

# Dane County Rezone & Conditional Use Permit

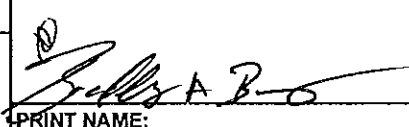
Application Date	Petition Number
01/16/2015	DCPREZ-2015-10819
Public Hearing Date	C.U.P. Number
03/24/2015	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME D & C RANCH LLC	PHONE (with Area Code) (608) 455-5048	AGENT NAME BRADLEY BAVERY	PHONE (with Area Code) (608) 345-1583
BILLING ADDRESS (Number & Street) 4543 W RUTLAND RD		ADDRESS (Number & Street) N6353 PSALMS WAY	
(City, State, Zip) BROOKLYN, WI 53521		(City, State, Zip) Albany, WI 53508	
E-MAIL ADDRESS		E-MAIL ADDRESS jbavery20@yahoo.com	

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 4559 West Rutland Rd					
TOWNSHIP RUTLAND	SECTION 30	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-304-8713-0					

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	2.3		

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials <u>DB</u>	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <u>DB</u>	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <u>DB</u>	INSPECTOR'S INITIALS  SCW1	SIGNATURE:(Owner or Agent)  PRINT NAME: Bradley A Bavery
				DATE: 4/16/15

Petition # 10819

Public Hearing Date 3/24/15

**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:

- 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 Paul Paul Paul Paul Agent's Name THOM GRENLIE  
 Billing Address 4543 W Rutland Rd Brooklyn WI 53521 Address 400 S. NINE MOUND  
 Phone 608-455-5048 Phone 845-6582 VERONA, WI 53593  
 Email NONE Email HCOMBS@TDS.NET

Town: RUTLAND Parcel numbers affected: 0570-304-8713-0  
 Section: 30 Property address or location: \_\_\_\_\_  
 Zoning District change: (To / From / # of acres) A-1 EX TO RH-1

Soil classifications of area (percentages) Class I soils: \_\_\_\_\_% Class II soils: 100% Other: \_\_\_\_\_%

Narrative: (reason for change, intended land use, size of farm, time schedule)

- o Separation of buildings from farmland
- Creation of a residential lot
- o Compliance for existing structures and/or land uses
- o Other:

Agent, Bradley A Bavery  
16353 Psalms Way  
Albany WI 53502  
bbavery20@yahoo.com  
608 345-1583

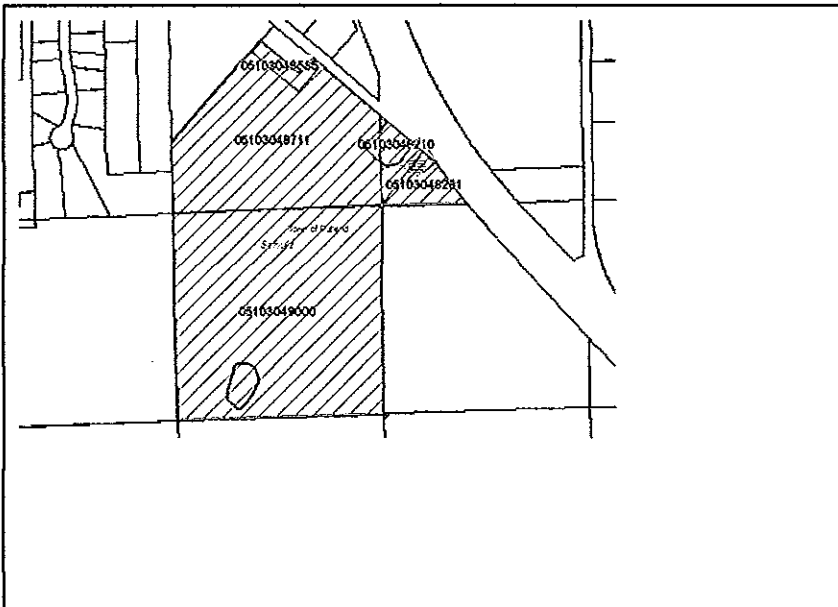
I authorize that I am the owner or have permission to act on behalf of the owner of the property.  
 Submitted By: Bradley A Bavery Date: 1/16/15

