

# Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
08/21/2014	DCPREZ-2014-10764
Public Hearing Date	C.U.P. Number
10/28/2014	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME JAMES THOMAS BARBER	PHONE (with Area Code) (608) 770-6121	AGENT NAME BIRRENKOTT SURVEYING	PHONE (with Area Code) (608) 837-7463
BILLING ADDRESS (Number & Street) 2216 US HIGHWAY 51 N		ADDRESS (Number & Street) 1677 N BRISTOL ST	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip) SUN PRAIRIE, WI 53590	
E-MAIL ADDRESS		E-MAIL ADDRESS AKASPER@BIRRENKOTTSURVEYING.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	
PROPERTY SOUTH OF 1987 US HIGHWAY 51				PROPERTY DIRECTLY SOUTH OF 1987 US HIGHWAY 51	
TOWNSHIP DUNN	SECTION 26	TOWNSHIP	SECTION	TOWNSHIP DUNN	SECTION 26
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0610-262-9910-2				0610-262-9841-0	

REASON FOR REZONE			CUP DESCRIPTION	
CLEAN UP PROPERTY LINES; CREATE ONE ZONING DISTRICT				
FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1Ex Exclusive Ag District	B-1 Local Business District	1.02		
R-4 Residence District	B-1 Local Business District	0.468		

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	INSPECTOR'S INITIALS RWL1 SJW3	SIGNATURE:(Owner or Agent) <i>Mark A. Pynnönen</i>
Applicant Initials <i>Map</i>	Applicant Initials <i>Map</i>	Applicant Initials <i>Map</i>		PRINT NAME: MARK A. PYNNONEN
COMMENTS: CLEAN UP PROPERTY LINES; CREATE ONE ZONING DISTRICT				DATE: AUGUST 21, 2014

*FOR BIRRENKOTT SURVEYING*



DANE COUNTY  
**PLANNING & DEVELOPMENT**

**Zoning Change Application**

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

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	<u>JAMES T BARBER</u>	Agent's Name	<u>BIRRENKOTT SURVEYING INC.</u>
Address	<u>1987 US HIGHWAY 51, STOUGHTON WI 53589</u>	Address	<u>1677 N. BRISTOL ST. SUN PRAIRIE, WIS. 53590</u>
Phone	<u>608-770-6121</u>	Phone	<u>(608) 837-7463</u>
Email	<u></u>	Email	<u>akasper@birrenkottsurveying.com</u>

Town: Dunn Parcel numbers affected: 028/0610-262-9851-0, 028/0610-262-9841-0, 028/0610-262-9910-2

Section: 26 Property address or location: 1995 BARBER DR., STOUGHTON WI 53589

Zoning District change: (To / From / # of acres) B-1 / A-1 (ex) / ~~2.05~~ 1.02  
B-1/R-4 0.46

Soil classifications of area (percentages) Class I soils:      % Class II soils: 70 % Other: 30 %

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:

cleaning up property lines with two types of zoning.

I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: *Anthony Kasper*

Date: 8-21-14

RESOLUTION NO. 2007-09  
TOWN OF DUNN  
DANE COUNTY, WISCONSIN

A RESOLUTION TO DISCONTINUE A PORTION OF CHARLES LANE (A/K/A UNKNOWN NAME ROAD IN SECTION 26) LOCATED IN THE TOWN OF DUNN, DANE COUNTY, WISCONSIN

RECITALS

A. The public interest requires that a portion of Charles Lane in the Town of Dunn ("Town"), described in Exhibit A (the "Right-of-Way") and diagramed in Exhibit B be discontinued.

B. This resolution was introduced before the Town Board of the Town of Dunn on May 21, 2007. A Notice of Pendency of Application to vacate the Right of Way was filed with the Register of Deeds for Dane County on May 18, 2007. The Notice of Hearing regarding the resolution was posted in three locations on June 18, 2007. A copy of the Notice of Hearing was hand delivered or served more than 30 days prior to the hearing in the manner prescribed by law on the owners of all the frontage of the lots and lands abutting upon the Right-of-Way. A public hearing was held before the Town Board on July 16 and August 20, 2007.

C. This matter has been considered by the Town Plan Commission, which recommended conditional approval with a deed restriction that the property can only be used as parking lot primarily associated with the two lots to the north (parcels 0610-262-9910-2 and 0610-262-9851-0).

