

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
06/02/2017	DCPREZ-2017-11157
Public Hearing Date	C.U.P. Number
07/25/2017	DCPCUP-2017-02384

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME JAMES LAPP	PHONE (with Area Code) (608) 575-5467	AGENT NAME	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 2757 DOOR CREEK ROAD		ADDRESS (Number & Street)	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip)	
E-MAIL ADDRESS JLAPP2757@YAHOO.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	
3333 STATE HIGHWAY 138					
TOWNSHIP RUTLAND	SECTION 12	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-122-8000-6					

REASON FOR REZONE	CUP DESCRIPTION
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REZONE FOR LARGE SCALE LANDSCAPING, SNOW AND TREE REMOVAL BUSINESS WITH HOME FOR WATCHMAN/CARETAKER.	REZONE FOR LARGE SCALE LANDSCAPING, SNOW AND TREE REMOVAL BUSINESS WITH HOME FOR WATCHMAN/CARETAKER.
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FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1Ex Exclusive Ag District	C-2 Commercial District	4	10.14(2)(i)	5
B-1 Local Business District	C-2 Commercial District	1		
A-1Ex Exclusive Ag District	A-4 Agriculture District	32.5		

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	INSPECTOR'S INITIALS PMK2	SIGNATURE:(Owner or Agent)
Applicant Initials_____	Applicant Initials_____	Applicant Initials_____		PRINT NAME:

COMMENTS: REZONE FOR LARGE SCALE LANDSCAPING, SNOW AND TREE REMOVAL BUSINESS WITH HOME FOR WATCHMAN/CARETAKER.

DATE:

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(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip)	
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3333 STATE HIGHWAY 138					
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PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-122-8000-6					

REASON FOR REZONE	CUP DESCRIPTION
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C.S.M REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS PMK2	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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COMMENTS: REZONE FOR LARGE SCALE LANDSCAPING, SNOW AND TREE REMOVAL BUSINESS WITH HOME FOR WATCHMAN/CARETAKER.

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
05/08/2017	DCPREZ-2017-11157
Public Hearing Date	C.U.P. Number
07/25/2017	DCPCUP-2017-02384

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME MARLOWE NELSON <i>James Lapp</i>	PHONE (with Area Code) <i>575-5467</i> (608) 423-3254	AGENT NAME JAMES LAPP	PHONE (with Area Code) (608) 575-5467
BILLING ADDRESS (Number & Street) 3333 STATE HIGHWAY 138	<i>2757 Door Creek Rd.</i>	ADDRESS (Number & Street) 2757 DOOR CREEK ROAD	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip) STOUGHTON, WI 53589	
E-MAIL ADDRESS <i>JLAPP2757@YAHOO.COM</i>		E-MAIL ADDRESS JLAPP2757@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	
3333 STATE HIGHWAY 138					
TOWNSHIP RUTLAND	SECTION 12	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-122-8000-6					

REASON FOR REZONE	CUP DESCRIPTION				
REZONE FOR LARGE SCALE LANDSCAPING, SNOW AND TREE REMOVAL BUSINESS WITH HOME FOR WATCHMAN/CARETAKER.					
FROM DISTRICT:		TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1Ex Exclusive Ag District		C-2 Commercial District	4		
B-1 Local Business District		C-2 Commercial District	1		
A-1Ex Exclusive Ag District	A-4 Agriculture District	32.5			

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	INSPECTOR'S INITIALS PMK2	SIGNATURE:(Owner or Agent) <i>James A. Lapp</i>
Applicant Initials _____	Applicant Initials _____	Applicant Initials _____		PRINT NAME: <i>James A. LAPP</i>

COMMENTS: REZONE FOR LARGE SCALE LANDSCAPING, SNOW AND TREE REMOVAL BUSINESS WITH HOME FOR WATCHMAN/CARETAKER.