# DRAFT: FOR DISCUSSION PURPOSE ONLY

## ZLR Committee - - Public Hearing

IMPORTANT NOTE: ACREAGE VALUES AND OWNERSHIP HEREIN ARE DERIVED FROM HISTORICAL AND CURRENT RECORDS LOCATED AT THE DANE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT (EG. GIS, PLAT BOOKS, ZONING PERMIT DATA, CSM'S, ETC). DENSITY POLICIES VARY AMONG TOWNS AND MAY REQUIRE INTERPRETATION.

<b>Hearing Date:</b> 03/27/2007		<b>Petition Number:</b> 9667		<b>Applicant Name:</b>	
<b>TOWN</b>	Rulland	<b>ADOPTION</b>	06/07/1978	<b>Orig. Farm Owner</b>	Schulz
<b>SECTION</b>	30	<b>1 Split Per 35 Acres</b>		<b>Orig. Farm Acres</b>	69.92
<b>Previous Density Study:</b> 03/27/2007		<b>Available Splits</b>		1	



**Reasons/Notes:**

<>

Parcel #	Description	Acres	Owner	CSM
05103049004		40.40	SCHULZ, DEAN L & JUDITH A ET AL	
05103049004		40.40	SCHULZ, DEAN L & JUDITH A ET AL	
051030482013		1.19	SCHULZ, DEAN L & JUDITH A ET AL	
051030487116		24.12	SCHULZ, DEAN L & JUDITH A ET AL	
051030482102		1.39	SCHULZ, DEAN L JR & BOBBIE L	07014
051030482102		1.39	SCHULZ, DEAN L JR & BOBBIE L	07014
051030487116		24.12	SCHULZ, DEAN L & JUDITH A ET AL	
051030487116		24.12	SCHULZ, DEAN L & JUDITH A ET AL	
051030485654		2.30	SCHULZ, LENORE A, ,	00754

# TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # 9667

Dane County Zoning & Land Regulation Committee Public Hearing Date 3/27/2007

Whereas, the Town Board of the Town of Rutland having considered said zoning petition,

be it therefore resolved that said petition is hereby (check one):  Approved  Denied  Postponed

Town Planning Commission Vote: 5 in favor 0 opposed 0 abstained

Town Board Vote: 4 in favor 0 opposed 0 abstained

## THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

1.  Deed restriction limiting use(s) in the \_\_\_\_\_ zoning district to only the following:
  
2.  Deed restrict the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):
  
3.  Deed restrict the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):
  
4.  Condition that the applicant must record a *Notice Document* which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):
  
5.  Other Condition(s). Please specify:  
Amend the original petition rezoning requested from R-1 to R-3.

**Please note:** The following space is reserved for comment by the minority voter(s), OR, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

It was entered into the record that the Schulz property was 69.9 acres in 1978; one split has been used prior to this split. The State purchased 0.4 acres on 8/1/1969 (Volume 120 Page 195 Doc 1245693) for Hwy R/W. The town has allowed land purchased by the State for road r/w to be included when calculating the number of splits allowed. In this instance, adding the 0.4 acres would bring the total acreage to 70.3 acres and be eligible for 2 splits. This rezoning would be the last remaining split, but there could still be a homesite on the remaining A-1 Ex. land either by a postage stamp rezone or a farm plan.

I, Dawn George, as Town Clerk of the Town of Rutland, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 4/5/2007  
Town Clerk Dawn George Date: 4/5/2007 11:18:02 PM

