

Dane County Rezone Petition

Application Date	Petition Number
12/02/2020	DCPREZ-2020-11641
Public Hearing Date	
01/26/2021	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DUCKERT IRREV TR, GREGORY H	PHONE (with Area Code) (608) 590-3288	AGENT NAME COMBS AND ASSOCIATES	PHONE (with Area Code) (608) 752-0575
BILLING ADDRESS (Number & Street) 2296 TOWER DR		ADDRESS (Number & Street) 109 W. MILWAUKEE ST.	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip) JANESVILLE, WI 53548	
E-MAIL ADDRESS gduck1@msn.com		E-MAIL ADDRESS rmcombs@combssurvey.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
2296 Tower Drive					
TOWNSHIP PLEASANT SPRINGS	SECTION 24	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0611-242-9000-5					

REASON FOR REZONE

TRANSFERRING A DEVELOPMENT RIGHT TO DIVIDE AN EXISTING LOT INTO TWO RESIDENTIAL LOTS.

FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RR-16 Rural Residential District	39.66
FP-35 Farmland Preservation District	TDR-R Transfer of Development Rights Receiving Area Overlay District Receiving Area	19.6

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
COMMENTS: SENDING PROPERTY OWNED BY THE M&W OLSON PARTNERSHIP (PARCEL#'S 061102490009 & 061102485006)				

Dane County Rezone Petition

Application Date	Petition Number
11/17/2020	DCPREZ-2020-11641
Public Hearing Date	
01/26/2021	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DUCKERT IRREV TR, GREGORY H	PHONE (with Area Code) (608) 201-1570	AGENT NAME COMBS AND ASSOCIATES	PHONE (with Area Code) (608) 752-0575
BILLING ADDRESS (Number & Street) 2296 TOWER DR		ADDRESS (Number & Street) 109 W. MILWAUKEE ST.	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip) JANESVILLE, WI 53548	
E-MAIL ADDRESS gduck1@msn.com		E-MAIL ADDRESS rmcombs@combssurvey.com	

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2296 Tower Drive					
TOWNSHIP PLEASANT SPRINGS	SECTION 24	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0611-242-9000-5					

REASON FOR REZONE

DIVIDING AN EXISTING LOT INTO TWO RESIDENTIAL LOTS

SEE REVISED

FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RR-16 Rural Residential District	39.66

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 checked="" type="checkbox"/> Yes <input 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:	GREGORY H DUCKERT IRREV TRU	Agent Name:	COMBS & ASSOCIATES, INC
Address (Number & Street):	2296 TOWER DR	Address (Number & Street):	109 W. MILWAUKEE ST
Address (City, State, Zip):	STOUGHTON WI 53589	Address (City, State, Zip):	JANESVILLE WI 53548
Email Address:	gduck1@msn.com	Email Address:	rmcombs@combssurvey.com
Phone#:	608-201-1570	Phone#:	608-752-0575

PROPERTY INFORMATION

Township:	PLEASANT SPRINGS	Parcel Number(s):	0611-242-9000-5
Section:	24-6-11	Property Address or Location:	2296 TOWER DR

REZONE DESCRIPTION

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.

Is this application being submitted to correct a violation?
 Yes No

SEPERATE BUILDINGS FROM QUARRY PIT.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP-35	RR-16	20 & 19.66

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 checked="" 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 _____

11/3/2020

Addendum to Application Form and Additional Information Regarding Rezoning Request

Application Form – Reason for Request

I am advancing in age and also cannot afford to support the entire property as it exists now. Therefore, I am requesting the split of my property as submitted by the surveyor so that I may sell 20 acres with all the existing buildings to a buyer.

I am then going to build a residence for myself, ~~a duplex, so that my closest friends can live on one side and be there in case of any emergencies or failing health that I may experience.~~

The existing zoning is FP-35 and after the rezoning both parcels, the original parcel and the remainder 19.6+- acres that I am building on will be zoned RR-16.

On the 19.6 acres I will be building ~~the duplex~~ on the north side of the driveway to the quarry, and an outbuilding for equipment and the remaining animals in the animal rescue (cats) on the south side of the driveway to the quarry. The animals are the remainder of those rescued by my wife before she died of cancer and the ones I promised to care for until they all expire, on the day she died. No animals have been nor will be added to the rescue under any circumstances. An illustration of what will be built on the 19.6 acre parcel created accompanies this addendum.