DATE: <i>5-8-17</i>

**Dane County
Conditional Use Permit
Application**

Application Date	C.U.P Number
05/08/2017	DCPCUP-2017-02384
Public Hearing Date	
07/25/2017	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME MARLOWE NELSON <i>James Lapp</i>	Phone with Area Code <i>575-5467</i> (608)-423-3254	AGENT NAME JAMES LAPP	Phone with Area Code (608)-575-5467
BILLING ADDRESS (Number, Street) 3333 STATE HIGHWAY 138 <i>2757 Door Creek Rd.</i>		ADDRESS (Number, Street) 2757 DOOR CREEK ROAD	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip) STOUGHTON, WI 53589	
E-MAIL ADDRESS <i>JLAPP2757@YRHO.COM</i>		E-MAIL ADDRESS JLAPP2757@YAHOO.COM	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
ADDRESS OR LOCATION OF CUP 3333 STATE HIGHWAY 138	ADDRESS OR LOCATION OF CUP	ADDRESS OR LOCATION OF CUP
TOWNSHIP RUTLAND	SECTION 12	TOWNSHIP
SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED 0510-122-8000-6	PARCEL NUMBERS INVOLVED ---	PARCEL NUMBERS INVOLVED ---

CUP DESCRIPTION
REZONE FOR LARGE SCALE LANDSCAPING, SNOW AND TREE REMOVAL BUSINESS WITH HOME FOR WATCHMAN/CARETAKER.

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.14(2)(i)	5

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials PMK2	SIGNATURE:(Owner or Agent) <i>James A. Lapp</i>
		PRINT NAME: <i>James A. LAPP</i>
		DATE: <i>5-8-17</i>

COMMENTS: REZONE FOR LARGE SCALE LANDSCAPING, SNOW AND TREE REMOVAL BUSINESS WITH HOME FOR WATCHMAN/CARETAKER.

**SEE
REVISED**



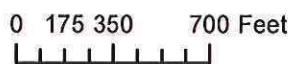
Legend

Significant Soils Floodplain

Class Wetland

Class 1

Class 2



Petition 11157 /CUP 2384
MARLOWE NELSON

Petition # 11157/2384

Public Hearing Date 7/25/17

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

Comments: May 1, 2017 Planning Commission - ok'd

Contacts / Correspondence: (date: issue)

Co-applicant, Bruce Sime,
says that density study
was done in October '16
and that it showed that
there is 1 housing right
available that will go
with 32.5 acre lot.

So, this lot will change
to R-2, if this is
verified through a
new density study, which
was paid for.

Pat

ZONING ORDINANCE AMENDMENT NO. 2023

Amending Section 10.03 relating to Zoning Districts in the Town of

RUTLAND

The Dane County Board of Supervisors does ordain as follows:

That the Zoning District Maps of the Town of Rutland be amended to include in the B-1 Local Business District the following described land:

