

Dane County Rezone Petition

Application Date	Petition Number
02/24/2026	DCPREZ-2026-12262
Public Hearing Date	
05/26/2026	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME MARLITA DEVELOPMENT LLC	PHONE (with Area Code) (310) 567-8346	AGENT NAME WILLIAMSON SURVEYING & ASSOCIATES LLC	PHONE (with Area Code) (608) 255-5705
BILLING ADDRESS (Number & Street) 2810 TENNYSON PL		ADDRESS (Number & Street) 104A W MAIN STREET	
(City, State, Zip) HERMOSA BEACH, CA 90254		(City, State, Zip) Waunakee, WI 53597	
E-MAIL ADDRESS g		E-MAIL ADDRESS	

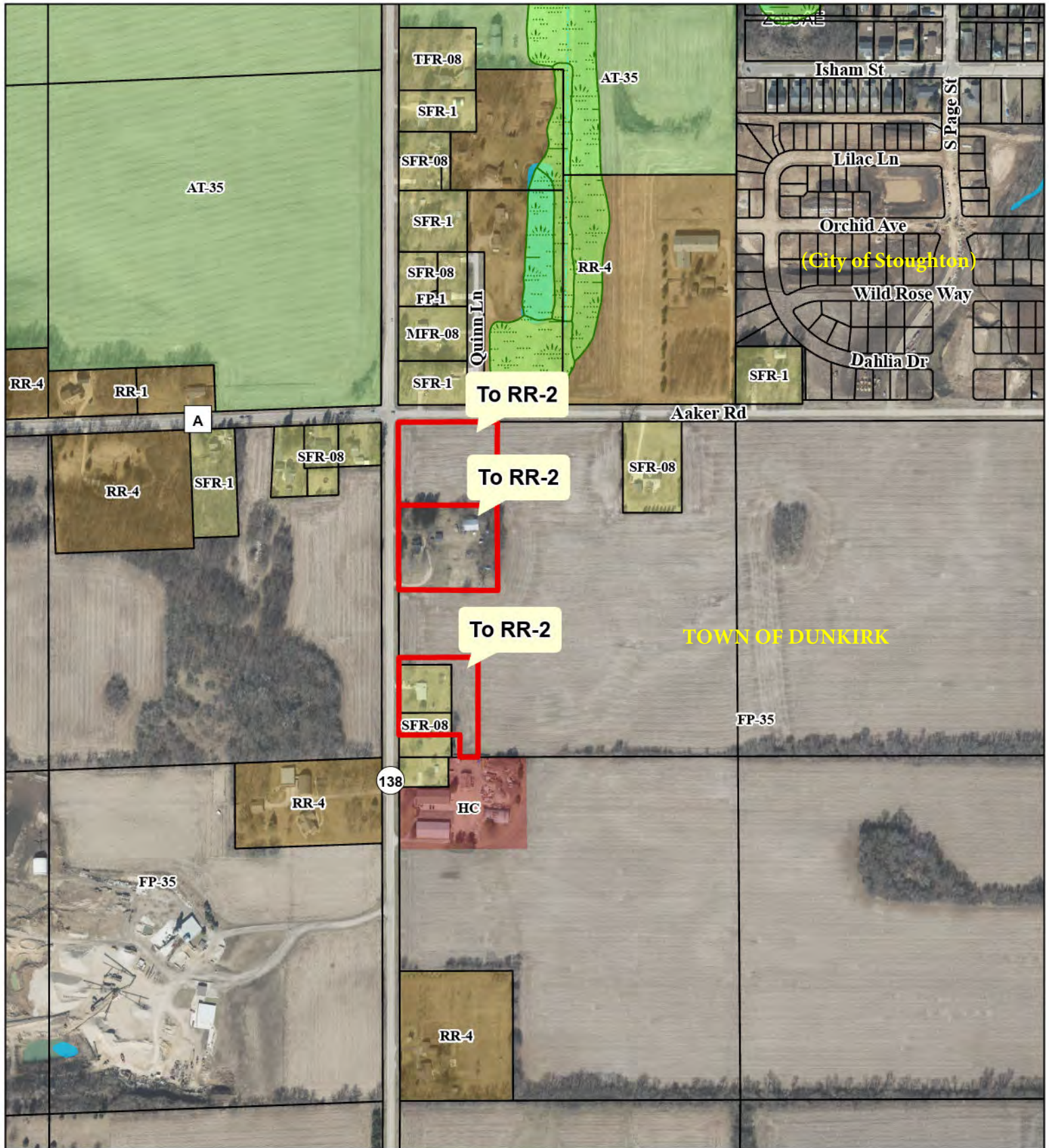
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
1038 State Highway 138					
TOWNSHIP DUNKIRK	SECTION 17	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0511-172-8720-3		0511-172-8500-9			