D. No proper written objection to the discontinuance of the Right-of-Way was filed with the Town Clerk.

NOW, THEREFORE, pursuant to sec. 66.1003, Wis. Stats., the Town Board of the Town of Dunn hereby resolves as follows:

1. Discontinuance of Right-of-Way. The Right-of-Way described in Exhibit A is hereby vacated and discontinued subject to a deed restriction that the property can only be used as a parking lot primarily associated with the two lots to the north (parcels 0610-262-9910-2 and 0610-262-9851-0).



4 3 5 4 2 3 5 4 \*  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
4354235

09/07/2007 08:08AM

Exempt #:

Rec. Fee: 17.00  
Pages: 4

Return to:  
Town Clerk, Town of Dunn  
4156 CTH B  
McFarland, WI 53558

Parcel No. 028/0610-262-9851-0  
028/0610-262-9910-2

417

2. Clerk/Treasurer Duties. The Town Clerk/Treasurer is instructed to record a certified copy of this resolution with the Dane County Register of Deeds.
3. Official Map Amendment. The Town's official map shall be amended to be consistent with the resolution.

The above resolution was duly adopted at a meeting of the Town Board of the Town of Dunn on the 20<sup>th</sup> day of August, 2007.

APPROVED:

*Edmond P. Mimiha*  
 By Edmond P. Mimiha, Town Chair

ATTEST:

*Rosalind Gausman*  
Rosalind Gausman, Town Clerk/Treasurer

Approved: 8-20-07

Posted: 9-6-07

This instrument was acknowledged before me on August 20, 2007 by Edmond P. Mimiha as Town Chair and Rosalind Gausman, Town Clerk/Treasurer of the Town of Dunn, Dane County, Wisconsin.

*Chas Hasslinger*  
 Notary Public, State of Wisconsin  
 My commission expires: July 25, 2010

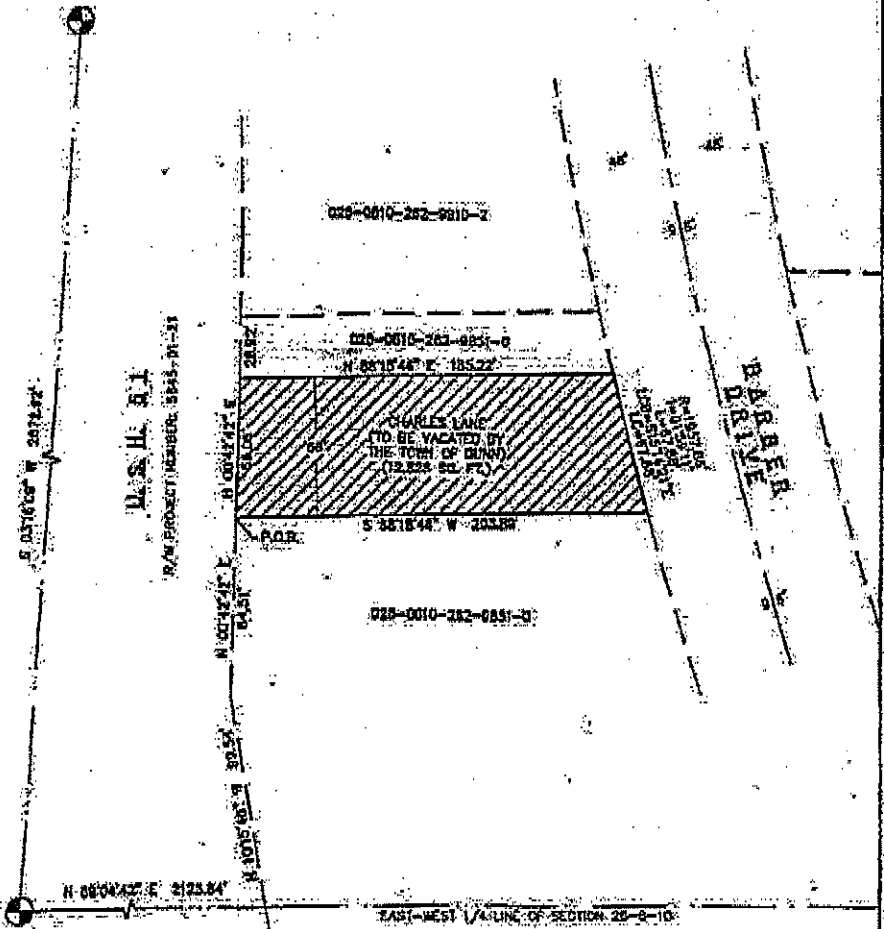


This instrument was drafted by:  
 Rosalind Gausman, Clerk/Treasurer  
 Town of Dunn, and  
 Christopher B. Hughes  
 Stafford Rosenbaum LLP  
 3 South Pinckney Street, Suite 1090  
 Post Office Box 1784  
 Madison, Wisconsin 53701-1784  
 608/256-0226

