

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
07/20/2020	DCPREZ-2020-11589
Public Hearing Date	C.U.P. Number
09/22/2020	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME THOMAS W SHANNON	PHONE (with Area Code) (760) 533-8880	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 5525 PORTAGE RD		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) MADISON, WI 53704		(City, State, Zip)	
E-MAIL ADDRESS hshannon63@gmail.com		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	
5525 Portage Road					
TOWNSHIP BURKE	SECTION 21	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0810-211-8000-2					

REASON FOR REZONE			CUP DESCRIPTION	
SEPARATING EXISTING RESIDENCES ONTO INDIVIDUAL PROPERTIES				
FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
RM-16 Rural Mixed-Use District	RR-2 Rural Residential District	2.52		

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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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
<ul style="list-style-type: none"> • 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:	Tom and Heather Shannon	Agent Name:	
Address (Number & Street):	5525 Portage Road	Address (Number & Street):	
Address (City, State, Zip):	Madison, WI 53704	Address (City, State, Zip):	
Email Address:	hshannon63@gmail.com	Email Address:	
Phone#:	760-533-8880	Phone#:	

PROPERTY INFORMATION			
Township:	Burke	Parcel Number(s):	0810-211-8000-2
Section:	21	Property Address or Location:	5525 Portage Road Madison, WI 53704

REZONE DESCRIPTION	
<p>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.</p>	<p>Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

We wish to parcel the property into 2 parcels, one being 2.52 acres which will become RR-2 and the other will remain at 16 acres with current zoning of RM-16. A copy of the survey by Williamson Surveying and Associates, LLC is attached. We are submitting this application in order to get on the docket for the September 2020 meeting.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
RM-16 (18.52 acres)	RM-16	16
	RR-2	2.52

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.

<input checked="" type="checkbox"/> Scaled drawing of proposed property boundaries	<input checked="" type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable)	<input type="checkbox"/> Pre-application consultation with town and department staff	<input checked="" type="checkbox"/> 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 7/16/2020

by Madison, Sun Prairie, DeForest, Burke and County of Dane general ordinances, and by Madison, Sun Prairie, DeForest and County (as applicable) Zoning Ordinances as hereinafter provided:

A. Attached Territory.

Town territory attached to DeForest, Madison or Sun Prairie from time to time under this Cooperative Plan shall become Village or City territory subject to all respective Village or City Zoning and General Ordinances on the effective date of attachment.

B. Development of Town Territory.

All Town territory not yet attached shall be subject to the following rules:

(1) Any development in the Town shall, in addition to Town requirements, be subject to approval by DeForest, Madison or Sun Prairie; depending upon which municipality the subject territory will eventually be attached to, in accordance with the respective Village or City Development Requirements. In the Protected Areas, the full range of urban services may or may not be required, in the sole discretion of the respective Village or City. In areas outside of the Protected Areas, the full range of urban services, including Village or City public water and sewer service, and attachment to the Village or City may or may not be required, in the sole discretion of the respective Village or City. The Town shall not grant any development approvals inconsistent with this paragraph.

(2) In the BAA-M territory which will eventually be attached to Madison, all new or replacement signs, billboards or street graphics ("signs") not part of any development shall comply with the restrictions of the Madison Street Graphics Control Ordinance, Chapter 31, Madison General Ordinances and with the applicable Dane County sign regulations. In the event of a conflict between the Madison and Dane County sign regulations, the more restrictive regulatory provision shall apply. The Town agrees to adopt an ordinance to condition any electrical or other permits that it issues for new signs or related property improvements upon Madison approval that the proposed sign complies with the Madison Street Graphics Control Ordinance.

(3) The division of a five (5) acre or larger parcel (including parcels that are less than 5 acres because of a property acquisition by DeForest, Madison or Sun Prairie) existing as of March 1, 2006, into only two parcels for residential purposes shall not be considered "development" under this Plan, and the owners may, subject to applicable Town and County regulations, divide and rezone the parcel to a single-family residential district and construct a single-family residence on each of the two new parcels without the cooperation or approval of DeForest, Madison or Sun Prairie. A "parcel" is defined as the contiguous lands within the control of a single owner.

