

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
01/18/2017	DCPREZ-2017-11103
Public Hearing Date	C.U.P. Number
03/28/2017	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME PAUL J TUITE & TAMMY LATOUR	PHONE (with Area Code) (608) 242-6379	AGENT NAME <i>Williamson Surveying</i>	PHONE (with Area Code) <i>608-355-5705</i>
BILLING ADDRESS (Number & Street) 6257 MARY IDA DR		ADDRESS (Number & Street) <i>104 A West Main St</i>	
(City, State, Zip) DEFOREST, WI 53532		(City, State, Zip) <i>Wauwatosa, WI 53597</i>	
E-MAIL ADDRESS LATOUR.TAMMY@COUNTYOFDANE.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	
6257 MARY IDA DR					
TOWNSHIP BURKE	SECTION 3	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0810-032-1421-4					

REASON FOR REZONE			CUP DESCRIPTION	
SHIFTING OF PROPERTY LINES BETWEEN ADJACENT LAND OWNERS				
FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
R-1 Residence District	A-1 Agriculture District	.15		

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 HJH3	SIGNATURE:(Owner or Agent) 
Applicant Initials _____	Applicant Initials _____	Applicant Initials _____		

COMMENTS: APPLICANT MAY WISH TO ALSO INCLUDE CUP FOR GOVERNMENT USES

PRINT NAME: <i>Chris Adams</i>
DATE: <i>1-18-17</i>

Petition for CSM, Land Division, Rezone, and Variance
Land in NW ¼ Section 3, Town of Burke, T8N, R10E

1. Tax Parcel Number: 0810-032-1421-4, Outlot One (1) Terrace Parklands plat
Owners: Paul J. Tuite and Tammy LaTour
2. Adjacent lands to be affected by the CSM and land division proposal:
Tax Parcel Numbers: 0810-032-8540-6 & 0810-032-8081-2 – Lot 1 & 2 CSM 5744
Owner: Sandra K. Jahn Revocable Living Trust
3. Scale Drawings: Scale drawings and proposed CSM lot detail with legal descriptions have been prepared by Williamson Survey -- included with these applications. Additional orthophoto with wetland and waterway overlay provided as well as the Terrace Parklands plat.
4. Rezone requested – To rezone the southern 33' of Outlot One (1) Terrace Parklands to A-1 Agriculture. Current zoning is R-1. The landowners intend to convey fee interest in this 33' strip to the owners of Lot 2, CSM 5744 which is zoned A-1 Agriculture. In addition, there will be a minor lot line adjustment between Lots 1 & 2 CSM 5744 to provide the required 4' setback from an existing outbuilding on Lot 1 5744. The zoning of the re-configured Lot 1 CSM 5744 will likely be required to be changed to A-2 or RH-1.
5. Land division request – To combine Outlot One (1) Terrace Parklands with CSM 5744 into a new 3-lot CSM. The new CSM would be reconfigured with Lot 1 being the existing Outlot One (1) Terrace Parklands except the southern 33' thereof. Lot 2 of the new CSM would include the southern 33' of Outlot One (1) Terrace Parklands with Lot Two CSM 5744. Lot 3 of the new CSM would be Lot 1 CSM 5744. There will be a minor adjustment of the common boundary between Lots 1 & 2 CSM 5744 as described in #4 above, which will slightly increase the size of Lot 1 and decrease the size of Lot 2 CSM 5744.
6. Variance Request – The 33'-wide fee strip off Mary Ida Drive will require a variance from the standard 66' road frontage requirement according to Dane County Zoning and Plat Review. As this land is to be attached to Lot 2 CSM 5744 in common ownership, the combined property will have adequate frontage on Highway 19. However, this will greatly improve access to that portion of Lot 2 CSM 5744 that is south of Token Creek.

BACKGROUND:

- The Sandra K. Jahn Revocable Living Trust owns CSM 5744 and is selling it on the open market.
- Dane County has an accepted offer to purchase Lot 2, CSM 5744 as an addition to the Token Creek Natural Resource Area. A purchase resolution has been introduced to the County Board of Supervisors as 2016 RES-474.
- A condition of the County purchase is that the Sandra K. Jahn Revocable Living Trust convey to the County the southern 33' of Outlot 1, Terrace Parklands together with Lot 2, CSM 5744.
- The Sandra K. Jahn Revocable Living Trust has a deeded Access Easement (Doc 4668470) over the southern ½ of the vacated Kathy Lane (Doc 4508785) which is the north 33' of Outlot One (1) Terrace Parklands. The Jahn Trust also has an option to purchase that same 33' of the vacated Kathy Lane (Doc 4668471). The conveyance of the southerly 33' of Outlot One (1) Terrace Parklands to the Jahn Trust will substitute this legal right of access to Lot 2 CSM 5744 in a more favorable location for both parties.
- Soils being affected in the southern 33' of Outlot 1 Terrace Parklands: : ~100% Class II soils –GsB (Gray Silt Loam) & DnB (Dodge Silt Loam)