REASON FOR REZONE
CREATING ONE RESIDENTIAL LOT; CREATING LOT FOR EXISTING RESIDENCE; EXPANDING EXISTING RESIDENTIAL LOT

FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RR-2 Rural Residential District	7.23
SFR-1 Single Family Residential District	RR-2 Rural Residential District	1.46

C.S.M REQUIRED? ☒ Yes ☐ No Applicant Initials_____	PLAT REQUIRED? ☐ Yes ☒ No Applicant Initials_____	DEED RESTRICTION REQUIRED? ☒ Yes ☐ No Applicant Initials_____	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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COMMENTS: APPLICANT SHALL OBTAIN HIGHWAY ACCESS PERMIT PRIOR TO COMMITTEE ACTION.



PETITION 12262
MARLITA DEVELOPMENT LLC

- Proposed Zoning Boundary
- Tax Parcel Boundary
- Wetland Class Areas
- 1% Annual Chance Flood Hazard





Dane County
Department of Planning and Development
Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703
(608) 266-4266

Application Fees	
General:	\$395
Farmland Preservation:	\$495
Commercial:	\$545
• PERMIT FEES DOUBLE FOR VIOLATIONS. • ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION.	

REZONE APPLICATION

APPLICANT INFORMATION

Property Owner Name:	Smet Foundation (John)	Agent Name:	Williamson Surveying & Assoc. LLC
Address (Number & Street):	2810 Tennyson Place	Address (Number & Street):	104A W. Main St
Address (City, State, Zip):	Hermosa Beach, CA 90254	Address (City, State, Zip):	Waukegan, WI 53597
Email Address:		Email Address:	
Phone#:		Phone#:	

PROPERTY INFORMATION

Township:	Dunkirk	Parcel Number(s):	0511-172-8000-4, 0511-172-8720-3, 0511-172-8500-9
Section:	17	Property Address or Location:	1038 State Highway 138 + 1008 State Highway 138

REZONE DESCRIPTION

Reason for the request. In the space below, please provide a brief but detailed explanation of the rezoning request. Include both current and proposed land uses, number of parcels or lots to be created, and any other relevant information. For more significant development proposals, attach additional pages as needed.

Is this application being submitted to correct a violation?
Yes ☐ No ☒

John Smet would like to create a new residential lot in the northwest corner of the property. He would also like a new residential lot around the existing building at 1038 S.T.H. 138 to separate from the rest of the farm ground. Lastly he would like to adjust the property lines around the home at 1008 S.T.H. 138 to increase the the lot to be 2 acres.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP-35	RR-2	7.23
SFR-1	RR-2	1.46

Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for commercial development proposals, or as may be required by the Zoning Administrator.

☒ Scaled drawing of proposed property boundaries	☒ Legal description of zoning boundaries	☐ Information for commercial development (if applicable)	☒ Pre-application consultation with town and department staff	☒ Application fee (non-refundable), payable to the Dane County Treasurer
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I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

