

Dane County Rezone & Conditional Use Permit

| | |
|---------------------|-------------------|
| Application Date | Petition Number |
| 07/26/2017 | DCPREZ-2017-11196 |
| Public Hearing Date | C.U.P. Number |
| 10/24/2017 | |

| OWNER INFORMATION | AGENT INFORMATION |
|-------------------|-------------------|
|-------------------|-------------------|

| | | | |
|---|--|---------------------------|------------------------|
| OWNER NAME ZWEIFEL REV TR, FREDERICK & ALICE | PHONE (with Area Code) (608) 837-6013 | AGENT NAME | PHONE (with Area Code) |
| BILLING ADDRESS (Number & Street) 924 KATHERINE DR | | ADDRESS (Number & Street) | |
| (City, State, Zip) SUN PRAIRIE, WI 53590 | | (City, State, Zip) | |
| E-MAIL ADDRESS ACORNZ@CHARTER.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 | |
| WEST OF 7402 WALTER ROAD | | | | | |
| TOWNSHIP MONTROSE | SECTION 29 | TOWNSHIP | SECTION | TOWNSHIP | SECTION |
| PARCEL NUMBERS INVOLVED | | PARCEL NUMBERS INVOLVED | | PARCEL NUMBERS INVOLVED | |
| 0508-294-9690-8 | | | | | |

| 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 | RH-1 Rural Homes District | 2.0 | | |

| | | | | |
|---|--|--|----------------------------------|---|
| C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials <i>FWZ</i> | PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <i>FWZ</i> | DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <i>FWZ</i> | INSPECTOR'S INITIALS SLJ3 | SIGNATURE (Owner or Agent) <i>Frederick Zweifel, Trustee</i> |
|---|--|--|----------------------------------|---|

COMMENTS: SEE DOC# 5215065 ALLOCATION OF LAND SPLITS

| |
|---|
| PRINT NAME: FREDERICK ZWEIFEL, TRUSTEE |
| DATE: 07-26-2017 |

Petition # 11196

Public Hearing Date 10/24/17

Application

- Application filled out and signed
- Metes and bounds description
- Scaled map
- Letter of intent
- If commercial, plan showing proposed improvements (building, parking, landscape)

Zoning Review

- 1. Zoning District fits the proposed land use? Yes / No
- 2. Zoning District fit the proposed and remaining lots (s)? Yes / No
- 3. Proposed lot meet the minimum width and area requirements? Yes / No
- 4. Do the existing structures meet the setbacks for the District? Yes / No
- 5. Do the existing structures meet the height limitations? Yes / No
- 6. Do the existing (proposed) structures meet the lot coverage? Yes / No
- 7. Do the Accessory structures meet the principal structure ratio? Yes / No
- 8. Existing building heights conform to district? Yes / No
- 9. Shoreland, Wetland, Flood plain issues? Yes / No
- 10. Steep slope issues? Yes / No
- 11. Commercial parking standards met? Yes / No
- 12. Screening requirements met? Yes / No
- 13. Outside lighting requirements? Yes / No

Comments: _____

Planning Review

- 1. Density Study Needed? Yes / No
 - 2. Determination of Legal Status Yes / No
 - 3. In compliance with Town plan? Yes / No
 - 4. Land Division Compliance? Yes / No
- Splits 1

Comments: _____

Contacts / Correspondence: (date: issue)



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:

- **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.
- **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 FREDERICK & ALICE ZWEIFEL REVOCABLE TRUST Agent's Name _____
 Address 924 KATHERINE DR, SUN PRAIRIE, WI 53590 Address _____
 Phone 608-837-6013 Phone _____
 Email ACORNZ@CHARTER.NET Email _____