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 Paul J. Tuite and Tammy LaTour Agent's Name Same as left
 Address 6257 Mary Ida Drive, DeForest WI 53532 Address _____
 Phone (608) 576-8441 Paul Phone _____
(608) 242-6379 Tammy
 Email Paul: pjstcfta@sbcglobal.net Email _____
Tammy: latour.tammy@countyofdane.com
 Town: Burke T8N R10E Parcel numbers affected: 0810-032-1421-4

Section: 03 Property address or location: 6257 Mary Ida Drive, DeForest WI 53532

Zoning District change: (To / From / # of acres) From R-1 to A-1 Agriculture - affects approx. 6700 SF or .15 acre.
This to affect only the southern 33' of Outlot 1 Terrace Parklands Plat

Soil classifications of area (percentages) Class I soils: % Class II soils: 100% Other: %
 Within this 33' wide strip, two soil classifications are present GsB (Gray Silt Loam) and DnB :(Dodge Silt Loam)

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:

The landowners intend to convey fee access over the southern 33' of Outlot 1, Terrace Parklands to the owners of a parcel to the west (Lot 2, CSM 5744), the Sandra K. Jahn Revocable Living Trust . Lot 2 CSM 5744 together with the southern 33' of Outlot 1 Terrace Parklands is being sold to Dane County for Park purposes. Outlot 1 Terrace Parklands is currently zoned R-1. The petitioner is requesting that the southern 33' feet of the outlot is rezoned to A-1 Exclusive to be consistent with zoning on Lot 2, CSM 5744.

I authorize that I (am the owner or have permission to act on behalf of the owner of the property.
 Submitted By: Paul J. Tuite

Date: 1/17/2017



CERTIFIED SURVEY MAP

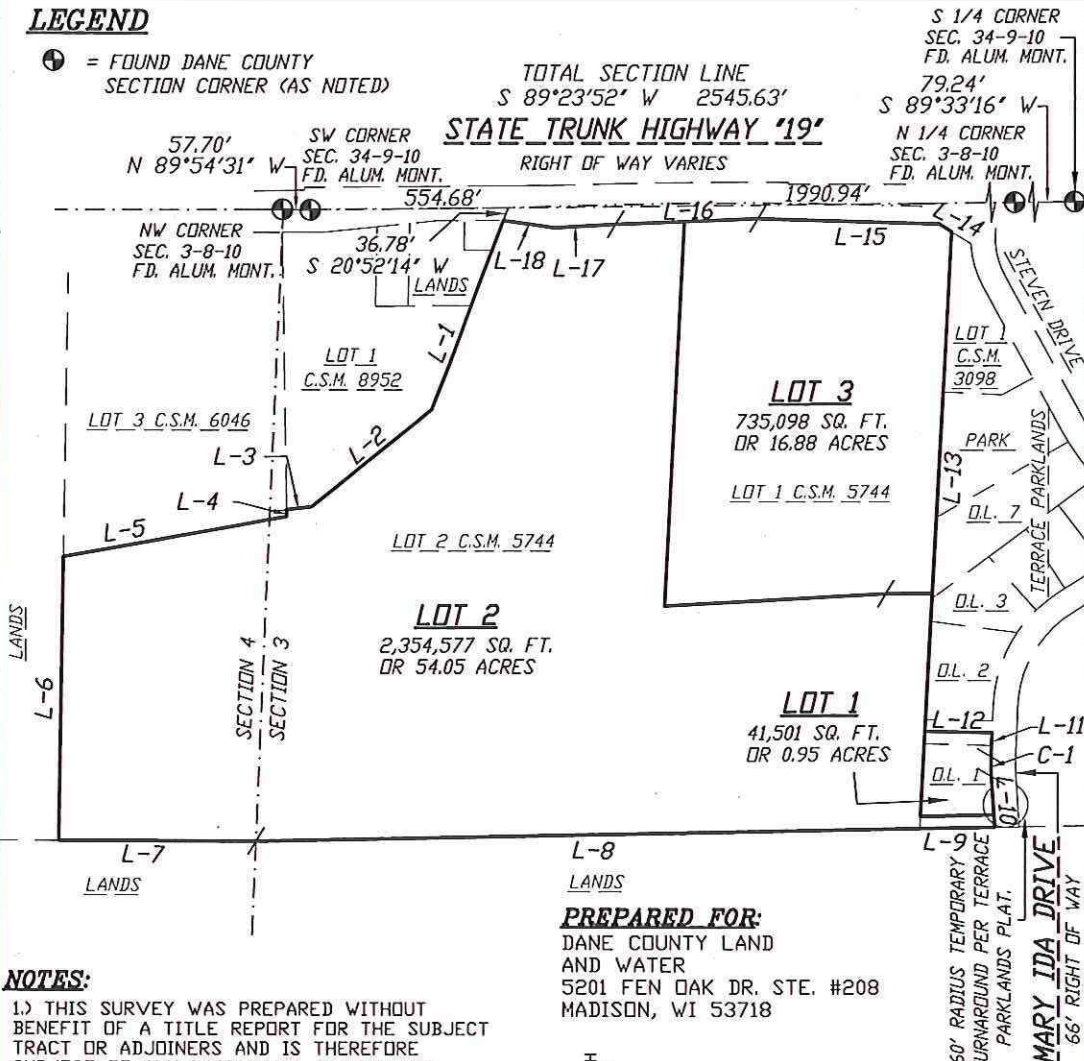
WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

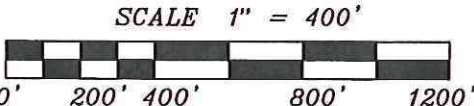
Located in part of the NW 1/4 of the NW 1/4 and part of the NE 1/4 of the NW 1/4 of Section 3, and part of the NE 1/4 of the NE 1/4 of Section 4, all in T8N, R10E, Town of Burke, Dane County, Wisconsin. Including all of Lots 1 and 2 C.S.M. No. 5744 and all of Outlot 1 and part of vacated Kathy Lane, Terrace Parklands Plat.