Owner/Agent Signature

Date

2-18-26

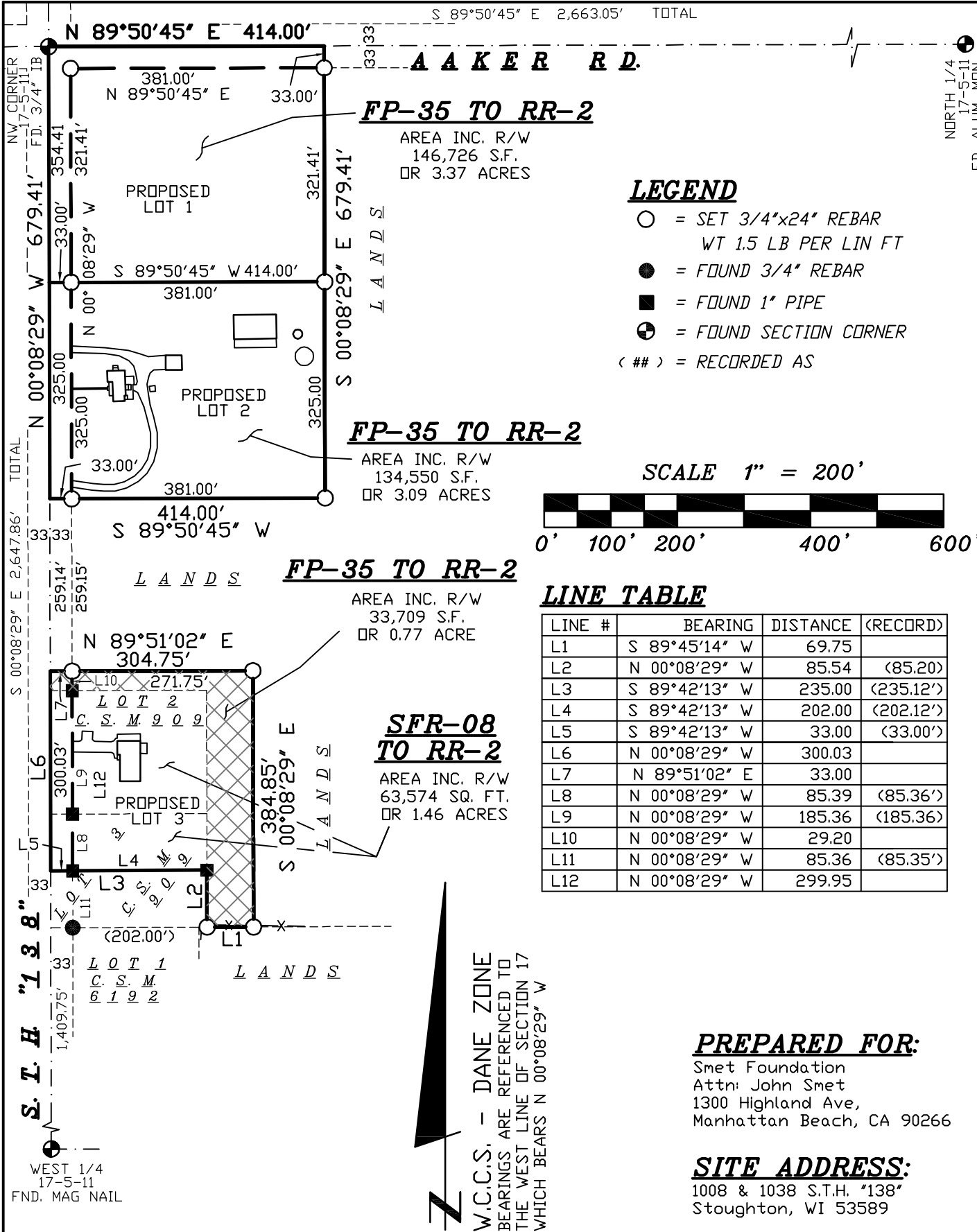


REZONE MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the NW 1/4 of the NW 1/4 of Section 17, T5N, R11E, Town of Dunkirk, Dane County, Wisconsin. Including all of Lot 2 and a portion of Lot 3, Certified Survey Map No. 909, Vol. 4, Page 146, Doc. No. 1335669.