(4) DeForest, Madison and Sun Prairie shall use reasonable efforts to give notice of zoning and other land use hearings, decisions and actions to the owners of record of properties in the Town, within the same distance from an affected property, in the same manner and on the

RM-16 TO RR-2

A parcel of land located in part of the NE 1/4 of the NE 1/4 of Section 21, T8N, R10E, Town of Burke, Dane County, Wisconsin also being part of Lot 1, Certified Survey Map No. 4375, Vol. 19, Page 26, Document #1838516 more particularly described as follows:

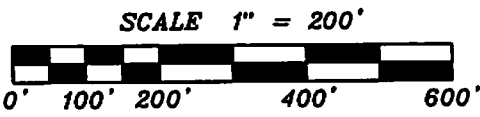
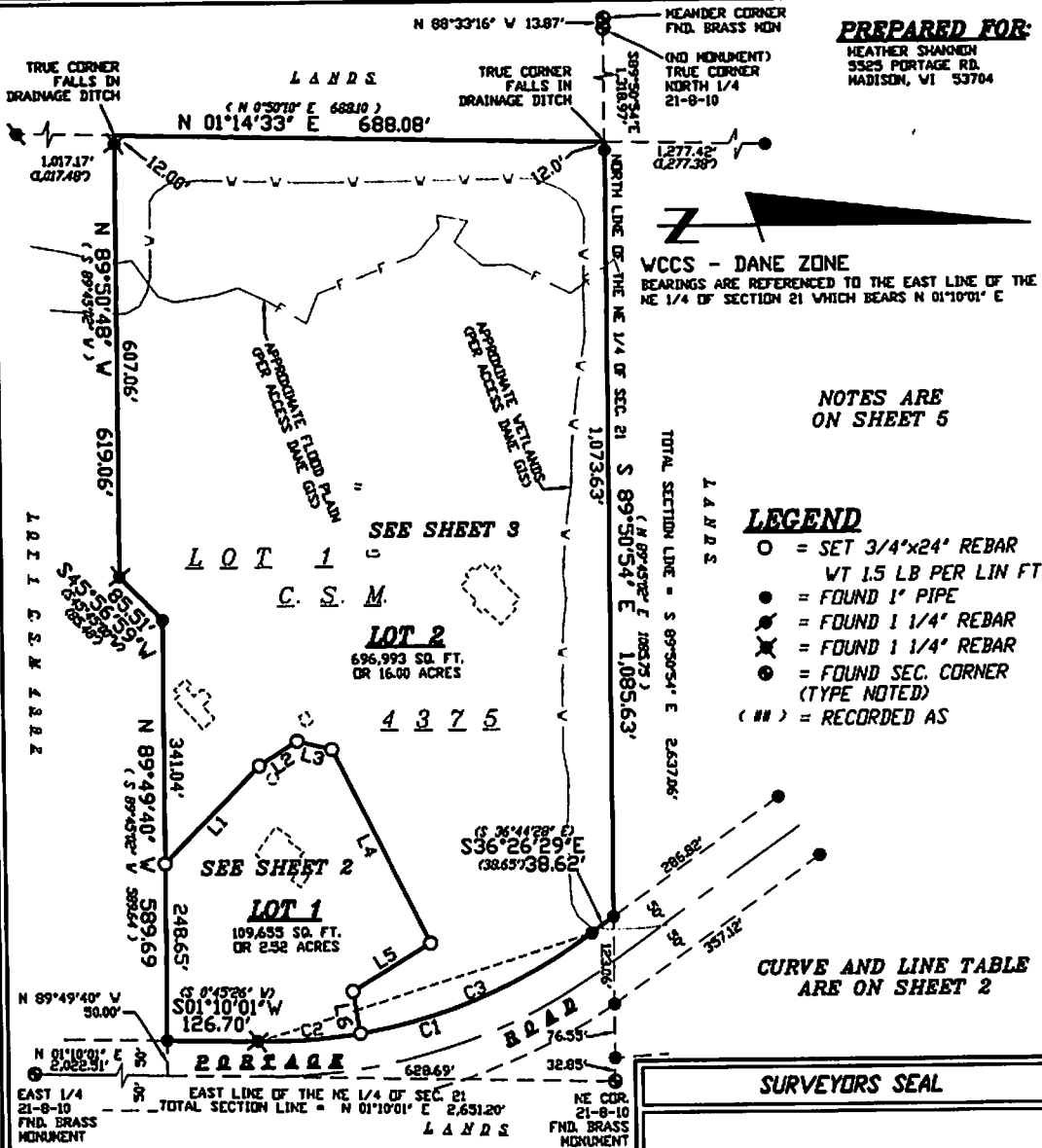
Commencing at the East 1/4 Corner of said Section 21; thence N 01°10'01" E along the east line of the NE 1/4 of said Section 21, 2,022.51 feet; thence N 89°49'40" W, 50.00 feet to the west right of way line of Portage Road and the point of beginning.