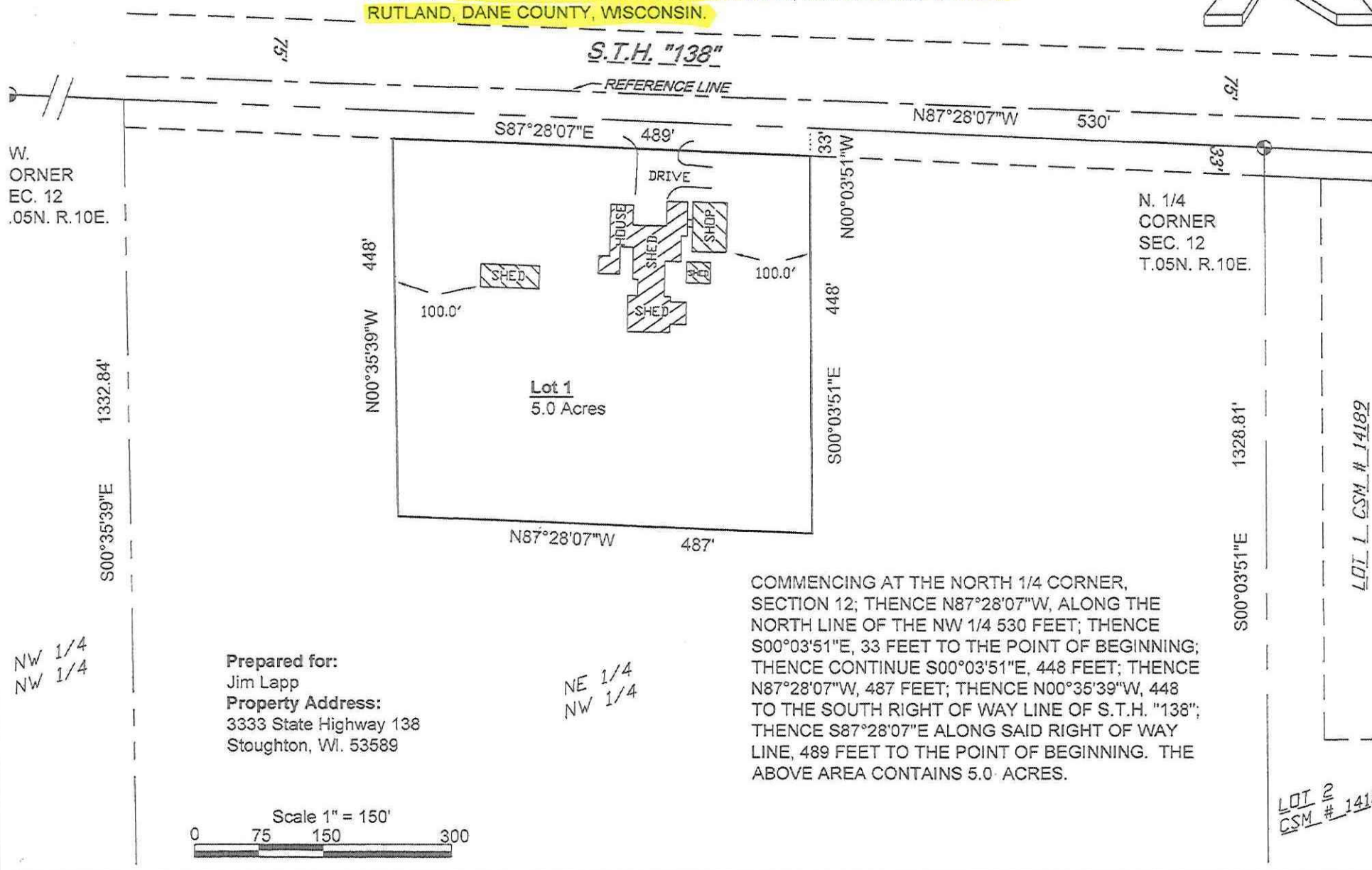
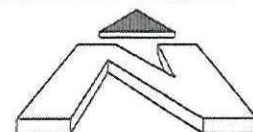
Part of the NE 1/4 NW 1/4 of Section 12, Town of Rutland; described as follows:

Commencing at the North quarter corner of said Section 12; thence West 610 feet to the point of beginning; thence continue West 200 feet; thence South 300 feet; thence East 200 feet; thence North 300 feet to the point of beginning.

EFFECTIVE: FEBRUARY 24, 1978

PRELIMINARY CERTIFIED SURVEY

PART OF THE NE 1/4 OF THE NW 1/4, SECTION 12, T.05N., R.10E., TOWN OF RUTLAND, DANE COUNTY, WISCONSIN.



COMMENCING AT THE NORTH 1/4 CORNER, SECTION 12; THENCE N87°28'07"W, ALONG THE NORTH LINE OF THE NW 1/4 530 FEET; THENCE S00°03'51"E, 33 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°03'51"E, 448 FEET; THENCE N87°28'07"W, 487 FEET; THENCE N00°35'39"W, 448 TO THE SOUTH RIGHT OF WAY LINE OF S.T.H. "138"; THENCE S87°28'07"E ALONG SAID RIGHT OF WAY LINE, 489 FEET TO THE POINT OF BEGINNING. THE ABOVE AREA CONTAINS 5.0 ACRES.

Prepared for:
 Jim Lapp
 Property Address:
 3333 State Highway 138
 Stoughton, WI. 53589

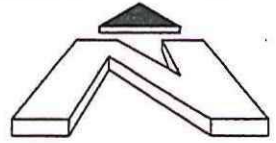
NE 1/4
 NW 1/4

NW 1/4
 NW 1/4

W. CORNER
 EC. 12
 .05N. R.10E.

PRELIMINARY CERTIFIED SURVEY

PART OF THE NE 1/4 OF THE NW 1/4, SECTION 12, T.05N., R.10E., TOWN OF RUTLAND, DANE COUNTY, WISCONSIN.