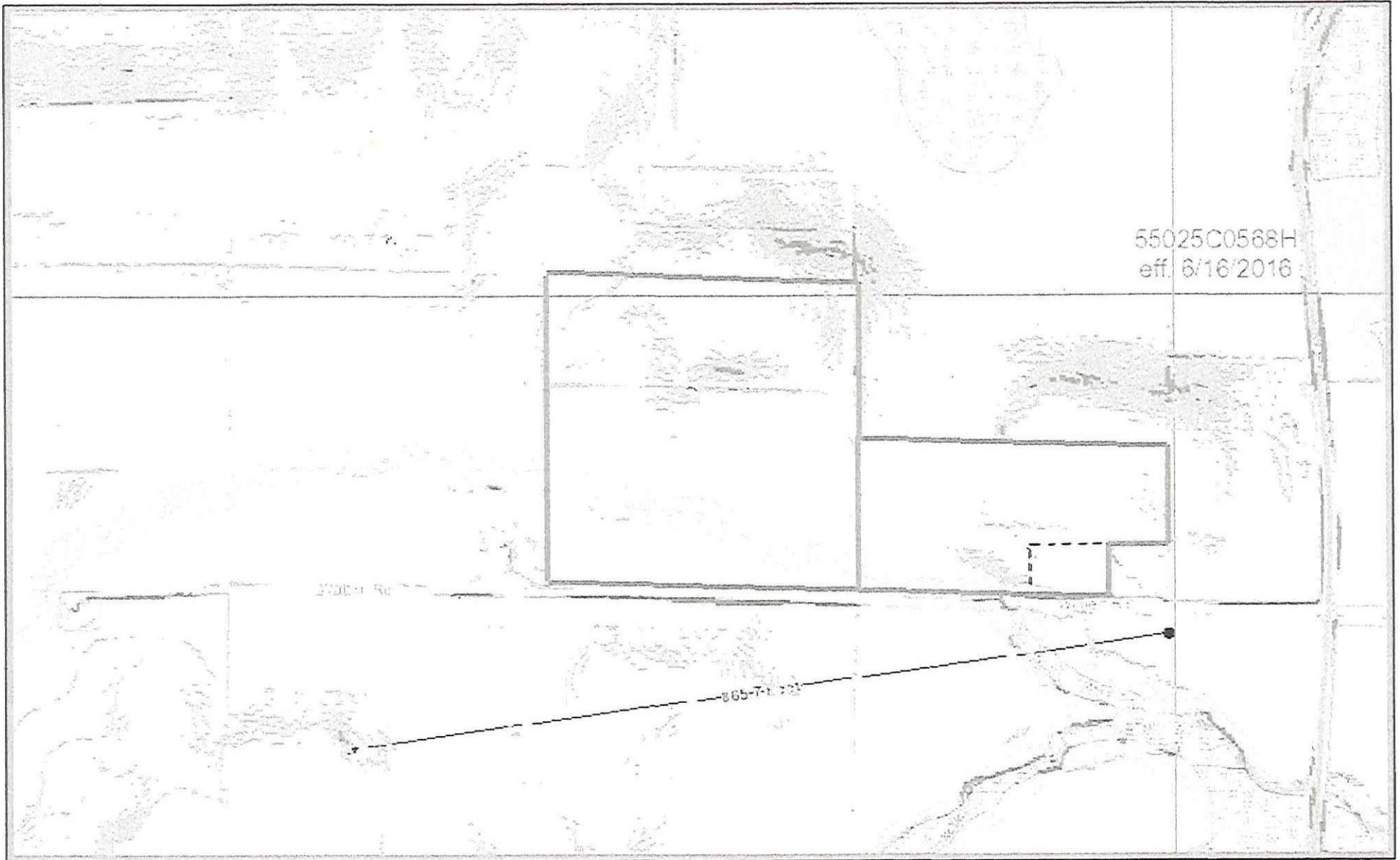
Town: Montrose Parcel numbers affected: 0508-294-9690-8
 Section: 29 Property address or location: WEST OF 7402 WALTER ROAD, BELLEVILLE, WI 53508
 Zoning District change: (To / From / # of acres) RH-1 / A-1EX / 2.00 ACRES NET

Soil classifications of area (percentages) Class I soils: _____% Class II soils: ~~00~~²⁵% Other: 75%







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:
CREATE A TWO-ACRE RESIDENTIAL LOT FOR SALE

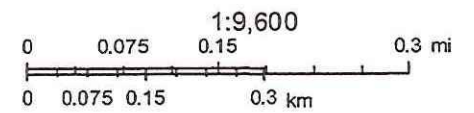
I authorize that I am the owner or have permission to act on behalf of the owner of the property.
 Submitted By: Frederick Zweifel, Trustee Date: 07-26-2017
Alice Zweifel, Trustee 07-26-2017

Dane County Web Map



June 22, 2017

- | | | |
|--|---|---|
|  DNR Wetlands |  20 and greater |  Base Elevation |
| Steep Slopes |  FEMA FIRM Panel |  Base Line |
|  12 to less than 20 |  Special Flood Hazard Text |  Cross Section Lines and Elevation |



Planning
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO.

