



Dane County Planning and Development Department

Room 116, City-County Building, Madison, Wisconsin 53703

Fax (608) 267-1540

Community Development

(608)261-9781, Rm. 362

Planning

(608)266-4251, Rm. 116

Records & Support

(608)266-4251, Rm. 116

Zoning

(608)266-4266, Rm. 116

Chapter 75 (Subdivision) Variance Application

A variance application is required for any proposed Certified Survey Map (CSM) or Subdivision Plat which does not meet one or more of the design standards, or other applicable regulations, specified in Chapter 75 of the Dane County Code of Ordinances (Land Division and Subdivision Regulations). Chapter 75 variance appeals are decided by the county Zoning & Land Regulation Committee.

§75.21(1) of the Dane County Code details the variance procedures:

“Where the [Zoning] 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.”

To grant a variance, the committee must find that “unnecessary hardships” may result from complying with the land division / subdivision regulations. Applicants are advised to provide evidence of such hardship on the attached variance application form. Staff or the committee may request additional information be submitted to assist the committee in making its decision on the variance appeal.

Chapter 75 variance applications will only be accepted if there is a corresponding preliminary CSM or Subdivision Plat application currently pending. Variance appeals will be heard by the Zoning & Land Regulation Committee at a regularly scheduled meeting and, if practical, as part of committee’s consideration of the preliminary CSM or Subdivision Plat application. Variances associated with a pending rezoning and / or Conditional Use Permit application may be heard by the committee at the same meeting.

There is a \$100 application review fee for a Chapter 75 variance application. Applications should be submitted in person at the Dane County Zoning office, Room 116, City-County Building, or sent to:

**Dane County Planning and Development
c/o, Daniel Everson
210 Martin Luther King Jr., Blvd – Room 116
Madison, WI 53703-3342**

Applicants will be informed as to time and date of the meeting when their appeal will be heard by the Zoning & Land Regulation Committee.



Dane County Zoning & Land Regulation Committee
Land Division / Subdivision Variance Application

Date: _____

Landowner information:

Name: Clayton R. Swerig
Address: 1431 City Hwy B City: Cambridge Zip Code: 53523
Daytime phone:
Fax: E-mail:

Applicant information (if different from landowner):

Name: Town of Christiana / Jim Lowrey
Address: 2316 Berge Hinn Rd City: Cambridge Zip Code: 53523
Daytime phone: 608-334-5376
Fax: E-mail: jimsrealfarm@yahoo.com
Relationship to landowner: None

Are you submitting this application as an authorized agent for the landowner? Yes No [checked]

Property information:

Property address: 1431 City Hwy B
Tax Parcel ID #: 0612-194-9271-D
Certified Survey Map application #: Date Submitted:
Subdivision Plat application #: Subdivision Name:
Rezone or CUP petition #(if any): Rezone / CUP public hearing date:

Summary of Variance Request:

What ordinance provision(s) are you seeking a variance from? (e.g., 66' lot road frontage requirement)
66' rd frontage, the town is buying 20' to access town cemetery
What hardship(s) will result if a variance is not granted? (Be specific, use additional pages if necessary.)
we do not have legal access to the town cemetery. The Swerig's have offered to sell 20' but want to keep the existing hickory trees on their property.

Applicants will be informed as to time and date of the meeting when their appeal will be heard by the Zoning & Land Regulation Committee.