S.T.H. "138"

REFERENCE LINE

1/2

1/2

N87°28'07"W 530'

S87°28'07"E 489'

N00°03'51"W 33'

S00°03'51"E 448'

N00°35'39"W 448'

1332.84'

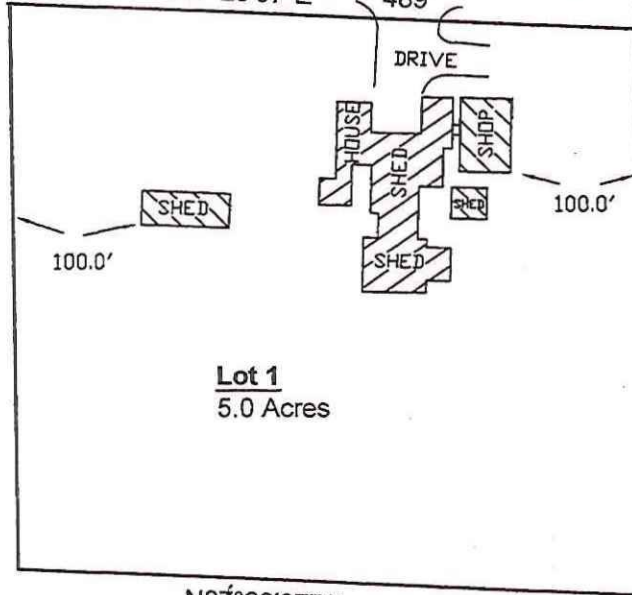
S00°35'39"E

N. 1/4
CORNER
SEC. 12
T.05N. R.10E.

1328.81'

S00°03'51"E

LOT 1 CSM # 14189

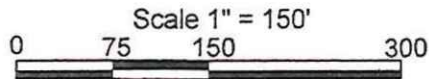


Lot 1
5.0 Acres

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Prepared for:
Jim Lapp
Property Address:
3333 State Highway 138
Stoughton, WI. 53589

NE 1/4
NW 1/4



LOT 2
CSM # 14189

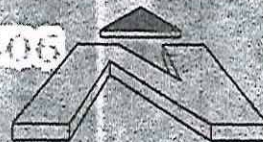
V.
CORNER
SEC. 12
T.05N. R.10E.

SW 1/4
NW 1/4

PRELIMINARY CERTIFIED SURVEY 398400

398606

PART OF THE NE 1/4 OF THE NW 1/4, SECTION 12, T.05N., R.10E., TOWN OF RUTLAND, DANE COUNTY, WISCONSIN.

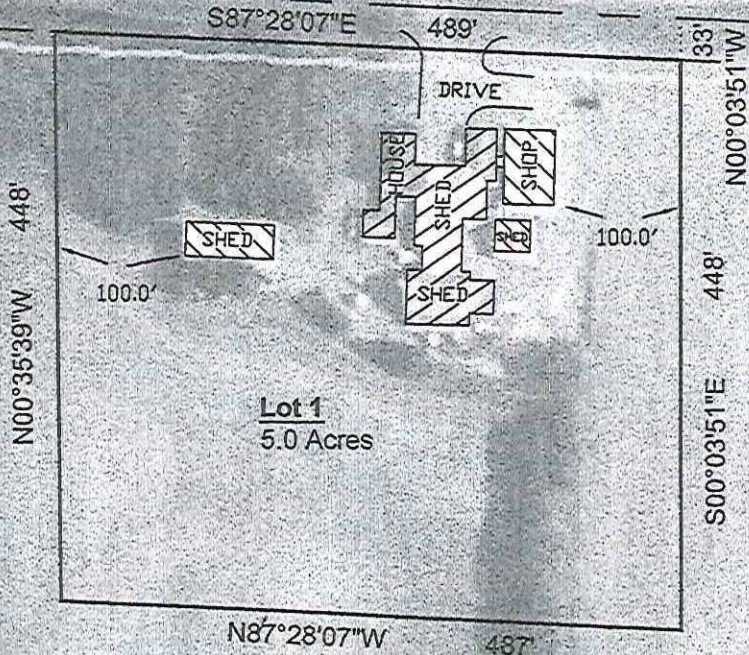


S.T.H. "138"