# STAFF REPORT

## DANE COUNTY ZONING & LAND REGULATION COMMITTEE

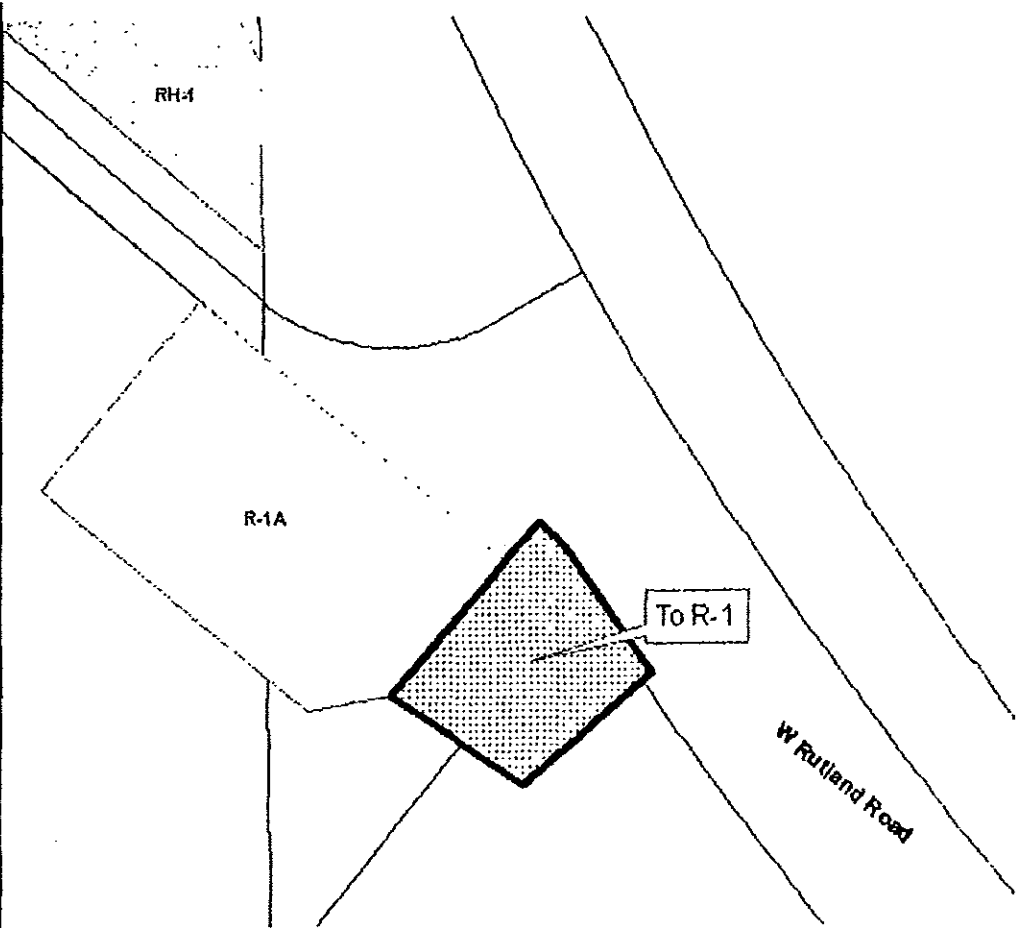
Dane County Application for Change in Zoning or CUP	Hearing Date: 3/27/2007 Item #: 9
Zoning Petition #: 9667 C.U.P. #: None	Town/Section: Town of RUTLAND 30
Applicant: DEAN SCHULZ	Location: 4543 WEST RUTLAND ROAD
Area: 0.61 acres Delayed Effective Date: NO Change: From A-1EX Exclusive Agricultural To R-1 Residential	Rezone Reason: CREATE A RESIDENTIAL LOT