**EXHIBIT A TO
ALLOCATION OF LAND SPLITS
DATED FEBRUARY 20, 2015**

1. **Trust Parcel**

The Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, Town 5 North, Range 8 East (Township of Montrose); EXCEPT Lot 1 of Certified Survey Plat No. 3158 Recorded May 1, 1979 in Vol. 12 Certified Survey Maps Page 213, Document 1618847.

PIN: 0508-294-9690-8; 0508-294-9000-2

2. **Fahey Parcel:**

The East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 29, Town 5 North, Range 8 East, Township of Montrose, Dane County, Wisconsin. Subject to existing highway over the South side thereof.

PIN: 040/0508-293-8000-5; 040/0508-293-9500-8

3. **LLP Parcel:**

The West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32, Town 5 North, Range 8 East, Township of Montrose, Dane County, Wisconsin. Subject to existing highway over the North Side thereof.

PIN: 040/0508-322-8070-5



**BIRRENKOTT
SURVEYING, INC.**

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, WI. 53590
Phone (608) 837-7463
Fax (608) 837-1081

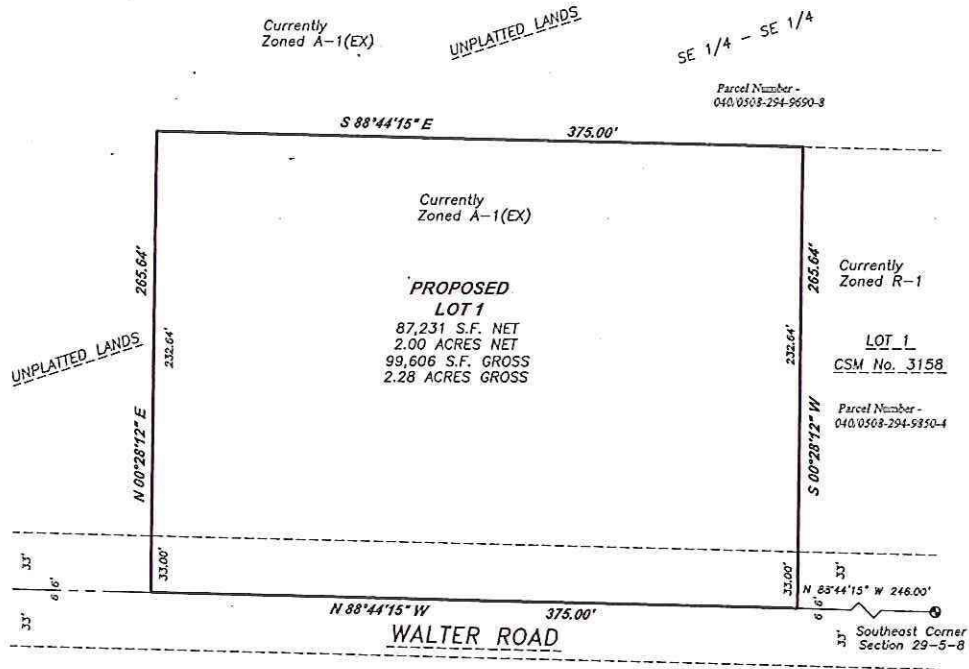
PRELIMINARY CERTIFIED SURVEY MAP / ZONING MAP

Zoning Description:

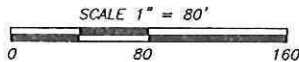
Part of the Southeast ¼ of the Southeast ¼, Section 29, T5N, R8E, Town of Montrose, Dane County, Wisconsin, described as follows: Commencing at the Southeast corner of said Section 29; thence N88°44'15"W, 246.00 feet along the South line of said Section 29 to the point of beginning; thence continuing along the said South line N88°44'15"W, 375.00 feet; thence N00°28'12"E, 265.64 feet; thence S88°44'15"E, 375.00 feet to the Northwest corner of lot 1 of Certified Survey Map No. 3158; thence S00°28'12"W, 265.64 feet along the West line of said Lot 1 to the point of beginning; Containing 87,231 net square feet, or 2.00 net acres, and 99,606 gross square feet, or 2.28 gross acres.

Prepared For:

Zweifel Revocable Trust
924 Katherine Drive
Sun Prairie, WI 53590



Dated: July 21, 2017
Surveyed:
Drawn: B.P.R.
Checked: D.V.B.
Approved: D.V.B.
Field book:
Comp. File: J:\2017\CARLSON
Office Map No. 170691



Bearings referenced to the South line of Section 29 bearing N88°44'15" W



8 9 6 3 9 5 2

Tx:8740171

ALLOCATION OF LAND SPLITS

(This instrument allocates land splits between parcels and is not a conveyance within the meaning of Section 77.21(1), Wisconsin Statutes, and is exempt from transfer tax return and transfer fee.)