REFERENCE LINE

N. CORNER
SEC. 12
T.05N. R.10E.

N. 1/4
CORNER
SEC. 12
T.05N. R.10E.



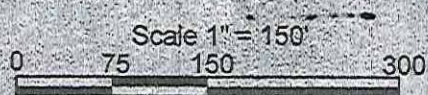
Lot 1
5.0 Acres

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Prepared for:
Jim Lapp
Property Address:
3333 State Highway 138
Stoughton, WI. 53589

NE 1/4
NW 1/4

280000



LOT 1 CSM # 14182

LOT 2
CSM # 1418



3354

3322

3312

3302

138

3333

3295

1" = 200'

James Lapp
2757 Door Creek Rd
Stoughton Wi 53589
608-575-5467

This is regarding the property at 3333 State Hwy 138 Stoughton Wi 53589.

The property is 37.5 acres and is described as follows: The Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ section 12, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin.

The real estate is zoned AG-1 Exclusive and a 1.13 acre parcel is zoned B-1.

I have attached some aerial views of the property that we are discussing.

I would like to keep approx... 5 acres (which would include all buildings) and sell the remainder to Bruce Sime.

Rezoning- I would like to change all of the 5 acres to ^{C-2} ~~C-1~~ with a Conditional Use Permit for the house.

I would like to use this property to run a Tree/Landscape Business and Aerial Repair Business.

I would like to remove the barn and replace with a cold storage shed to park all my equipment in. (see attached Aerial view)

I normally employ 6-8 full time employees. The parking for the employees will be on the south side of the barn (were the new shed will be)

If any concerns on how the property's appearance will be feel free to drive past my current location at: 2757 Door Creek Rd Stoughton Wi.

The drive way will be a shared drive with Bruce Sime & I.

7.00 - 3.00 Mon, thur Fri
2-3 customers a week
4-5 trailers length 16' max
Dust To dawn lighting
No outside loud speakers
1 sign 9'5" wide 4'3" tall
City trash removal

RUTLAND PLANNING COMMISSION

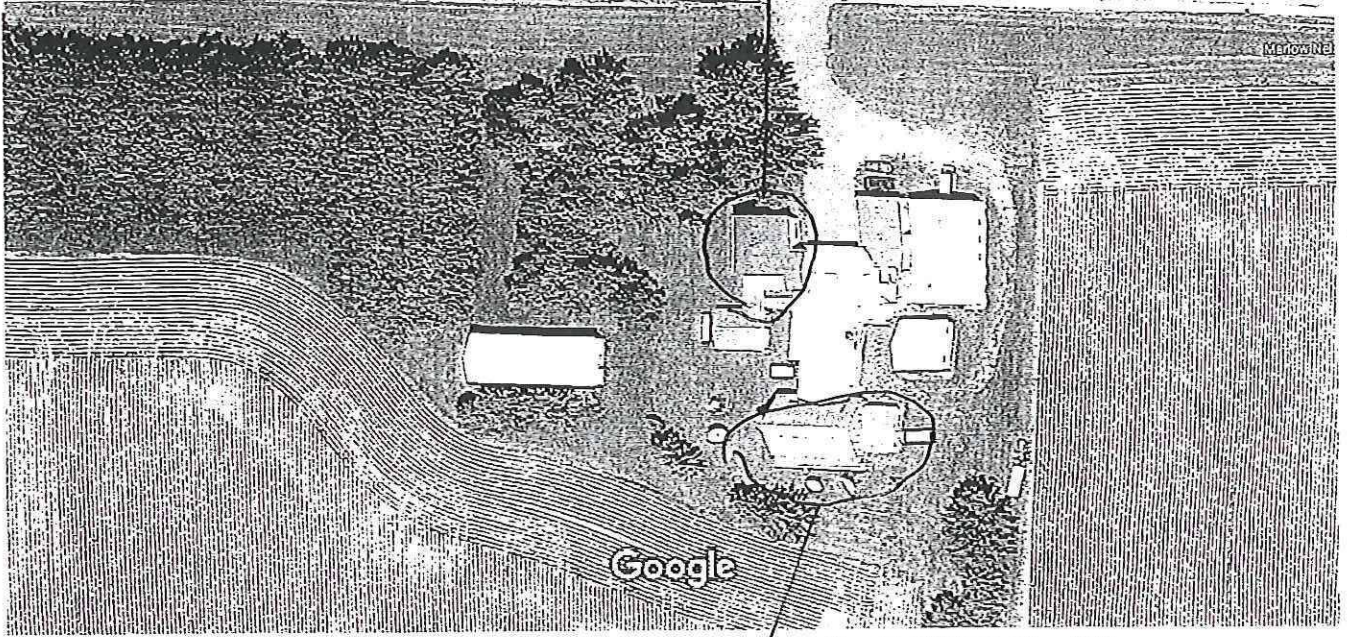
May 1, 2017– 6:30 p.m.

