engineer, local fire department and EMS services.

The year-round maintenance of the shared driveway shall be allocated as specified in the Road Maintenance section of this agreement, and shall be binding among the current property owners, their heirs, successors and assigns.

It is agreed that the Town of Oregon, at its sole discretion, or Dane County can inspect and conduct repair work on the shared driveway, at the expense of the beneficiaries involved if they fail to adequately maintain the driveway.

It is agreed to dedicate the shared driveway easement to the Town of Oregon as a future town road right-of-way, if at any time the town, in its sole discretion, accepts it.

All buildings constructed on the parcels serviced by this shared driveway easement shall be the setback from said shared driveway easement as specified in Section 10.17(3)(b).

Permanent, unimpeded access similar to that of a public road will be provided for emergency service responders, utility services and others.

Any modifications to this shared driveway easement agreement will require the written pre-approval of the Town of Oregon and Dane County Zoning and Land Regulation Committee.

ROAD MAINTENANCE AGREEMENT

The cost of constructing and maintaining an all season gravel road within the 66 foot easement that meets the requirements of the Terms and Conditions section of this document, will be shared equally by the owners of Carandale Farm LLC and the owners of Lot 1, CSM _____. Year-round maintenance will include, but not be limited to: grading to remove potholes, addition of aggregate as needed, brush removal and snow plowing as needed. An accounting system will be maintained. Failure to make payment and/or provide in kind serves by either party is grounds for litigation. The cost of any additional maintenance that may be required by the Town of Oregon or Dane County will also be equally shared.

CLUSTER DESIGN

Many years ago when I was a member of the Town of Oregon Plan Commission, input was being sought for developing a master plan for the county and townships that would comply with recently passed state legislation. With both an agricultural and engineering background, and as an owner of picturesque, but marginal agricultural land, I suggested a cluster design concept too minimize the environmental impact of rural housing development. I believe what I wrote nearly 20 years ago is just as applicable, if not more so, as we enter an economic recovery that will ramp up pressure for more rural housing. I would like to complement the Dane County Board of Supervisors for reinstating the use of shared driveways by the passage of Article 6, Section 75.19 (8) of the Dane County Code of Ordinances. Following is what I wrote many years ago:

Cluster design is an implementation tool to mitigate the effect of randomly located CSM residential lots spread throughout the township that creates aesthetic blight and maximum obstruction and conflict to agricultural endeavors. I envision cluster design as the first step in the long-term objective of preserving open space and resource protection. Cluster design is an integral component of cluster development on a larger scale, but is defined here as a stand-alone element which in conjunction with Exc Ag and A-3 Ag zoning can in the short and intermediate term, prolong agricultural use of land by reducing urban-rural conflict, maintaining agricultural parcel integrity, and providing for infusion of capital through small lot sales allowed under the one per 35 acre rule. Cluster design as a stand-alone element is best suited for determining the location of small groupings of residential lots created by CSM by individual landowners.

Carandale Farm

Using a cluster design concept-A model of good rural land use planning

- Tax revenue has been generated for the Town of Oregon from 8 mid-to-high end rural dwellings at minimal increase of service needs.
- Rural vistas have been preserved by locating housing in secluded areas not readily visible from public thoroughfares.
- Agricultural lands have been preserved with the use of perpetual shared driveway easements.
- Only areas unsuitable for agricultural have been used to increase the tax base.
- Agricultural land use and rural housing are complimentary.