**Town Action:**  
No town action received as of 3/20/07

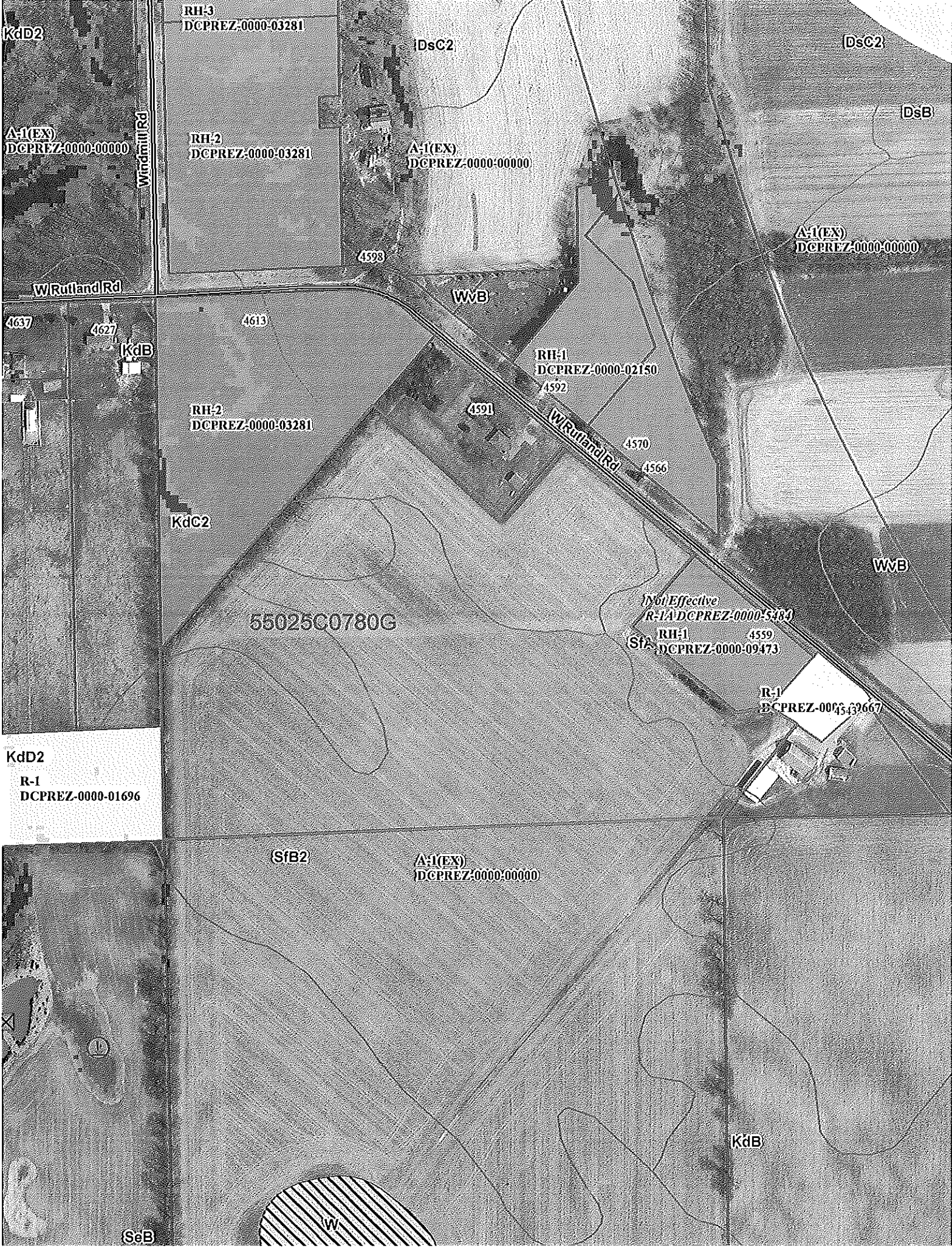
**Staff Comments:**  
Proposed zoning lot (not a separate parcel) to enable replacement of old farm home.

**Density Study Attached:**  
Yes. One (1) split remains. Note that replacement of residences existing prior to 6/7/78 does not count as a split under the town density policy. If approved, it appears one (1) split will remain.