Exhibit B

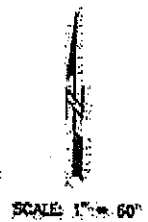
# TOWN OF DUNN CHARLES LANE RIGHT-OF-WAY VACATION

FOUND ALIGNMENT  
AT THE NORTHWEST CORNER  
OF SECTION 26-6-10



FOUND ALIGNMENT  
AT THE WEST 1/4 CORNER  
OF SECTION 26-6-10

LANDS



PLOT VIEW: PLOT  
X:\projects\B\BAR03\Plot of Survey\BAR03-vacation.dwg

BAR03  
SHEET 1 OF 1

**EXHIBIT A**

**Legal Description of portion of Charles Lane proposed to be vacated.**

Part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 6 North, Range 10 East, Town of Dunn, Dane County, Wisconsin, more fully described as follows:

Commencing at the West quarter corner of said Section 26; thence North 89 degrees 04 minutes 42 seconds East, along the East-West quarter line of said Section 26, 2125.84 feet to the Easterly right-of-way of United States Highway (U.S.H.) 51 (WISDOT R/W Project No. 5845-01-21); thence North 10 degrees 15 minutes 46 seconds West, along said Easterly right-of-way line, 99.54 feet; thence North 00 degrees 42 minutes 42 seconds East, along said Easterly right-of-way line, 84.51 feet to the point of beginning of this description; thence continuing North 00 degrees 42 minutes 42 seconds East, along said Easterly right-of-way line, 66.06 feet; thence North 88 degrees 15 minutes 46 seconds East, 185.22 feet to the Westerly right-of-way line of Barber Drive and a point of curvature; thence along said Westerly right-of-way line and the arc of a curve to the left through a central angle of 01 degree 59 minutes 11 seconds, an arc distance of 67.88 feet, a radius of 1957.86 feet and a chord bearing South 15 degrees 14 minutes 21 seconds East, 67.88 feet; thence South 88 degrees 15 minutes 46 seconds West, 203.89 feet to the point of beginning. This description contains approximately 12,328 square feet or 0.2945 acres.