Thence continue N 89°49'40" W, 248.66 feet; thence N 45°32'23 W, 190.93 feet; N 32°54'56" W, 63.43 feet; thence N 14°09'59" E, 49.64 feet; thence N 63°40'35" E, 304.46 feet; thence S 31°14'38" E, 129.29 feet; thence N 80°35'04" E, 60.15 feet to the westerly right of way of Portage Road; thence along said right of way and an arc of a curve concaved southwesterly having a radius of 769.00 feet, a long chord bearing S 04°11'43" E, a distance of 143.89 feet; thence S 01°10'01" W along said right of way, 126.70 feet to the point of beginning. The above described parcel contains 109,655 square feet or 2.52 acres.

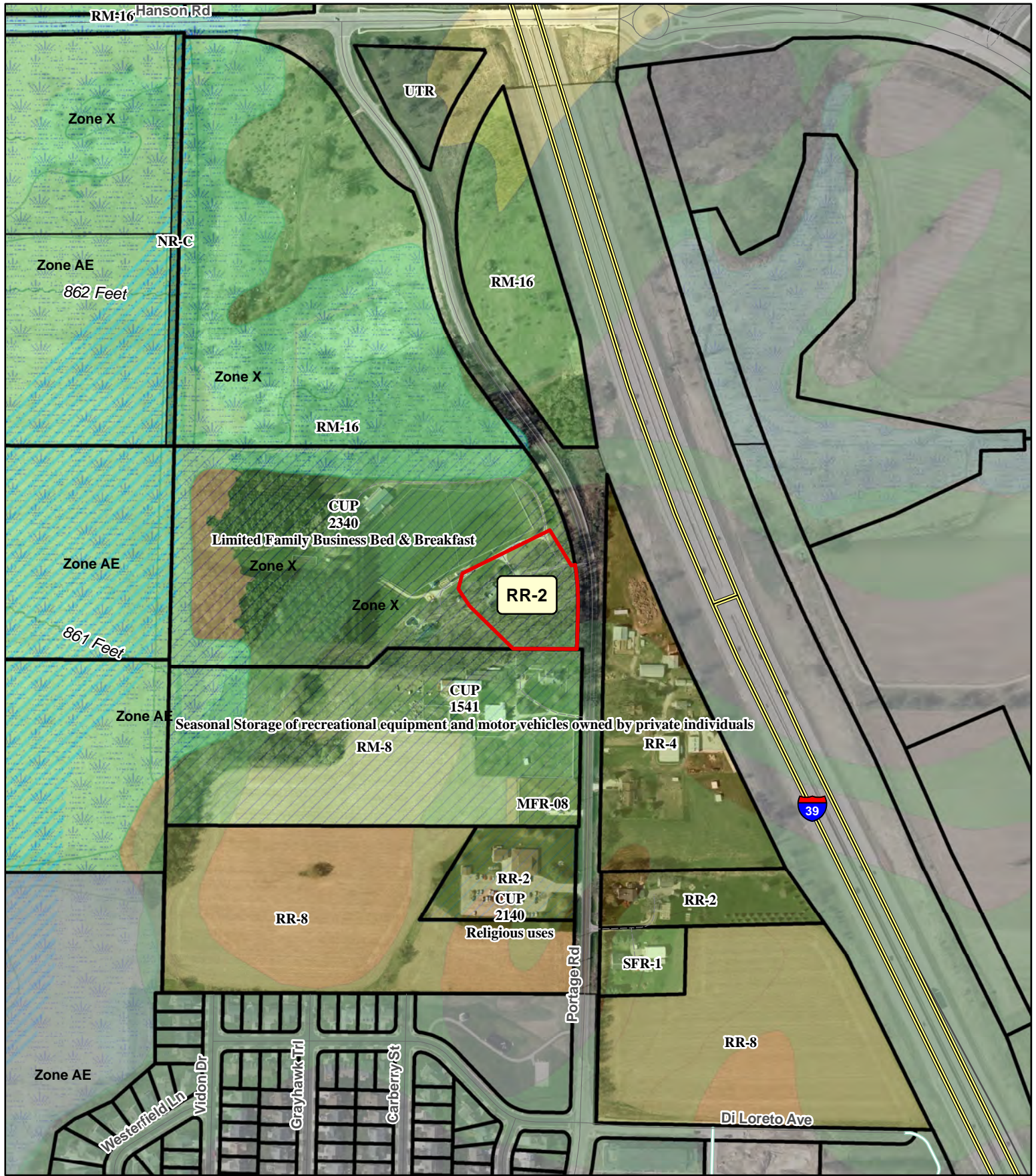


WILLIAMSON SURVEYING AND ASSOCIATES, LLC
 NDA T. PRIEVE & CHRIS V. ADAMS, PROFESSIONAL LAND SURVEYORS
 104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705