Transfer of Development Rights (TDR) Required

This proposal involves the transfer of development rights (TDR) as no split is currently available to the 40 acre Duckert parcel. The property that is sending the split is Parcel #'s 061102490009 & 061102485006 owned by the M&W Olson partnership.

As regards the quarry that will be part of my new parcel, Duckert farm, that will remain as is. It will not be quarried under any circumstances, with the exception of potential building materials for my structures. It will continue to be used by Struck and Irwin Paving as it has been for over 20 years.

The attached aerial view of the newly created 19.6 acre lot, Duckert, and the location of the residence and outbuildings accompanies this addendum.

Specifically requested is the TDR-R overlay zoning for the Duckert 40 Acre parcel 061124290005 and the TDR-S overlay zoning for the M&W Olson sending property as indicated by the parcel numbers in the first paragraph of this section.

M&W Olson Partnership Statement Regarding TDR and Overlay Zoning

M&W Olson Partnership is aware of and consents to the application of overlay zoning on our property described by parcel #'s 061102490009 and 061102485006 in conjunction with the agreement for sale. The sale agreement was entered into on 9/20/2020 a copy of which has been previously provided to us and to Gregory H. Duckert. This agreement was in conjunction with the Transfer of Development Rights currently being applied for from Dane County and the Town of Pleasant Springs.

For M&W Olson Partnership

Date

Purchase Agreement

M&W Olson Partnership (the "Seller"), of 1690 County Road B, Stoughton, Wisconsin 53589 does hereby sell, assign, and transfer to Gregory H. Duckert Irrevocable Trust dated January 9, 2018 (the "Buyer"), of 2296 Tower Dr., Stoughton, Wisconsin 53589 the following property:

PROPERTY: Rights to a real estate split which entitles the buyer to designate a portion of their existing property, farm, to be granted the right to build a residence. Said property to be forever recognized as a separate, distinct and transferable parcel of taxable real estate under law. The split to be rezoned by the Town of Pleasant Springs to conform to the requirements of the township development plan.

[REDACTED]

[REDACTED]

[REDACTED] An interest rate of 3.5% per annum to be applied to the balance outstanding at any time and paid to the seller monthly until paid in full. The balance of the purchase price to be paid by no later than June 30, 2021. The buyer has the right to prepay any amount at anytime without penalty. If the buyer sells the property known as 2296 Tower Drive, Stoughton, WI 53589 the balance due plus accrued interest is due and payable immediately upon closing to M&W Olson Partnership.

The Seller warrants that they are the legal owner of the property and that it is being transferred to the Buyer free and clear of any liens or encumbrances.

The above property is sold on an "AS IS" basis. The Seller makes no warranties, express or implied (except as specifically stated in this document).

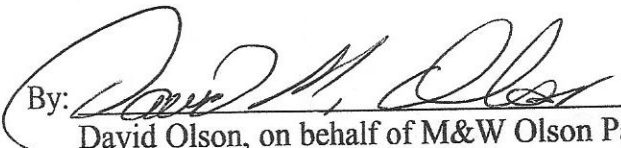
This transfer is effective as of September 25, 2020.

The property is now located at 1690 County Road B, Stoughton, Wisconsin 53589, and all of such property is in the possession of M&W Olson Partnership.

[SIGNATURE PAGE FOLLOWS]


This Purchase Agreement shall be signed by David Olson on behalf of M&W Olson Partnership, and by Gregory H. Duckert, Trustee on behalf of Gregory H. Duckert Irrevocable Trust dated January 9, 2018.

SELLER:

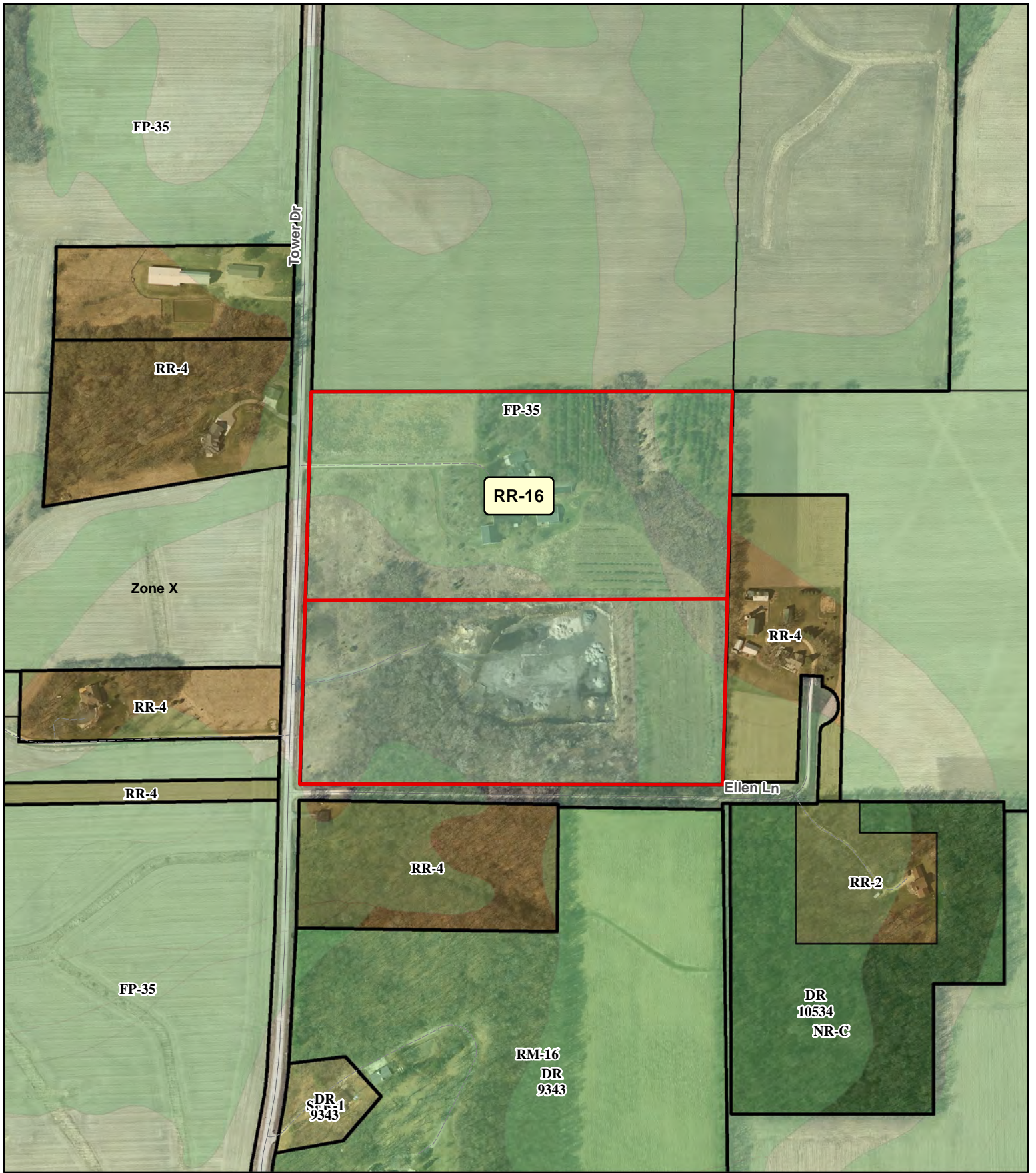
By:  _____
David Olson, on behalf of M&W Olson Partnership

Date: 9-18-2020

BUYER:

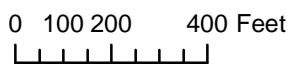
By:  _____
Gregory H. Duckert, Trustee, on behalf of Gregory H. Duckert Irrevocable Trust dated
January 9, 2018