20 This Agreement is made and entered into this day of February, 2015, by and between Frederick Zweifel and Alice Zweifel, as trustees of the Frederick and Alice Zweifel Revocable Trust U/A/D March 12, 2012 (the "Trust"), Richard Fahey and Mary Fahey (collectively the "Faheys"), and Fahey Brothers LLP ("LLP").

WHEREAS, the Trust owns a parcel of real property (hereinafter referred to as the "Trust Parcel") that is more particularly described on Exhibit A attached hereto; and

WHEREAS, the Faheys own a parcel of real property (hereinafter referred to as the "Fahey Parcel") that is more particularly described on Exhibit A attached hereto; and

WHEREAS, the LLP owns a parcel of real property (hereinafter referred to as the "LLP Parcel"; the Trust Parcel, Fahey Parcel, and LLP Parcel are hereinafter collectively referred to as the "Subject Parcels") that is more particularly described on Exhibit A attached hereto; and

WHEREAS, the parties have agreed to an allocation of existing legal rights to divide portions of the Subject Parcels into residential building sites; and

WHEREAS, the parties wish to confirm and state their agreement with respect to the foregoing in the manner and form following.

NOW, THEREFORE, for valuable consideration, the parties agree as follows:

1. The parties understand and acknowledge that, as owners of the Subject Parcels, they possess the legal right under applicable ordinances and regulations of the Town of Montrose, Dane County, Wisconsin to divide (i.e., to "split") such property into a total of three (3) residential building sites. Such rights of division of property into residential building sites shall be allocated between the Trust Parcel, Fahey Parcel, and the LLP Parcel as follows:

- (a) One (1) split shall be allocated to the Trust Parcel; and
- (b) Two (2) splits shall be allocated to the Fahey Parcel.

Neither party shall claim the right to any greater number of residential building sites than is allocated to such party under this paragraph. Neither party shall oppose the lawful use of a split allocated to the other party hereunder in the development of a residential building site for single family residential purposes.

**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

**DOCUMENT #
5215065**

02/15/2016 1:21 PM

Trans. Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 9

Return to:

Attorney William L. Fahey

Boardman & Clark LLP

P.O. Box 927

Madison, Wisconsin 53701-0927

See attached Exhibit A

Parcel Identification Number

2. The benefits and burdens set forth herein shall run with the land and shall be binding upon and accrue to the benefit of the parties hereto and their successors in interest to the Trust Parcel, Fahey Parcel and the LLP Parcel, respectively.

IN WITNESS WHEREOF, the parties have placed their hands and seals on the day and year first above-written.

FREDERICK AND ALICE ZWEIFEL
REVOCABLE TRUST U/A/D MARCH 12, 2012

By: _____ (SEAL)
Frederick Zweifel, Trustee

By: _____ (SEAL)
Alice Zweifel, Trustee

_____ (SEAL)
Richard Fahey

_____ (SEAL)
Mary Fahey

FAHEY BROTHERS, LLP

By: Theodore J. Fahey (SEAL)
Theodore Fahey, Partner

[ACKNOWLEDGEMENT ON FOLLOWING PAGES]

2. The benefits and burdens set forth herein shall run with the land and shall be binding upon and accrue to the benefit of the parties hereto and their successors in interest to the Trust Parcel, Fahey Parcel and the LLP Parcel, respectively.

IN WITNESS WHEREOF, the parties have placed their hands and seals on the day and year first above-written.

FREDERICK AND ALICE ZWEIFEL
REVOCABLE TRUST U/A/D MARCH 12, 2012

By: Frederick Zweifel, Trustee (SEAL)
Frederick Zweifel, Trustee

By: Alice Zweifel, Trustee (SEAL)
Alice Zweifel, Trustee

Richard Fahey (SEAL)

Mary Fahey (SEAL)

FAHEY BROTHERS, LLP

By: _____ (SEAL)
Theodore Fahey, Partner

[ACKNOWLEDGEMENT ON FOLLOWING PAGES]

2. The benefits and burdens set forth herein shall run with the land and shall be binding upon and accrue to the benefit of the parties hereto and their successors in interest to the Trust Parcel, Fahey Parcel and the LLP Parcel, respectively.

IN WITNESS WHEREOF, the parties have placed their hands and seals on the day and year first above-written.

