



Dane County Planning & Development

Land Division Review

Date: May 5, 2026

To: Zoning & Land Regulation Committee

From: Daniel Everson, Land Division Review

Re: Certified Survey Map – Josh & Rebecca Eastmead
Town of Burke, Section 3

DESCRIPTION: The Eastmead's are requesting to divide their current lot into two lots via Certified Survey Map. Rezone petition 12261 is associated with this land division in order to create a new lot for residential development. The existing lot is Zoned RR-4, *Rural Residential*.

Lot 1 CSM 4576 was recorded on January 25, 1985 to create a lot, separating the existing home and associated buildings at 6140 Portage Rd. Currently, the lot has 66.66 feet of frontage along Portage Road.

The new proposal shows Lot 1 having all the frontage and Lot 2 having no frontage. Access to the new Lot 2 is through a new 66-foot shared access easement mapped on an adjacent lot under the ownership of Frances Hoffman.

RESOURCE PROTECTION: There are no sensitive environmental features on the subject property.

COMPREHENSIVE PLAN: Future city plans will allow for higher density development in the area, which is one of the reasons public road frontage and other relevant design provisions are requirements of most land division codes. This land division is proposed under this provision of the town/city cooperative plan:

(3) The division of a five (5) acre or larger parcel (including parcels that are less than 5 acres because of a property acquisition by DeForest, Madison or Sun Prairie) existing as of March 1, 2006, into only two parcels for residential purposes shall not be considered "development" under this Plan, and the owners may, subject to applicable Town and County regulations, divide and rezone the parcel to a single-family residential district and construct a single-family residence on each of the two new parcels without the cooperation or approval of DeForest, Madison or Sun Prairie. A "parcel" is defined as the contiguous lands within the control of a single owner.

City of Madison planning comments - any division of this five-acre or larger parcel into two lots for single-family purposes was going to be challenging because of the existing, unique parcel

configuration, which predates the cooperative plan. If the proposed CSM passes muster with the Town and County, the City will sign it for recording like we have a dozen or more in Burke since the cooperative plan was approved.

DECISION MAKING: In approving or disapproving any plat or certified survey map, the committee shall apply the standards set forth in this section.

75.19(6)(b) *Design Standards*; Every lot or parcel shall front or abut a public street to promote safe ingress/egress and facilitate the possible development of a public right-of-way that could service additional lots. The required frontage shall be provided through fee ownership, except as provided in section 75.19(8). Lots shall maintain a minimum frontage of 66 feet connecting directly onto a public street at a location where the driveway shall be constructed in compliance with all other applicable local, state, and federal regulations.

75.21(1) *Variances*; Where the committee finds that unnecessary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done; provided that public interest is secured and that such variation will not have the effect of nullifying the intent and purpose of these regulations.

TOWN ACTION: Approved the rezone petition on April 21, 2026.

STAFF RECOMMENDATION: In summary, the shared access easement provisions found within Ch. 75, does allow for lots to be created with no public road frontage as long as one of the proposed lots has 66 feet of frontage. This proposal does not meet those standards.

Planning staff recommends that if the 66-foot shared access easement is to be located on an adjacent lot, then that lot should be included within the new Certified Survey Map and the provisions of 75.19(8) met.

75.19(8)(d) - If two or more lots are proposed to be served by a shared driveway easement, including the lot on which the easement is located, at least one of the lots must have a minimum of 66 feet of frontage connecting directly onto a public street at a location where the driveway shall be constructed.



PRELIMINARY
DANE COUNTY CERTIFIED SURVEY MAP NO. _____

LOT 1, C.S.M. NO. 4576: LOCATED IN THE SE 1/4 OF THE SW 1/4,
SECTION 3, T08N, R10E, TOWN OF BURKE, DANE COUNTY, WISCONSIN

WEST 1/4 COR
SECTION 3

DOCUMENT NUMBER _____

TOTAL AREA
221,700 SQUARE FEET
5.09 ACRES

BASIS OF BEARINGS

BEARINGS ARE REFERENCED TO THE WCCS
DANE CO. ZONE, NAD83(2011). THE WEST
LINE OF THE SW 1/4 BEARS N01°56'36"E.

SURVEYOR
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OWNER/CLIENT
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