HADATAWORDADMINVIBANDAGREEMENTFORPAYMENTOFCOSTS, BARBER, 400-  
0316071601



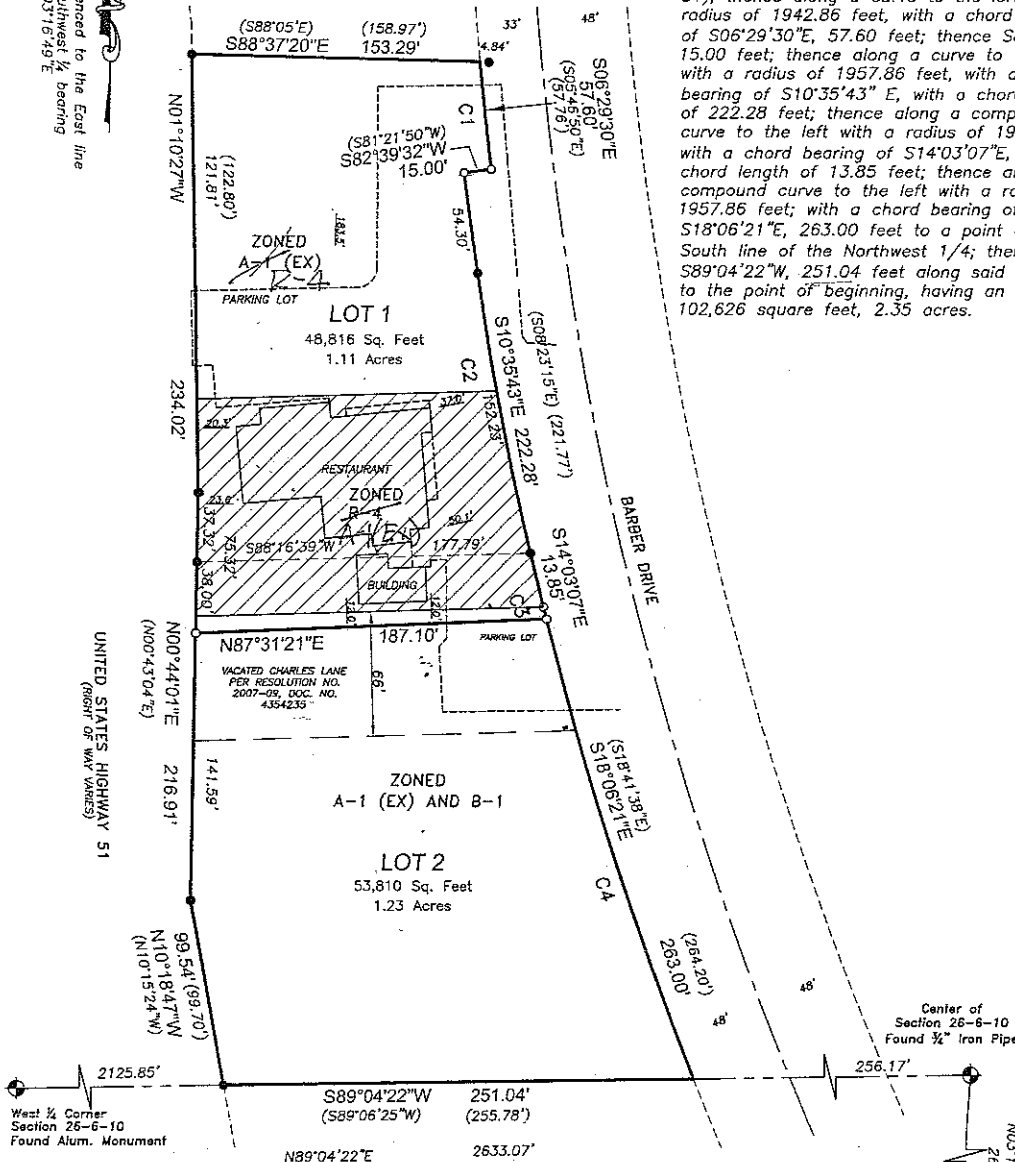
**BIRRENKOTT  
SURVEYING, INC.**

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

**ZONING MAP**

Part of Government Lot Two (2) being the fractional Southeast 1/4 of the Northwest 1/4 of Section 26, Township 6 North Range 10 East, in the Town of Dunn, Dane County, Wisconsin, more fully described as follows: Commencing at the West quarter corner of said Section 26; thence N89°04'22"E, 2125.85 feet along the South line of the Northwest 1/4 of Section 26 to a point on the East right-of-way line of U. S. Highway 51 and the point of beginning; thence N10°18'47"W, 99.54 feet along said East line of U. S. Highway 51; thence N00°44'01"E, 216.91 feet; thence N01°10'27"W, 234.02 feet; thence S88°37'20"E 153.29 feet to a point on the Westerly right of way of Barber Drive (formerly U. S. Highway 51); thence along a curve to the left with a radius of 1942.86 feet, with a chord bearing of S06°29'30"E, 57.60 feet; thence S82°39'32"W 15.00 feet; thence along a curve to the left with a radius of 1957.86 feet, with a chord bearing of S10°35'43"E, with a chord length of 222.28 feet; thence along a compound curve to the left with a radius of 1957.86 feet, with a chord bearing of S14°03'07"E, with a chord length of 13.85 feet; thence along a compound curve to the left with a radius of 1957.86 feet; with a chord bearing of S18°06'21"E, 263.00 feet to a point on the South line of the Northwest 1/4; thence S89°04'22"W, 251.04 feet along said South line to the point of beginning, having an area of 102,626 square feet, 2.35 acres.

