



Dane County Planning and Development Department

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

Community Development
(608)261-9781, Rm. 362

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

Chapter 75 (Subdivision) Variance Application

A variance application is required for any proposed Certified Survey Map (CSM) or Subdivision Plat which does not meet one or more of the design standards, or other applicable regulations, specified in Chapter 75 of the Dane County Code of Ordinances (Land Division and Subdivision Regulations). Chapter 75 variance appeals are decided by the county Zoning & Land Regulation Committee.

§75.21(1) of the Dane County Code details the variance procedures:

“Where the [Zoning] committee finds that unnecessary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done; provided that public interest is secured and that such variation will not have the effect of nullifying the intent and purpose of these regulations.”

To grant a variance, the committee must find that “unnecessary hardships” may result from complying with the land division / subdivision regulations. Applicants are advised to provide evidence of such hardship on the attached variance application form. Staff or the committee may request additional information be submitted to assist the committee in making its decision on the variance appeal.

Chapter 75 variance applications will only be accepted if there is a corresponding preliminary CSM or Subdivision Plat application currently pending. Variance appeals will be heard by the Zoning & Land Regulation Committee at a regularly scheduled meeting and, if practical, as part of committee’s consideration of the preliminary CSM or Subdivision Plat application. Variances associated with a pending rezoning and / or Conditional Use Permit application may be heard by the committee at the same meeting.

There is a \$100 application review fee for a Chapter 75 variance application. Applications should be submitted in person at the Dane County Zoning office, Room 116, City-County Building, or sent to:

**Dane County Planning and Development
c/o, Daniel Everson
210 Martin Luther King Jr., Blvd – Room 116
Madison, WI 53703-3342**

Applicants will be informed as to time and date of the meeting when their appeal will be heard by the Zoning & Land Regulation Committee.



**Dane County Zoning & Land Regulation Committee
Land Division / Subdivision Variance Application**

Date: 9-24-2020

Landowner information:

Name: Daniel & Margaret Hamilton
Address: 9001 Early Autumn Rd City: Mt Horeb Zip Code: 53572
Daytime phone: Gary Karls (representative) 608-219-9163
Fax: _____ E-mail: garykarls@gmail.com

Applicant information (if different from landowner):

Name: Williamson Surveying & Assoc. LLC
Address: 104A W. Main St City: Waunakee Zip Code: 53597
Daytime phone: 608-255-5705
Fax: _____ E-mail: chris@williamsonsurveying.com
Relationship to landowner: land surveyor
Are you submitting this application as an authorized agent for the landowner? Yes No

Property information:

Property address: 9001 Early Autumn Rd
Tax Parcel ID #: 060705480020 & 060704386700
Certified Survey Map application #: _____ Date Submitted: 9-24-2020
Subdivision Plat application #: N/A Subdivision Name: _____
Rezone or CUP petition #(if any): N/A Rezone / CUP public hearing date: _____

Summary of Variance Request:

What ordinance provision(s) are you seeking a variance from? (e.g., 66' lot road frontage requirement)
66' LOT ROAD FRONTAGE REQUIREMENT

What hardship(s) will result if a variance is not granted? (Be specific, use additional pages if necessary.)

The Hamilton's acquired this property earlier this year and are now looking to build a detached garage. During this process they have discovered that the property is made up of several pieces and parts of lots, which creates old lot line setbacks. In order to eliminate those old line and setbacks, we need to get a new 1 lot CSM of the boundary of their parcels approved. The pre-existing situation was a county approved CSM from 1999, where the lots all had no frontage. The Hamilton's have no way of meeting this requirement and would be considered an illegal land division with no way of getting building permits without this variance.

Applicants will be informed as to time and date of the meeting when their appeal will be heard by the Zoning & Land Regulation Committee.