Agenda:

1. Call meeting to order.
2. Roll Call.
3. Approval of April meeting minutes.
4. Petition 11132/CUP 02379 by Tina Hayward to rezone property (1.2 acres) located at 364 Pagelow Lane (Section 30) from R-1 to A-2(1) to allow for limited family business with CUP to allow for same.
5. Inquiry by Keri Hornung regarding using their property at 3267 Hwy. 138 for small agricultural related events as permitted under their zoning.
6. Inquiry by Jim Lapp to rezone and split off the buildings from the remainder of the property located at 3333 Hwy 138 (Sec. 1). Request rezone of 5 acres to C-1 with a CUP for the existing house to allow a tree service/landscape/aerial lift repair business.
7. Next meeting. *oked*
8. Adjournment.

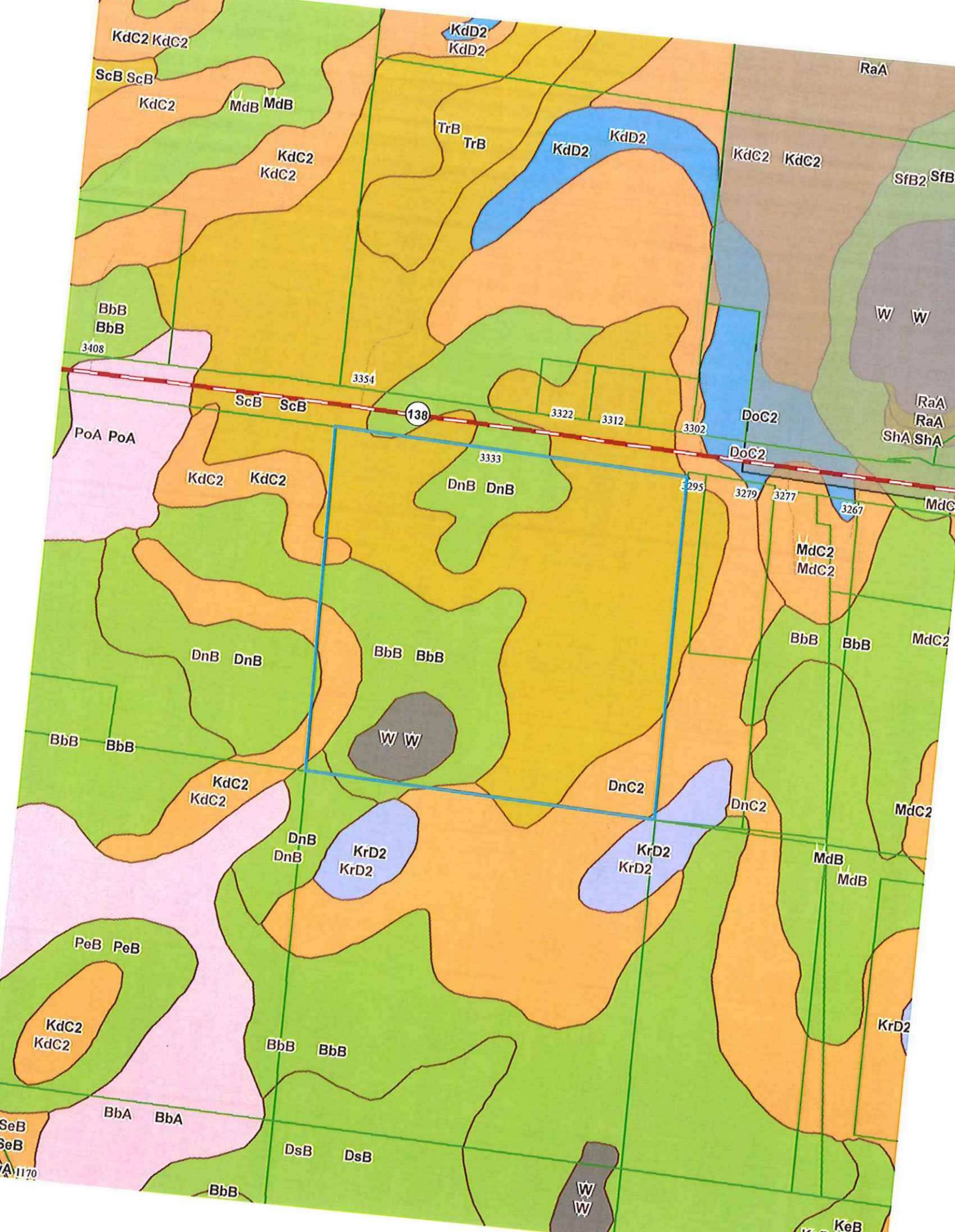
Maps

House



Map data ©2017 Google 50 ft

removing BARN
&
putting up new shed





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 Marlowe Nelson
 Address 3333 State Hwy 138
Stoughton WI 53589
 Phone Mike Rumpf - 423-3254
 Email _____

Agent's Name James Lapp
 Address 2757 Door Creek Rd
Stoughton WI 53589
 Phone 608-575-5467
 Email jlapp2757@yahoo.com

Town: rutland Parcel numbers affected: Sec 12-5-10 NE 1/4 NW 1/4 Exe Hwy A/w 559
0510-122-8000-6

Section: or 1a Property address or location: 3333 State Hwy 138 Stoughton WI

Zoning District change: (To / From / # of acres) A1 EX & B-1 to C-2 & A-4 3742 acres

Soil classifications of area (percentages) Class I soils See App Class II soils: _____% Other: _____%

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:
would like to operate a Tree/Landscape Business & Aerial Repair
Business & Snow Removal business. To the East is landscape business
and South & West are farmers

I authorize that I am the owner or have permission to act on behalf of the owner of the property.
 Submitted By: James Lapp

Date: 5-8-17



DANE COUNTY
PLANNING & DEVELOPMENT

Conditional Use Application

Application Fee: \$486 Mineral Extraction: \$1136

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 required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner	<u>Marlowe Nelson</u>	Agent	<u>James Lapp</u>