REZONE DESCRIPTIONS

FP-35 TO RR-2

A parcel of land located in the NW 1/4 of the NW 1/4 of Section 17, T5N, R11E, Town of Dunkirk, Dane County, Wisconsin. More particularly described as follows:

Beginning at the Northwest Corner of said Section 17; thence N 89°50'45" E along the north line of the NW 1/4 of said Section 17, 414.00 feet; thence S 00°08'29" E, 679.41 feet; thence S 89°50'45" W, 414.00 feet to the west line of the NW 1/4 of said Section 17; thence N 00°08'29" W along said west line, 679.41 feet to the point of beginning. This description contains 281,276 square feet or 6.46 acres and is subject to a road right of way of 33.00 feet over the most northerly and westerly portions thereof.

FP-35 TO RR-2

A parcel of land located in the NW 1/4 of the NW 1/4 of Section 17, T5N, R11E, Town of Dunkirk, Dane County, Wisconsin. More particularly described as follows:

Commencing at the Northwest Corner of said Section 17; thence S 00°08'29" E along the west line of the NW 1/4 of said Section 17, 938.55 feet to the point of beginning.

Thence N 89°51'02" E, 304.75 feet; thence S 00°08'29" E, 384.85 feet; thence S 89°45'14" W, 69.75 feet; thence N 00°08'29" W, 355.77 feet; thence S 89°51'02" W, 235.00 feet to the west line of the NW 1/4 of said Section 17; thence N 00°08'29" W along said west line, 29.20 feet to the point of beginning. This description contains 33,709 square feet or 0.77 acres and is subject to a road right of way of 33.00 feet over the most westerly portion thereof.

SFR-08 TO RR-2

A parcel of land located in the NW 1/4 of the NW 1/4 of Section 17, T5N, R11E, Town of Dunkirk, Dane County, Wisconsin. Including all of Lot 2 and a portion of Lot 3, Certified Survey Map No. 909, Vol. 4, Page 146, Doc. No. 1335669. More particularly described as follows:

Commencing at the Northwest Corner of said Section 17; thence S 00°08'29" E along the west line of the NW 1/4 of said Section 17, 967.75 feet to the point of beginning.

Thence N 89°51'02" E, 235.00 feet; thence S 00°08'29" E, 270.23 feet; thence S 89°42'13" W, 235.00 feet to said west line; thence N 00°08'29" W, 270.83 feet to the point of beginning. This description contains 63,574 square feet or 1.46 acres and is subject to a road wide right of way of 33.00 feet over the most westerly portion thereof.