**Recommended Conditions:** Postpone pending town action.



<p style="text-align: center;"><b>TOWN ACTION RECOMMENDATION</b></p> <p><input checked="" type="checkbox"/> Approved <u>4-5-07</u></p> <p><input type="checkbox"/> Denied _____</p> <p>Subject To: <input type="checkbox"/> Conditions <input type="checkbox"/> Amendments</p> <p>IF CUP: <input type="checkbox"/> Conditions <input type="checkbox"/> None</p>	<p style="text-align: center;"><b>ZLR COMMITTEE ACTION - REZONING</b></p> <p><input checked="" type="checkbox"/> Postponed <u>3-27-07</u></p> <p><input checked="" type="checkbox"/> Approve <input checked="" type="checkbox"/> Cond' Amnd Town <input type="checkbox"/> Cond' Amnd Comm <input type="checkbox"/> As Conditioned _____</p> <p><input checked="" type="checkbox"/> Amended <input checked="" type="checkbox"/> Changed Zone Dist. <u>R-3</u> <input type="checkbox"/> Changed Boundary Description</p> <p><input type="checkbox"/> DENY</p> <p>Action Date <u>4-10-07</u> <span style="float: right;">5 - Vote</span></p>	<p style="text-align: center;"><b>ZLR CUP APPROVAL</b></p> <p><input type="checkbox"/> Approved <input type="checkbox"/> As Specified by Town</p> <p><input type="checkbox"/> Con by ZLR <input type="checkbox"/> DENY Date _____</p> <hr/> <p style="text-align: center;"><b>COUNTY BOARD ACTION REZONING</b></p> <p><input type="checkbox"/> Referred <input type="checkbox"/> Amended on Floor <input checked="" type="checkbox"/> Approved <input type="checkbox"/> DENY Date <u>4-19-07</u> County Board agenda item</p>
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KdD2  
A-1(EX)  
DCPREZ-0000-00000  
Windmill Rd  
W Rutland Rd

RH-3  
DCPREZ-0000-03281  
RH-2  
DCPREZ-0000-03281

DsC2  
A-1(EX)  
DCPREZ-0000-00000  
4598

DsC2  
DsB  
A-1(EX)  
DCPREZ-0000-00000

4637  
4627  
KdB  
KdC2

4613  
RH-2  
DCPREZ-0000-03281

WWB  
RH-1  
DCPREZ-0000-02150  
4592  
4591  
W Rutland Rd

4570  
4566  
WWB

55025C0780G

Not Effective  
R-1A DCPREZ-0000-5484  
RH-1  
SfA DCPREZ-0000-09473  
4559

R-1  
DCPREZ-0000-43667

KdD2  
R-1  
DCPREZ-0000-01696

SfB2

A-1(EX)  
DCPREZ-0000-00000

KdB

W

SeB

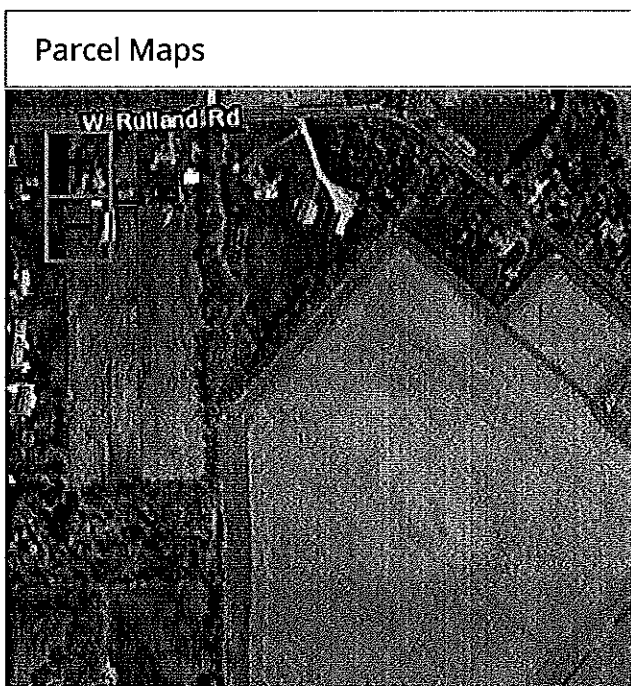
Parcel Number -  
052/0510-304-8713-0

Current

Summary Report

← Parcel  
Parents

Parcel Summary		More +
Municipality Name	TOWN OF RUTLAND	
Parcel Description	SEC 30-5-10 NW1/4 SE1/4 EXC NLY OF RD AL...	
Owner Name	D & C RANCH LLC	🔒
Primary Address	No parcel address available.	
Billing Address	4543 W RUTLAND RD BROOKLYN WI 53521	



DCiMap

Assessment Summary		More +
Assessment Year	2014	
Valuation Classification	G4	
Assessment Acres	23.660	
Land Value	\$4,500.00	
Improved Value	\$0.00	
Total Value	\$4,500.00	

Show Valuation Breakout

Zoning Information

For the most current and complete zoning information, contact the Division of Zoning.