FREDERICK AND ALICE ZWEIFEL
REVOCABLE TRUST U/A/D MARCH 12, 2012

By: _____ (SEAL)
Frederick Zweifel, Trustee

By: _____ (SEAL)
Alice Zweifel, Trustee

Richard Fahey _____ (SEAL)
Richard Fahey

Mary Fahey _____ (SEAL)
Mary Fahey

FAHEY BROTHERS, LLP

By: _____ (SEAL)
Theodore Fahey, Partner

[ACKNOWLEDGEMENT ON FOLLOWING PAGES]

ACKNOWLEDGEMENT

STATE OF WISCONSIN)
)
COUNTY OF DANE)

ss.

Personally came before me this 20th day of February, 2015, the above-named Frederick Zweifel, as trustee of the Frederick and Alise Zweifel Revocable Trust U/A/D March 12, 2012, to me known to be the person who executed the foregoing instrument and acknowledged the same.



[Handwritten signature]

Rachel Schumann

Notary Public, Dane County, Wisconsin.
My commission: 02/05/2018

STATE OF WISCONSIN)
)
COUNTY OF DANE)

ss.

Personally came before me this 20th day of February, 2015; the above-named Alice Zweifel, as trustee of the Frederick and Alice Zweifel Revocable Trust U/A/D March 12, 2012, to me known to be the person who executed the foregoing instrument and acknowledged the same.



[Handwritten signature]

Rachel Schumann

Notary Public, Dane County, Wisconsin.
My commission: 02/05/2018

STATE OF WISCONSIN)
)
COUNTY OF DANE)

ss.

Personally came before me this ____ day of February, 2015, the above-named Richard Fahey, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.
My commission: _____

ACKNOWLEDGEMENT

STATE OF WISCONSIN)
)
COUNTY OF DANE) ss.

Personally came before me this ____ day of February, 2015, the above-named Frederick Zweifel, as trustee of the Frederick and Alice Zweifel Revocable Trust U/A/D March 12, 2012, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.
My commission: _____

STATE OF WISCONSIN)
)
COUNTY OF DANE) ss.

Personally came before me this ____ day of February, 2015, the above-named Alice Zweifel, as trustee of the Frederick and Alice Zweifel Revocable Trust U/A/D March 12, 2012, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.
My commission: _____

STATE OF WISCONSIN)
)
COUNTY OF DANE) ss.


Personally came before me this 5th day of February, 2015, the above-named Richard Fahey, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.
My commission: 04/10/2014

Sarah Prechel

STATE OF WISCONSIN)
)
COUNTY OF DANE) ss.

Personally came before me this 5th day of February, 2015, the above-named Mary Fahey, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Notary Public, Dane County, Wisconsin
My commission: 04/10/2016
Sarah Prechel

STATE OF WISCONSIN)
)
COUNTY OF DANE) ss.

Personally came before me this ____ day of February, 2015, the above-named Theodore Fahey, as partner of Fahey Brothers LLP, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.
My commission: _____

*This document drafted by
Attorney Josh C. Kopp
Boardman & Clark LLP
1 South Pinckney Street, Suite 410
Madison, WI 53701*

F:\DOCS\WDI\66920\3\A\2092653.DOCX

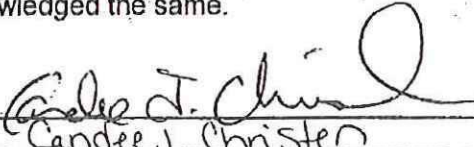
STATE OF WISCONSIN)
)
COUNTY OF DANE) ss.

Personally came before me this ____ day of February, 2015, the above-named Mary Fahey, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.
My commission: _____

STATE OF WISCONSIN)
)
COUNTY OF DANE) ss.

Personally came before me this 18th day of JAN 2016 ~~February, 2015~~, the above-named Theodore Fahey, as partner of Fahey Brothers LLP, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Candee J. Christen
Notary Public, Dane County, Wisconsin.
My commission: 1/25/2019

*This document drafted by
Attorney Josh C. Kopp
Boardman & Clark LLP
1 South Pinckney Street, Suite 410
Madison, WI 53701*


F:\DOCS\WD\66920\3\A2092653.DOCX




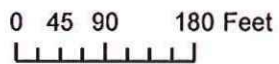
Legend

Significant Soils  Floodplain

Class  Wetland

 Class 1

 Class 2



Petition 11196
 ZWEIFEL REV TR,
 FREDERICK & ALICE