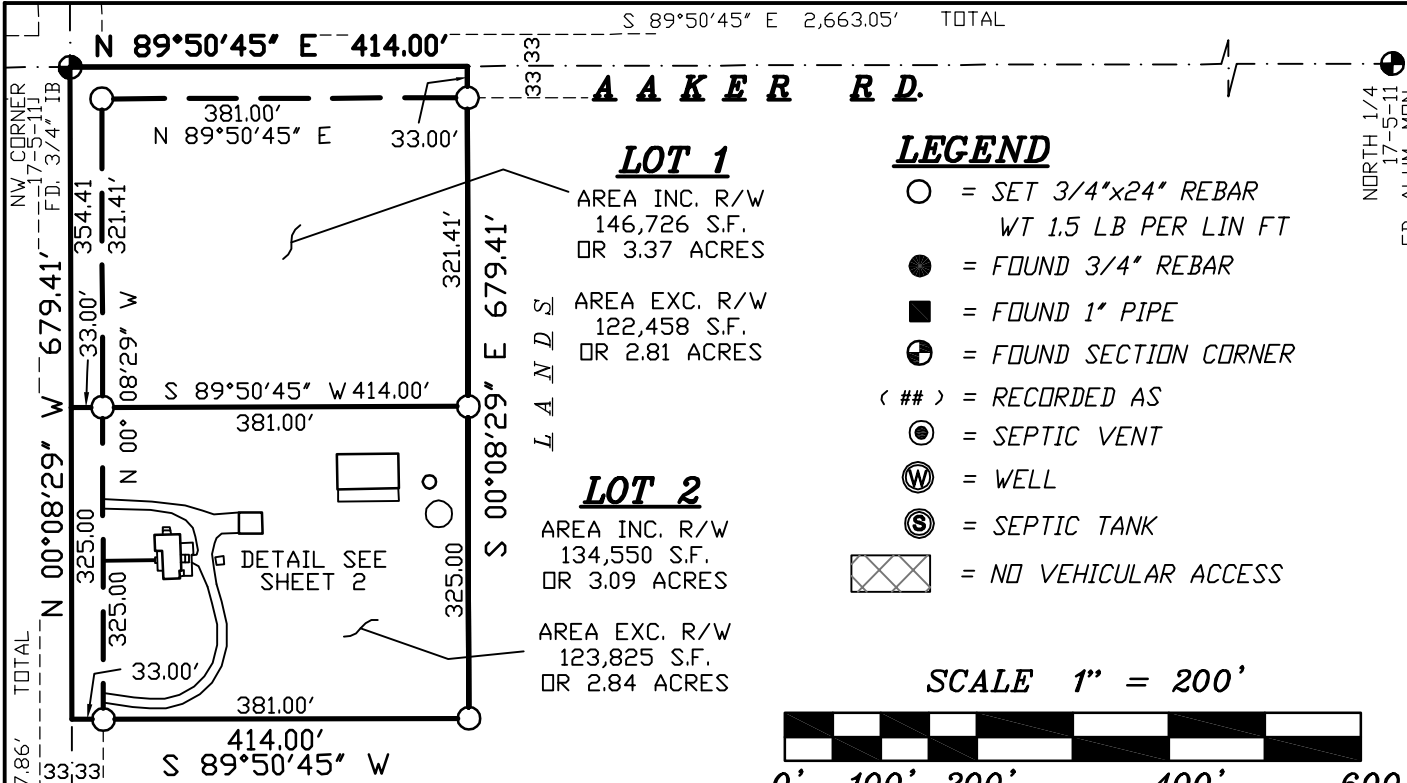


CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

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FOR NOTES
SEE SHEET 5

LINE TABLE

LINE #	BEARING	DISTANCE	(RECORD)
L1	S 89°45'14" W	69.75	
L2	N 00°08'29" W	85.54	(85.20)
L3	S 89°42'13" W	235.00	(235.12')
L4	S 89°42'13" W	202.00	(202.12')
L5	S 89°42'13" W	33.00	(33.00')
L6	N 00°08'29" W	300.03	
L7	N 89°51'02" E	33.00	
L8	N 00°08'29" W	85.39	(85.36')
L9	N 00°08'29" W	185.36	(185.36)
L10	N 00°08'29" W	29.20	
L11	N 00°08'29" W	85.36	(85.35')
L12	N 00°08'29" W	299.95	

SURVEYORS SEAL

PREPARED FOR:

Smet Foundation
Attn: John Smet
1300 Highland Ave,
Manhattan Beach, CA 90266

SITE ADDRESS:

1008 & 1038 S.T.H. '138'
Stoughton, WI 53589

W.C.C.S. - DANE ZONE
BEARINGS ARE REFERENCED TO
THE WEST LINE OF SECTION 17
WHICH BEARS N 00°08'29" W

DOCUMENT NO. _____

CERTIFIED SURVEY MAP NO. _____

DATE: 2-18-26

Sheet 1 of 5

25W-521

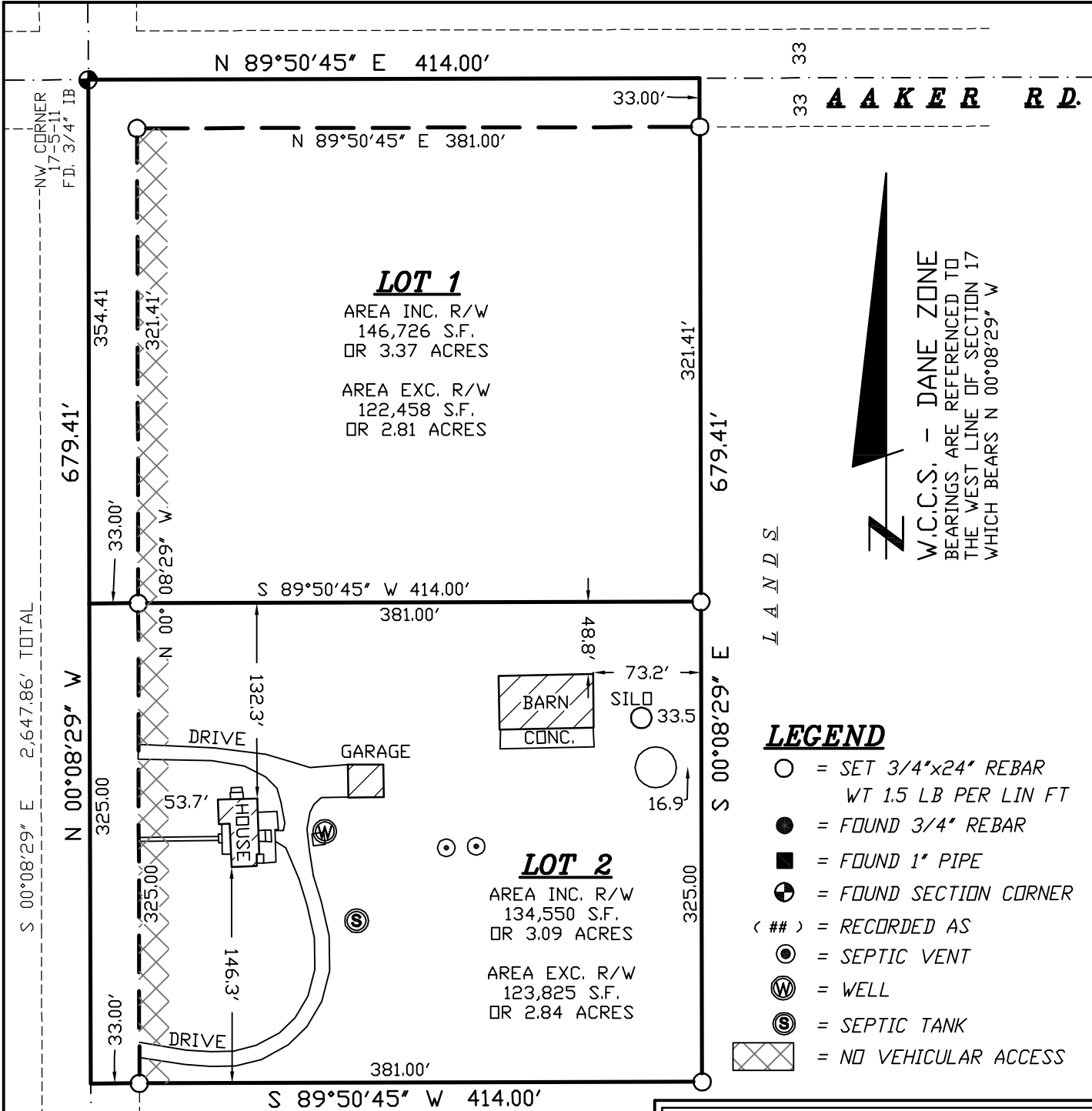


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W.C.C.S. - DANE ZONE
BEARINGS ARE REFERENCED TO
THE WEST LINE OF SECTION 17
WHICH BEARS N 00°08'29" W

L A N D S

LEGEND

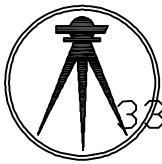
- = SET 3/4"x24" REBAR
WT 1.5 LB PER LIN FT
- = FOUND 3/4" REBAR
- = FOUND 1" PIPE
- ⊕ = FOUND SECTION CORNER
- (##) = RECORDED AS
- ⊙ = SEPTIC VENT
- ⊗ = WELL
- Ⓢ = SEPTIC TANK
- ▨ = NO VEHICULAR ACCESS

SURVEYORS SEAL

SCALE 1" = 100'



WEST 1/4
17-5-11
FND. MAG NAIL



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

BOB T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
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NW CORNER
17-5-11
FD. 3/4" IB