Date: 9-20-2020



Legend

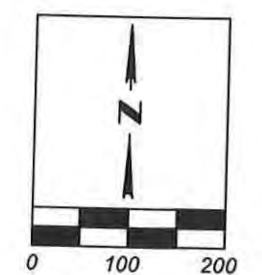
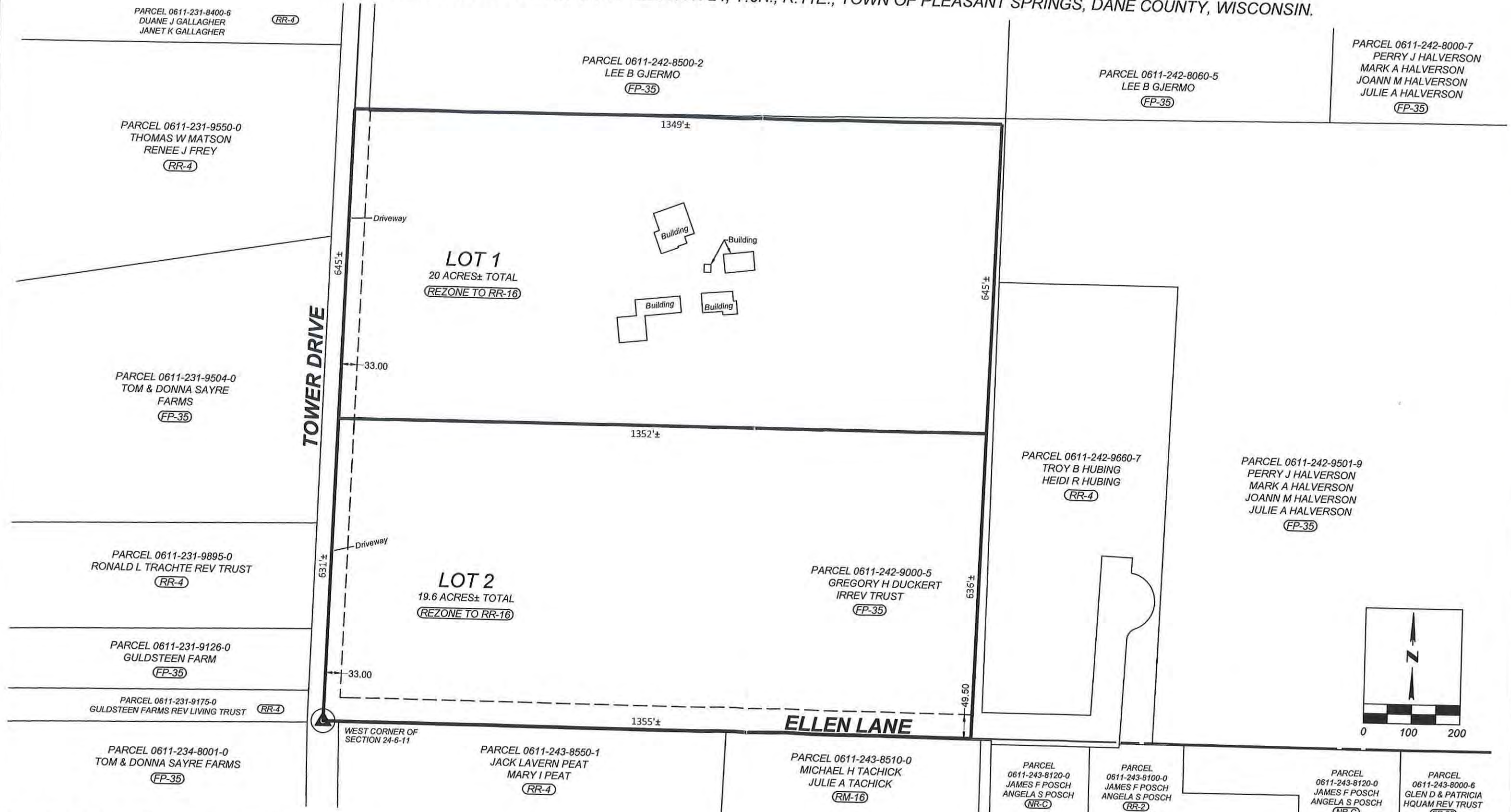
- | | | | | |
|--|------------|---|---|---------|
|  | Wetland | Significant Soils |  | Class 1 |
|  | Floodplain |  | Class 2 | |



Petition 11641
 DUCKERT IRREV TR,
 GREGORY H

PRELIMINARY CERTIFIED SURVEY MAP

PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 24, T.6N., R.11E., TOWN OF PLEASANT SPRINGS, DANE COUNTY, WISCONSIN.



NOTES: THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.
THE BASIS OF BEARINGS IS ASSUMED

<p>109 W. MILWAUKEE ST JANESVILLE, WI 53548 www.combsurvey.com</p>	• LAND SURVEYING	DATE	10/23/20
	• LAND PLANNING	BY	KMK
	• CIVIL ENGINEERING	PROJECT NO.	120-570
		CLIENT	DUCKERT