Located in the NE 1/4 of the NE 1/4 of Section 21, T8N, R10E, Town of
 Burke, Dane County, Wisconsin. Including all of Lot 1, Certified Survey
 Map No. 4375, Vol. 19, Page 26, Document #1838516.

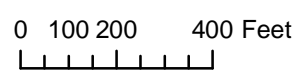


DOCUMENT NO. _____
 CERTIFIED SURVEY MAP NO. _____



Legend

- | | | | | |
|--|------------|---|---|---------|
|  | Wetland | Significant Soils |  | Class 1 |
|  | Floodplain |  | Class 2 | |



Petition 11589
THOMAS W SHANNON



CERTIFIED SURVEY MAP

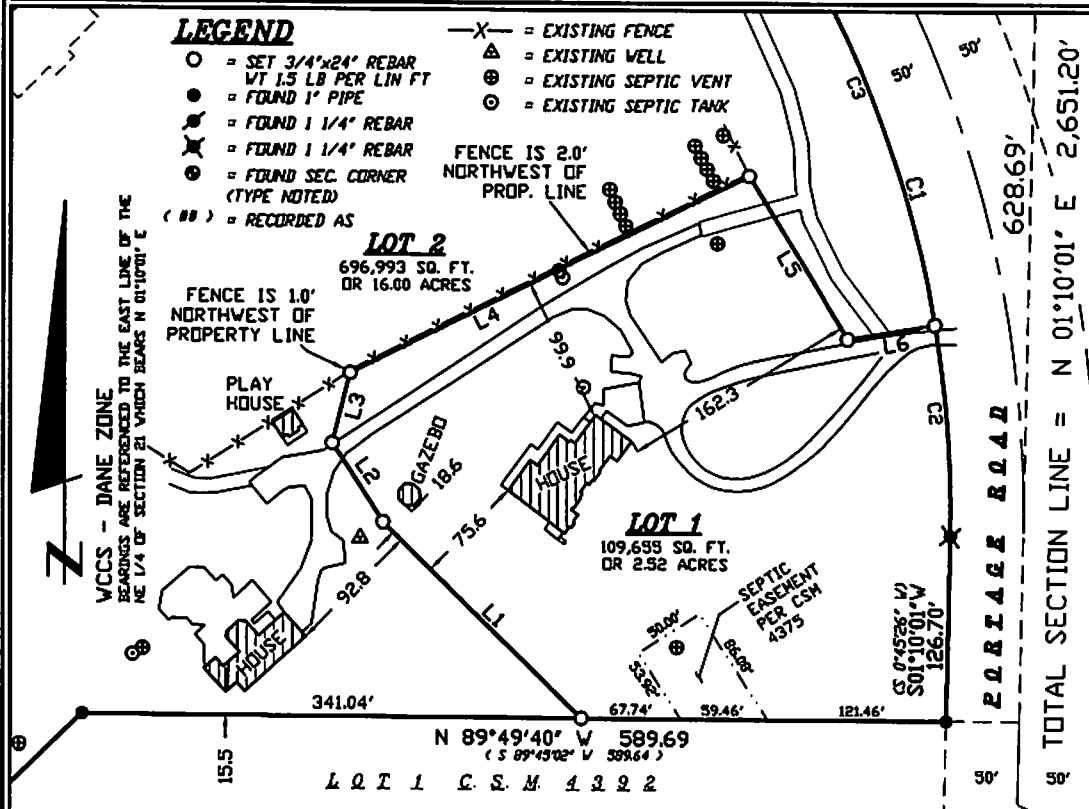
WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the NE 1/4 of the NE 1/4 of Section 21, T8N, R10E, Town of Burke, Dane County, Wisconsin. Including all of Lot 1, Certified Survey Map No. 4375, Vol. 19, Page 26, Document #1838316.