Zoning
A-1(EX)

Zoning District Fact Sheets

Tax Summary (2014) More +

E-Statement

E-Bill

E-Receipt

Assessed Land Value	Assessed Improvement Value	Total Assessed Value
\$4,500.00	\$0.00	\$4,500.00
Taxes:		\$77.44
Lottery Credit(-):		\$0.00
First Dollar Credit(-):		\$0.00
Specials(+):		\$0.00
Amount:		\$77.44

District Information



Type	State Code	Description
REGULAR SCHOOL	44	OREGON SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE
OTHER DISTRICT	26BR	BROOKLYN FIRE
OTHER DISTRICT	26BR	EMS BROOKLYN

Recorded Documents				
Doc. Type	Date Recorded	Doc. Number	Volume	Page
QCD	05/02/2007	4304772		

Show More ▼

## DocLink

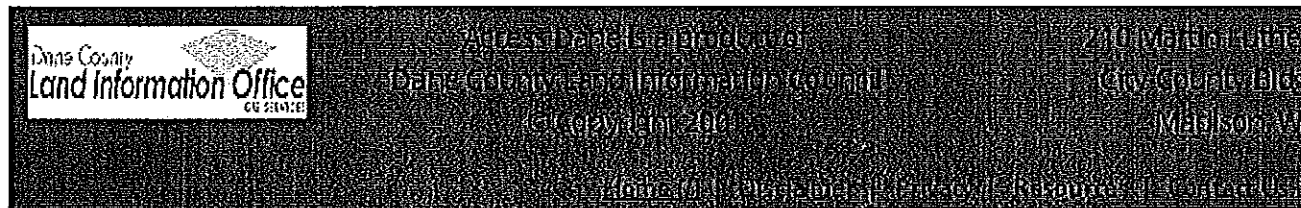
DocLink is a feature that connects this property to recorded documents. If you'd like to use DocLink, all you need to do is select a link in this section. There is a fee that will require either a credit card or user account. Click here for instructions.