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:	Clayton Severig	Agent Name:	Jim Lowrey
Address (Number & Street):	1431 City Hwy B	Address (Number & Street):	2316 Berge Hinny Rd
Address (City, State, Zip):	Cambridge WI 53523	Address (City, State, Zip):	Cambridge WI 53523
Email Address:		Email Address:	jims real farm@yahoo.com
Phone#:		Phone#:	608-334-5376

PROPERTY INFORMATION

Township:	Christiana	Parcel Number(s):	016/0612-194-9271-0
Section:	19	Property Address or Location:	1431 City Hwy W

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

The Town of Christiana needs to purchase this 20' strip in order to access the Town Cemetary - we tried putting together an easement, but were not able to make an agreement.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP-35	Recreational	0.061
FP-35	FP-1	19.589

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 type="checkbox"/> Scaled drawing of proposed property boundaries	<input type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable)	<input type="checkbox"/> Pre-application consultation with town and department staff	<input 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 Jim Lowrey Date 7-

SUPPLEMENTAL INFORMATION FOR COMMERCIAL DEVELOPMENT

A scaled site plan and detailed operations plan must be submitted for commercial rezone applications. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach the relevant maps and plans listed below to your application form.

SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

Scale and north arrow

Date the site plan was created

Existing subject property lot lines and dimensions

Existing and proposed wastewater treatment systems and wells

All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.

All dimension and required setbacks, side yards and rear yards

Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.

Location and dimensions of any existing utilities, easements or rights-of-way

Parking lot layout in compliance with s. [10.102\(8\)](#)

Proposed loading/unloading areas

Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.

All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade

Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area

Any lighting, signs, refuse dumpsters, and possible future expansion areas.

NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties.

Provide a brief written statement explaining the current use(s) of the property on which the rezone is proposed.

Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

OPERATIONAL NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:

Hours of operation

Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time

Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.

Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building

Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code

Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.

Facilities for managing and removal of trash, solid waste and recyclable materials.

Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken

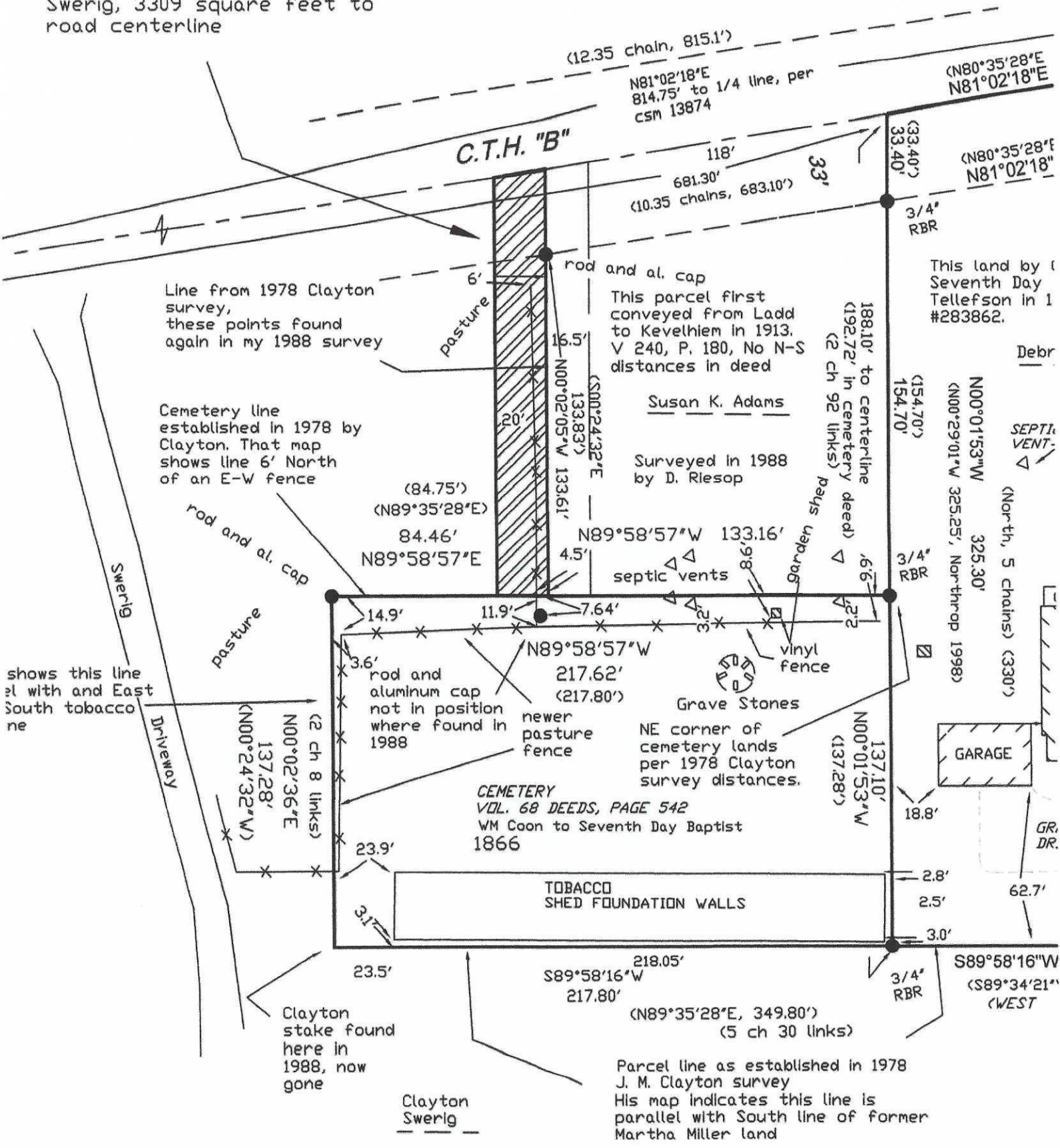
Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties

Signage, consistent with section [10.800](#)

ADDITIONAL PROPERTY OWNERS. Provide contact information for additional property owners, if applicable.

Additional Property Owner Name(s):	
Address (Number & Street):	
Address (City, State, Zip):	
Email Address:	
Phone Number:	

Planned 20 foot strip from
Swerig, 3309 square feet to
road centerline



(12.35 chain, 815.1')

N81°02'18"E
814.75' to 1/4 line, per
CSM 13874

(N80°35'28"E
N81°02'18"E

C.T.H. "B"

118'
681.30'
(10.35 chains, 683.10')

(N80°35'28"E
N81°02'18"

Line from 1978 Clayton
survey,
these points found
again in my 1988 survey

6'
Pasture

rod and al. cap
This parcel first
conveyed from Ladd
to Kevelhiem in 1913.
V 240, P. 180, No N-S
distances in deed

This land by
Seventh Day
Tellefson in 1
#283862.

Cemetery line
established in 1978 by
Clayton. That map
shows line 6' North
of an E-W fence

Susan K. Adams

Surveyed in 1988
by D. Riesop

Debr

SEPTI.
VENT.

rod and al. cap
Pasture

(84.75')
(N89°35'28"E)
84.46'
N89°58'57"E

N89°58'57"W 133.16'
4.5'
septic vents

188.10' to centerline
(192.72' in cemetery deed)
(2 ch 92 links)

(154.70')
154.70'
N00°01'53"W
N00°29'01"W 325.25', Northrop 1998

(North, 5 chains) (330')

shows this line
with and East
South tobacco
line

Swerig

Driveway

Pasture

(2 ch 8 links)
N00°02'36"E
137.28'
(N00°24'32"W)

14.9'
11.9'
7.64'
3.6'
rod and
aluminum cap
not in position
where found in
1988

N89°58'57"W
217.62'
(217.80')

vinyl fence
Grave Stones
NE corner of
cemetery lands
per 1978 Clayton
survey distances.

CEMETERY
VOL. 68 DEEDS, PAGE 542
WM Coon to Seventh Day Baptist
1866

N00°01'53"W
137.10'
(137.28')

GARAGE

GR.
DR.