LEGEND

- = SET 3/4"x24" REBAR
VT 1.5 LB PER LIN FT
- = FOUND 1" PIPE
- ⊗ = FOUND 1 1/4" REBAR
- ⊗ = FOUND 1 1/4" REBAR
- ⊗ = FOUND SEC. CORNER (TYPE NOTED)
- (##) = RECORDED AS
- X- = EXISTING FENCE
- △ = EXISTING WELL
- ⊕ = EXISTING SEPTIC VENT
- ⊙ = EXISTING SEPTIC TANK



CURVE TABLE:

CURVE#	ARC	DELTA	RADIUS	CHORD BEAR. & DIST.
C1	503.30'	37°29'57"	769.00'	S 17°34'39" E 494.36' (S 17°59'13" E) (494.35')
C2	144.10'	10°44'11"	769.00'	S 04°11'43" E 143.89'
C3	359.20'	26°45'45"	769.00'	S 22°56'47" E 355.94'

LINE TABLE:

LINE #	BEARING	DISTANCE
L1	N 45°32'23" W	190.93'
L2	N 32°54'56" W	63.43'
L3	N 14°09'59" E	49.64'
L4	N 63°40'35" E	304.46'
L5	S 31°14'38" E	129.29'
L6	N 80°35'04" E	60.15'

SCALE 1" = 100'



SURVEYORS SEAL



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

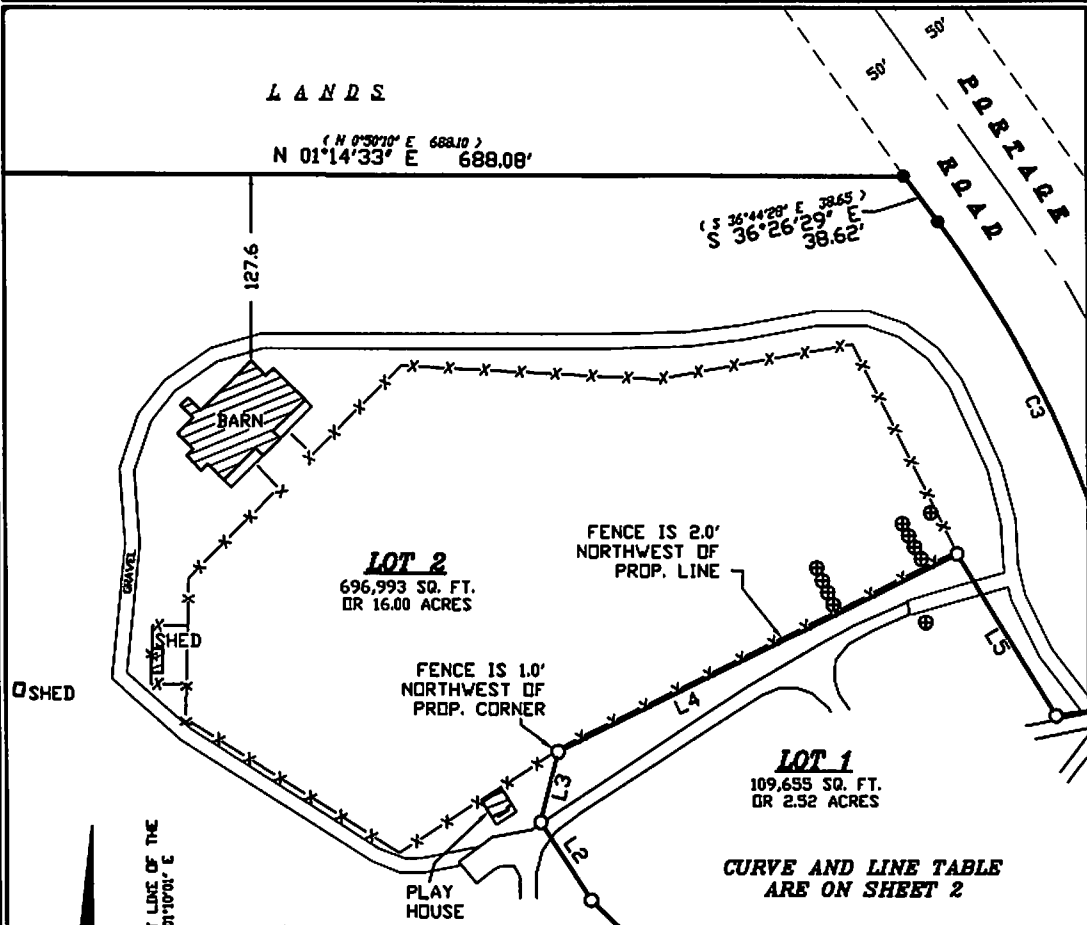
NDA T. PRIEVE & CHRIS V. ADAMS, PROFESSIONAL LAND SURVEYORS