L A N D S

33 33

S 00°08'29" E 2,647.86' TOTAL

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SURVEYOR'S CERTIFICATE

I, Noa T. Prieve, Professional Land Surveyor hereby certify that this survey is correct to the best of the professional surveyor's knowledge and belief and is in full compliance with the provisions of Chapter A-E 7 and Chapter 236.34 Wisconsin Statutes, the subdivision regulations of Dane County, and by the direction of the owners listed below, I have surveyed, divided, and mapped a correct representation of the exterior boundaries of the land surveyed and the division of that land, being part of the NW 1/4 of the NW 1/4 of Section 17, T5N, R11E, Town of Dunkirk, Dane County, Wisconsin. Including all of Lot 2 and a portion of Lot 3, Certified Survey Map No. 909, Vol. 4, Page 146, Doc. No. 1335669, more particularly described as follows:

(LOTS 1 & 2) Beginning at the Northwest Corner of said Section 17; thence N 89°50'45" E along the north line of the NW 1/4 of said Section 17, 414.00 feet; thence S 00°08'29" E, 679.41 feet; thence S 89°50'45" W, 414.00 feet to the west line of the NW 1/4 of said Section 17; thence N 00°08'29" W along said west line, 679.41 feet to the point of beginning. The aboved-described parcel contains 281,276 square feet or 6.46 acres and is subject to a 33 foot wide right of way over the most northerly and westerly portions thereof.

(LOT 3) Commencing at the Northwest Corner of said Section 17; thence S 00°08'29" E along the west line of the NW 1/4 of said Section 17, 938.55 feet to the point of beginning.

Thence N 89°51'02" E, 304.75 feet; thence S 00°08'29" E, 384.85 feet; thence S 89°45'14" W, 69.75 feet; thence N 00°08'29" W, 85.54 feet; thence S 89°42'13" W, 235.00 feet to said west line; thence N 00°08'29" W, 300.03 feet to the point of beginning. The above-described parcel contains 97,284 square feet or 2.23 acres and is subject to a 33 foot wide right of way over the most westerly portion thereof.

Williamson Surveying and Associates, LLC
by Noa T. Prieve

Date _____

Noa T. Prieve S-2499
Professional Land Surveyor

OWNERS' CERTIFICATE:

As owner, I hereby certify that I caused the land described on this certified survey map to be surveyed, divided and mapped as represented on the certified survey map. I also certify that this certified survey map is required by sec. 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee for approval.

WITNESS the hand seal of said owners this _____ day of _____, 20____.

SMET Foundation
Authorized Representative

STATE OF WISCONSIN)
DANE COUNTY)

Personally came before me this _____ day of _____, 20____ the above named

_____ to me known to be
the person who executed the foregoing
instrument and acknowledge the same.

_____ County, Wisconsin.

My commission expires _____

Notary Public

Print Name

Sheet 4 of 5

SURVEYORS SEAL

25W-521



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

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TOWN BOARD RESOLUTION

Resolved that this certified survey map is hereby acknowledged and approved by the Town of Dunkirk on this _____ day of _____, 20____.

Kathy Olson
Town Clerk

DANE COUNTY APPROVAL

Approved for recording per Dane County Zoning and Land Regulation Committee action on _____.

Daniel Everson
Assistant Zoning Administrator

NOTES:

- 1.) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT FOR THE SUBJECT TRACT OR ADJOINERS AND IS THEREFORE SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS AND STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.
- 2.) WETLANDS, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.
- 3.) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.
- 4.) ALL SECTION CORNER TIES FOR THE NORTH 1/4 CORNER, NORTHWEST CORNER AND THE WEST 1/4 CORNER OF SECTION 17 WERE CHECKED AND VERIFIED.

REGISTER OF DEEDS:

Received for recording this ___ day of _____, 20___ at ___ o'clock ___M. and recorded in Volume _____ of Dane County Certified Surveys on pages _____ through _____.

SURVEYORS SEAL

Kristi Chlebowski
Register of Deeds

DOCUMENT NO. _____

CERTIFIED SURVEY MAP NO. _____