Bearings referenced to the East line of the Southwest 1/4 bearing N03°16'49"E

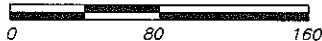


CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	57.61'	1942.86'	1°41'56"	N06°29'30"W	57.60'
C2	222.39'	1957.86'	6°30'39"	S10°35'43"E	222.28'
C3	6.65'	1957.86'	0°11'40"	S14°21'07"E	6.65'
C4	256.55'	1957.86'	7°30'28"	N18°12'11"W	256.37'

Center of Section 26-6-10 Found 1/2" Iron Pipe

South 1/4 Corner Section 26-6-10 Found 1/2" Iron Rebar in hole of where previous monument was in concrete

SCALE 1" = 80'





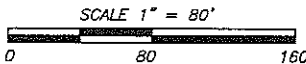
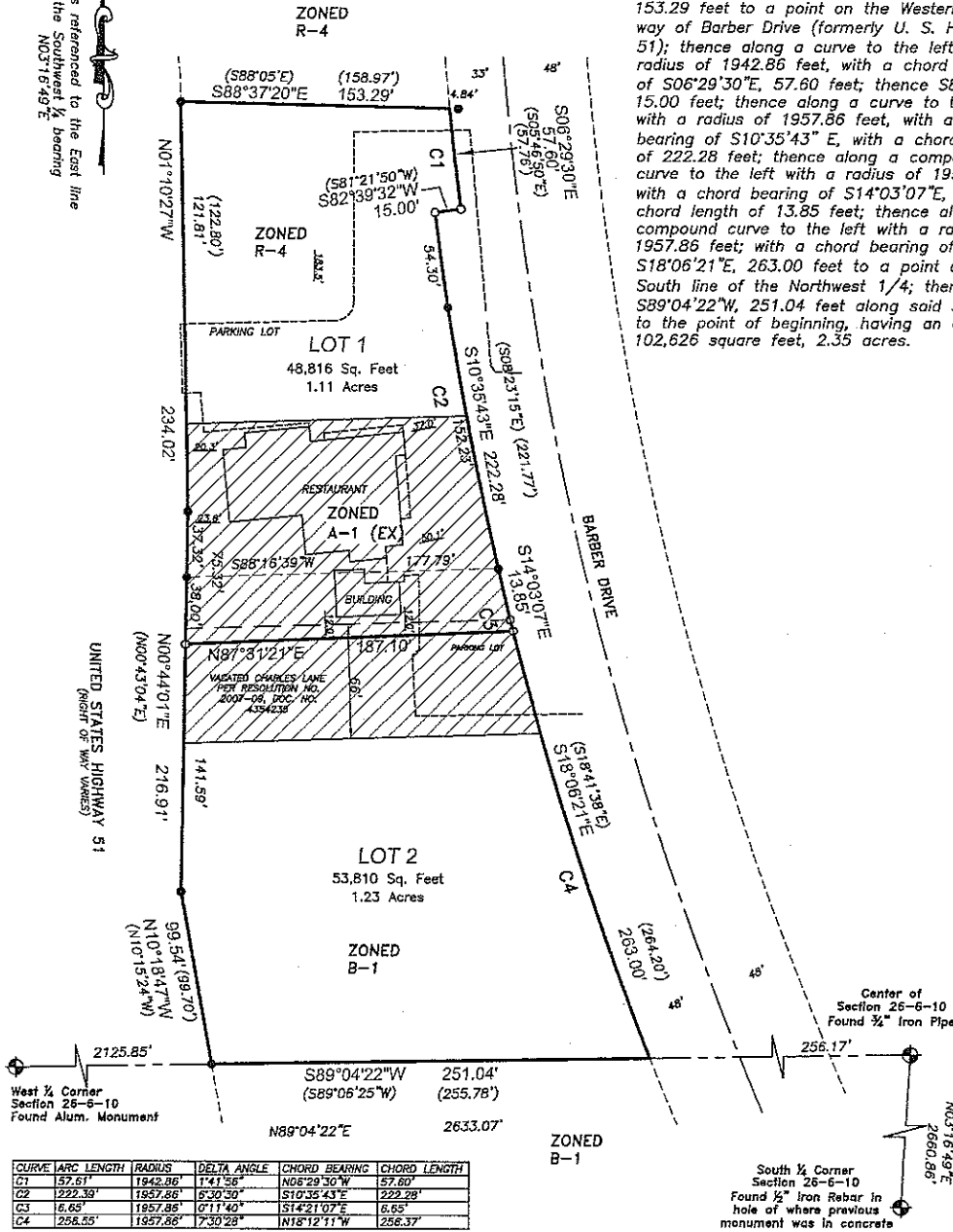
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Office Map No. 140518