LEGEND

⊙ = FOUND DANE COUNTY SECTION CORNER (AS NOTED)



- NOTES:**
- 1.) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT FOR THE SUBJECT TRACT OR ADJOINERS AND IS THEREFORE SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS AND STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.
 - 2.) WETLANDS AND FLOOD PLAIN, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.
 - 3.) SEE SHEET 2 FOR LINE AND CURVE TABLES.



DOCUMENT NO. _____
CERTIFIED SURVEY MAP NO. _____



SURVEYORS SEAL

PRELIMINARY FOR REVIEW



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in part of the NW 1/4 of the NW 1/4 and part of the NE 1/4 of the NW 1/4 of Section 3, and part of the NE 1/4 of the NE 1/4 of Section 4, all in T8N, R10E, Town of Burke, Dane County, Wisconsin. Including all of Lots 1 and 2 C.S.M. No. 5744 and all of Outlot 1 and part of vacated Kathy Lane, Terrace Parklands Plat.

SURVEYOR'S CERTIFICATE

I, Noa T. Prieve, Professional Land Surveyor hereby certify that in full compliance with the provisions of Chapter 236.34 Wisconsin Statutes, the subdivision regulations of Dane County, and by the direction of the owners listed below, I have surveyed, divided, and mapped a correct representation of the exterior boundaries of the land surveyed and the division of that land, located in part of the NW 1/4 of the NW 1/4 and part of the NE 1/4 of the NW 1/4 of Section 3, and part of the NE 1/4 of the NE 1/4 of Section 4, all in T8N, R10E, Town of Burke, Dane County, Wisconsin. Including all of Lots 1 and 2 C.S.M. No. 5744 and all of Outlot 1 and part of vacated Kathy Lane, Terrace Parklands Plat, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 3; thence S 89°23'52" W along the North line of the Northwest 1/4, 1990.94 feet; thence S 20°52'14" W, 36.78 feet to the point of beginning.

thence continue S 20°52'14" W, 544.15 feet; thence S 51°21'14" W, 417.30 feet; thence S 83°30'20" W, 69.13 feet; thence S 00°37'36" E, 18.87 feet; thence S 79°43'48" W, 610.29 feet; thence S 00°51'55" W, 762.92 feet; thence S 89°52'38" E, 530.42 feet; thence N 88°52'26" E, 1800.52 feet; thence N 88°56'18" E, 200.00 feet; thence N 03°55'50" W, 137.50 feet; thence along an arc of a curve concaved easterly having a radius of 475.00 feet and a long chord bearing of N 00°44'26" W, 52.74 feet; thence N 02°26'10" E, 64.00 feet; thence N 88°41'50" W, 179.10 feet; thence N 02°57'34" E, 1343.35 feet; thence N 57°54'34" W, 38.25 feet; thence N 88°18'00" W, 492.22 feet; thence S 87°45'41" W, 385.08 feet; thence S 86°47'52" W, 164.88 feet; thence N 82°07'22" W, 140.69 feet to the point of beginning. This parcel contains 3,131,176 sq. ft. or 71.88 acres thereof.

Williamson Surveying and Associates, LLC
by Noa T. Prieve & Chris W. Adams

Date _____

Noa T. Prieve S-2499
Professional Land Surveyor

CURVE TABLE:

C-#	RADIUS	CHORD BEARING	ARC	DELTA
C-1	475.00	N 00°44'26" W 52.74	52.76	06°21'52"

LINE TABLE:

L-#	BEARING	DISTANCE
L-1	S 20°52'14" W	544.15
L-2	S 51°21'14" W	417.30
L-3	S 83°30'20" W	69.13
L-4	S 00°37'36" E	18.87
L-5	S 79°43'48" W	610.29
L-6	S 00°51'55" W	762.92
L-7	S 89°52'38" E	530.42
L-8	N 88°52'26" E	1800.52
L-9	N 88°56'18" E	200.00
L-10	N 03°55'50" W	137.50
L-11	N 02°26'10" E	64.00
L-12	N 88°41'50" W	179.10
L-13	N 02°57'34" E	1343.35'
L-14	N 57°54'34" W	38.25'
L-15	N 88°18'00" W	492.22'
L-16	S 87°45'41" W	385.08'
L-17	S 86°47'52" W	164.88'
L-18	N 82°07'22" W	140.69'

SURVEYORS SEAL

PRELIMINARY
FOR REVIEW