Address	<u>3333 State Hwy 138</u>	Address	<u>2757 Door Creek Rd</u>
Phone	<u>Stoughton WI 53589</u>	Phone	<u>Stoughton WI 53589</u> <u>608-575-5467</u>
Email		Email	<u>jlappp2757@yahoo.com</u>

Parcel numbers affected: Sec 12-5-10 NE 1/4 NW 1/4 Ex. Town: Rutland Section: 12
Hwy R/W 559 0510-122-800 A-6 Property Address: 3333 State Hwy 138
Stoughton WI 53589

Existing/ Proposed Zoning District: A1EX & B-1 to C-2 & A-4 37 1/2 Acres

o Type of Activity proposed:
Separate checklist for mineral extraction uses must be completed.

- o Hours of Operation
- o Number of employees
- o Anticipated customers
- o Outside storage
- o Outdoor activities
- o Outdoor lighting
- o Outside loudspeakers
- o Proposed signs
- o Trash removal
- o Six Standards of CUP (see back)

See Attached Business Plan

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: James Lapp

Date: 5-8-17

Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.


1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
Yes - going to house 1 single family / for watchmen - caretaker
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use. Used as watchmen / care-taker
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
Same as other properties in the area
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made. Yes - Driveway is in with no problems with access to roads
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. ~~##~~ Traffic From single Family / caretaker
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.
Yes - It is being used as a single family home

Parcel Number - 052/0510-122-8000-6

Current

[← Parcel Parents](#)

[Summary Report](#)

Parcel Detail			Less -
Municipality Name	TOWN OF RUTLAND		
State Municipality Code	052		
Township & Range	Section	Quarter/Quarter & Quarter	
T05NR10E	12	NE of the NW	
Plat Name	METES AND BOUNDS		
Block/Building			
Lot/Unit			
Parcel Description	SEC 12-5-10 NE1/4 NW1/4 EXC HWY R/W 559/564 This property description is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.		
Current Owner	MARLOWE NELSON 		
Primary Address	3333 STATE HIGHWAY 138		
Billing Address	3333 STATE HIGHWAY 138 STOUGHTON WI 53589		