By Parcel Number: 0510-304-8713-0

By Owner Name: D & C RANCH LLC

Document Types and their Abbreviations

Document Types and their Definitions



SURVEYOR'S CERTIFICATE

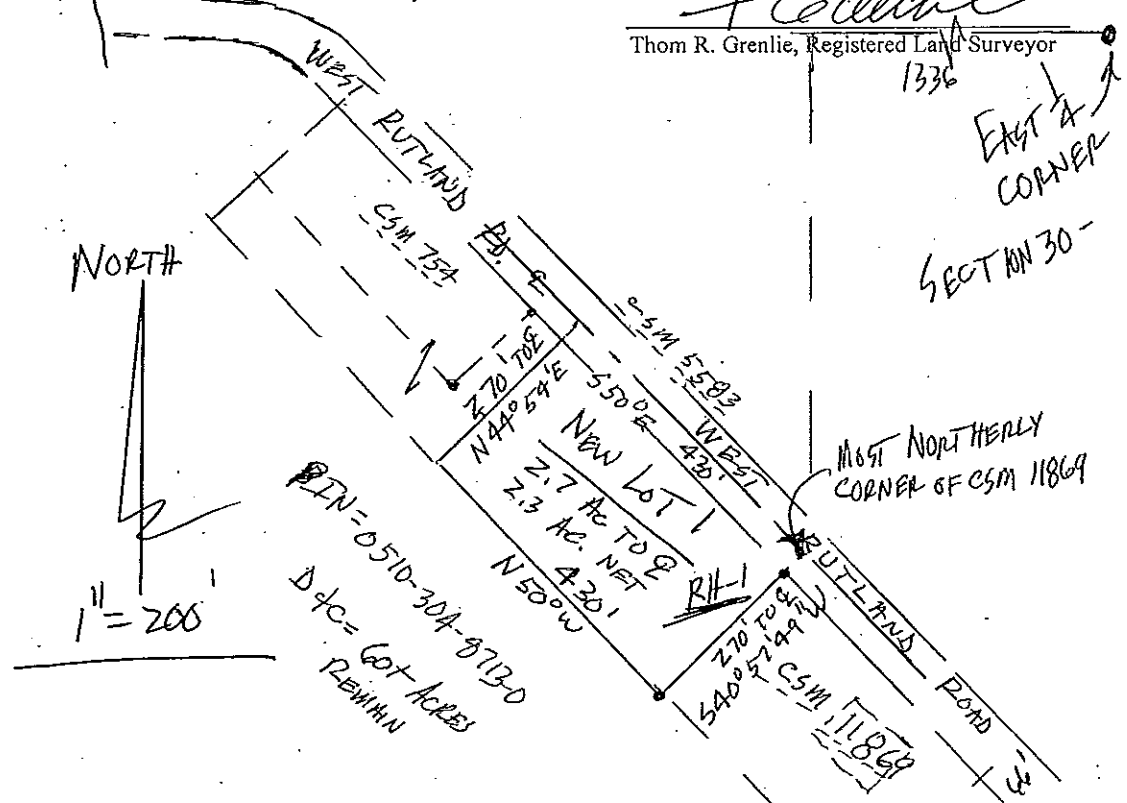
State of Wisconsin )  
 County of Dane ) SS.

**CERTIFIED SURVEY MAP**

**PRELIMINARY**

I, Thom R. Grenlie, hereby certify that this survey is in compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that I have surveyed and mapped the lands described hereon and that the map is a correct representation of all exterior boundaries of the land surveyed and the division of that land with the information provided.

Thom R. Grenlie, Registered Land Surveyor  
 1336



LEGAL DESCRIPTION FOR REZONE TO RH-1 (DED: YES)

A PART OF THE NW1/4 OF THE SE1/4 OF SECTION 30, T5N, R10E, TOWN OF RUTLAND, DANE CO, WI, DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE MOST NORTHERLY CORNER OF CSM NO. 11869, IN THE CENTERLINE OF WEST RUTLAND ROAD; THENCE S40°57'49" W 270.00 FEET; THENCE N50°W 430 FEET; THENCE N44°54' E 270 FEET TO THE CENTERLINE OF WEST RUTLAND ROAD; THENCE S50°E 430 FEET TO THE POINT OF BEGINNING.  
 CONTAINS 2.7± ACRES.

100% CLASS II SOILS

LEGEND

Scale: 1 inch = 200 ft.  
 ● iron stake found  
 ○ 1"x24" iron pipe set  
 min. wt. = 1.13#/in. ft.

SURVEYED NOT  
 DRAWN \_\_\_\_\_  
 APPROVED \_\_\_\_\_  
 FIELD BOOK \_\_\_\_\_  
 DATE 1-13-15  
 TAPE/FILE \_\_\_\_\_

OFFICE MAP NO. \_\_\_\_\_

D & C RANCH, LLC

SURVEYED FOR: C/O BRAD BAVERLY, NEPHEW 345-1583  
 N6353 PSALMS WAY, ALBANY, WI 53502

DESCRIPTION-LOCATION: PRT NW1/4, SE1/4, SEC. 30, T5N, R10E, TOWN OF RUTLAND, DANE CO, WI

APPROVED FOR RECORDING PER DANE COUNTY ZONING & LAND REG. COMMITTEE action of \_\_\_\_\_

REGISTER OF DEEDS CERTIFICATE DAN EVERSON

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ m. and recorded in Volume \_\_\_\_\_ of Certified Survey Maps of Dane County on Page \_\_\_\_\_

Register of Deeds

DOCUMENT # \_\_\_\_\_  
 CERTIFIED SURVEY MAP # \_\_\_\_\_ Vol. \_\_\_\_\_ Page \_\_\_\_\_