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the NE 1/4 of the NE 1/4 of Section 21, T8N, R10E, Town of Burke, Dane County, Wisconsin. Including all of Lot 1, Certified Survey Map No. 4375, Vol. 19, Page 26, Document #1838516.

L A N D S

(N 0°30'10" E 688.10)
N 01°14'33" E 688.08'



(S 36°44'28" E 38.65')
S 36°26'29" E 38.62'

LOT 2
696,993 SQ. FT.
OR 16.00 ACRES

FENCE IS 2.0'
NORTHWEST OF
PROP. LINE

FENCE IS 1.0'
NORTHWEST OF
PROP. CORNER

LOT 1
109,655 SQ. FT.
OR 2.52 ACRES

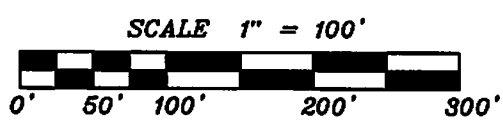
CURVE AND LINE TABLE
ARE ON SHEET 2

Z
VCCS - DANE ZONE
BEARINGS ARE REFERENCED TO THE EAST LINE OF THE
NE 1/4 OF SECTION 21 WHICH BEARS N 01°10'01" E

LEGEND

- = SET 3/4"x24" REBAR WT 1.5 LB PER LIN FT
- = FOUND 1" PIPE
- ⊙ = FOUND 1 1/4" REBAR
- ⊗ = FOUND 1 1/4" REBAR
- ⊕ = FOUND SEC. CORNER (TYPE NOTED)
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- X- = EXISTING FENCE
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- ⊕ = EXISTING SEPTIC VENT
- ⊙ = EXISTING SEPTIC TANK



SURVEYORS SEAL

20W-233

Lane, Roger

From: Heather Shannon <hshannon63@gmail.com>
Sent: Thursday, July 16, 2020 2:48 PM
To: Zoning; Planning & Development
Cc: Heather Shannon; ICE Tom Shannon
Subject: Completed Application for Re-Zoning 5525 Portage Road
Attachments: Completed Re-Zoning Application for 5525 Portage Road 7-16-20.pdf; Burke Cooperative Plan Page 29.pdf

CAUTION: External Email - Beware of unknown links and attachments. Contact Helpdesk at 266-4440 if unsure

Please find attached the completed application form, certified survey, and copy of check #2037 for \$395 for the request to re-zone 5525 Portage Road, Madison, WI 53704 into two (2) parcels (5525 and 5523). We are requesting to be placed on the docket for September's meeting.

We want to retain the Inn property of 2.52 acres at 5525 Portage Road and continue to run it as a bed and breakfast under the current conditional use permit and sell the remaining 16 acres. The current zoning is RM-16 for all 18.52 acres and we are requesting to re-zone the 2.52 acres to RR-2, and keep the remaining 16 acres at RM-16.

It was our understanding that after many meetings and conversations with the City of Madison, that we would not have to go through the entire approval process under the Burke Cooperative Plan (p. 29 attached). We were told if we met the criteria of a minimum of 5 acres and split the property one time with a residence on each property, that it would be a simple 30 day stamping process.

We learned today that we will still need to go through the 4-6 month process of approval through Dane County and that the deadline to apply for the September meeting is today (July 16, 2020). We are emailing this to two (2) separate locations as well as dropping off the application at 210 Martin Luther King Jr. Blvd., Madison, WI at Room #116 in the drop box in order to make the deadline.

Please confirm by email that you have received our request and that we will be on the September meeting calendar.

Thank you,

--

Tom Shannon

Heather R. Alston-Shannon

The Speckled Hen Inn Bed and Breakfast, LLC

5525 Portage Road

Madison, WI 53704

(608) 244-9368 Business

(760) 533-8880 Heather Cell

(760) 522-9799 Tom Cell