TOBACCO
SHED FOUNDATION WALLS

Clayton
stake found
here in
1988, now
gone


Clayton
Swerig

23.5'
S89°58'16"W
217.80'
(N89°35'28"E, 349.80')
(5 ch 30 links)

3.0'
S89°58'16"W
(S89°34'21"
WEST

Parcel line as established in 1978
J. M. Clayton survey
His map indicates this line is
parallel with South line of former
Martha Miller land

Parcel Number - 016/0612-194-9175-2**Current**[← Parcel Parents](#)**Summary Report**

Parcel Detail		Less —
Municipality Name	TOWN OF CHRISTIANA	
State Municipality Code	016	
PLSS (T,R,S,QQ,Q)	06N 12E 19 SW SE (Click link above to access images for Qtr-Qtr)	
Section	06N 12E 19 (Click link above to access images for Section)	
Plat Name	METES AND BOUNDS (Click link above to access images for Plat) METES AND BOUNDS (Click link above to access images for Surveys within Plat)	
Block/Building		
Lot/Unit	(Click link above to see images for this Lot)	
Parcel Description	SEC 19-6-12 PRT SW1/4 SE1/4 COM 683 FT M/L E OF W LN & 192.7 FT S OF C/L HWY TH S 137.3 FT W 217.8 FT N 137.3 FT E TO POB This property description is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.	
Current Owner	CEMETERY	
Primary Address	No parcel address available.	
Billing Address	NOT AVAILABLE NOT AVAILABLE	

Assessment Summary**More +**

Assessment Year	2019
Valuation Classification	X4
Assessment Acres	0.500
Land Value	\$0.00
Improved Value	\$0.00
Total Value	\$0.00

Show Valuation Breakout

Open Book

Starts: 07/21/2020 - 10:00 AM

Ends: 07/21/2020 - 12:00 PM

[About Open Book](#)

Board Of Review

Starts: 07/30/2020 - 04:00 PM

Ends: 07/30/2020 - 06:00 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

RE

[Zoning District Fact Sheets](#)

RE Recreational Zoning District

Zoning district primarily for mix of environmental conservation and passive and active outdoor recreational land uses – CH. 10-Zoning, [Section 10.212](#)

Permitted Uses 10.212(2)

- Undeveloped natural resource and open space areas
- Hiking, fishing, trapping, hunting, swimming and boating
- Outdoor passive & active recreation, non-lighted
- Propagation and raising of game animals, fowl and fish
- Silviculture (planting, thinning and harvesting of timber)
- The harvesting wild crops in a manner that is not injurious to the natural reproduction of such crops
- Pasturing/grazing of livestock, subject to animal unit limitation
- Uses permitted within a wetland under DCCO 11.07 and 11.08
- Soil conservation, shoreland, wetland and ecological restoration practices
- Nonresidential buildings or structures accessory to any permitted use
- Public and private parks and recreation areas, primitive campgrounds, boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves and private wildlife habitat areas
- Community gardens
- Agricultural uses
- Unlit outdoor active recreation
- Recreational accessory uses
- Utility services associated with a permitted use
- Construction and maintenance of roads, railroads, or utilities which cannot practically be located outside of the RE district

Conditional Uses: 10.212(3)

- Campgrounds
- Caretaker's residence
- Cemeteries
- Indoor active recreation
- Outdoor active recreation, lighted for nighttime activities
- Outdoor assembly events
- Outdoor entertainment

Setbacks and Height Requirements for Principal Structures: 10.212(5)

Front setback for all structures from highway centerline / right-of-way line (whichever is greater)

State or Federal Highway: 100/42 feet minimum

County Highway: 75/42 feet minimum

Town Road: 63/30 feet minimum

Subdivision streets platted prior to ordinance: 20 feet minimum

All other streets: 30 feet minimum from right-of-way

Lots without road frontage: Structures must be at least 4 feet from the lot line where primary access is provided.

Side yard:

4 feet minimum

Rear yard:

4 feet minimum

Maximum Height:

Residence: Two and one-half stories or 35 feet (mean of roof)

Other Uses: 4 stories or 50 feet

Lot Coverage: 10.212(6)

All buildings and structures: 15% of the lot in the RE district

Lot Area: 10.212(4)

Minimum lot size: 15,000 square feet

Maximum lot size: None