Assessment Summary		More +
Assessment Year	2017	
Valuation Classification	G1 G4 G5 G5M	
Assessment Acres	37.500	
Land Value	\$131,300.00	
Improved Value	\$164,800.00	
Total Value	\$296,100.00	

Show Valuation Breakout

Open Book

Starts: 05/08/2017 - 05:00 PM

Ends: 05/08/2017 - 07:00 PM

[About Open Book](#)

Board Of Review

Starts: 05/18/2017 - 06:00 PM

Ends: 05/18/2017 - 08:00 PM

[About Board Of Review](#)

Show Assessment Contact Information ▼

Zoning Information

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

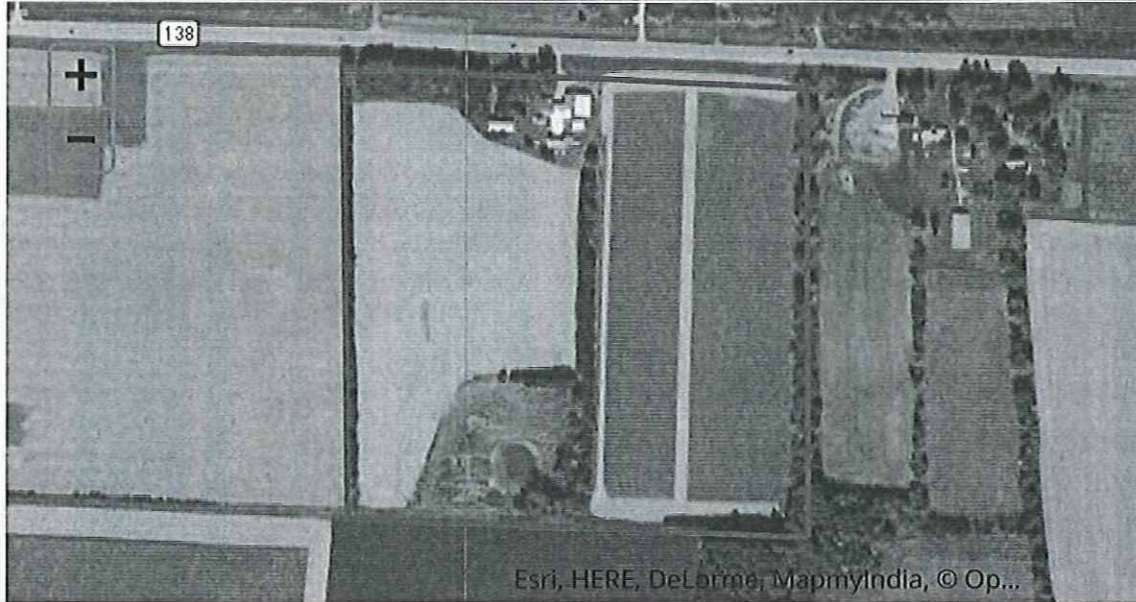
Zoning

A-1(EX)

B-1 1.13 Acres DCPREZ-0000-02023

[Zoning District Fact Sheets](#)

Parcel Maps



[DCiMap](#)

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[Bing Map](#)

Tax Summary (2016) More +

[E-Statement](#)

[E-Bill](#)

[E-Receipt](#)

Assessed Land Value	Assessed Improvement Value	Total Assessed Value
\$131,600.00	\$164,800.00	\$296,400.00
Taxes:		\$4,959.69
Lottery Credit(-):		\$142.16
First Dollar Credit(-):		\$75.59
Specials(+):		\$8.67
Amount:		\$4,750.61

District Information

Type	State Code	Description
REGULAR SCHOOL	5621	STOUGHTON SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE
OTHER DISTRICT	26ST	STOUGHTON FIRE
OTHER DISTRICT	26ST	EMS STOUGHTON

Recorded Documents				
Doc. Type	Date Recorded	Doc. Number	Volume	Page
	06/13/1996		D559	564

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By Parcel Number: 0510-122-8000-6

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210 Martin Luther King Jr. Blvd

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