

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
03/20/2014	DCPREZ-2014-10683
Public Hearing Date	C.U.P. Number
05/27/2014	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME JAMES S ELLESON	PHONE (with Area Code) (608) 767-3553	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 4671 COUNTY HIGHWAY JJ		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) BLACK EARTH, WI 53515		(City, State, Zip)	
E-MAIL ADDRESS jim@quercus-ls.com		E-MAIL ADDRESS	

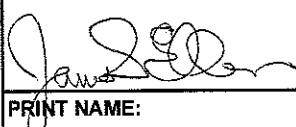
ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
4671 County Highway JJ and lands west thereof				west of 4671 CTH JJ	
TOWNSHIP VERMONT	SECTION 3	TOWNSHIP	SECTION	TOWNSHIP VERMONT	SECTION 02
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0706-031-9501-3				0706-022-9001-9	

REASON FOR REZONE	CUP DESCRIPTION
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SEPARATE EXISTING RESIDENCE FROM FARM; CREATE LIMITED COMMERCIAL LOT FOR BUSINESS AND CREATION OF 2 ACRE PARCEL FOR SINGLE FAMILY RESIDENCE.	
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FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1Ex Exclusive Ag District	RH-1 Rural Homes District	2.410		
A-1Ex Exclusive Ag District	RH-1 Rural Homes District	2.03		
A-1Ex Exclusive Ag District	LC-1 Limited Commercial Dist	1.1		

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials <u>JSE</u>	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <u>JSE</u>	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <u>JSE</u>	INSPECTOR'S INITIALS SCW1	SIGNATURE:(Owner or Agent)  PRINT NAME: JAMES S. ELLESON DATE: 3/20/14
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486

Shoreland



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:

- 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.
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 JAMES ELLESON Agent's Name
Address 4671 COUNTY RD JJ Address
Phone BLACK EARTH, WI 53515 Phone
Email 608-767-3553 Email
jim@quercus-ls.com

Town: VERMONT Parcel numbers affected: 070602290019, 070603195013, 070602480017

Section: 2,3 Property address or location: 4671 COUNTY RD JJ

Zoning District change: (To / From / # of acres) To RH-1 FROM A1-EX 2.AA ; To LC-1 FROM A1-EX 1.1A ; To RA-1 FROM A1-EX 2A

Soil classifications of area (percentages) Class I soils: % Class II soils: 60 % Other: 40 %

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:
SEPARATE EXISTING RESIDENCE FROM FARMLAND FOR SALE TO MY DAUGHTER
CREATE A LIMITED COMMERCIAL LOT FOR MY BUSINESS
REZONE 2ACRES FOR A NEW RESIDENCE

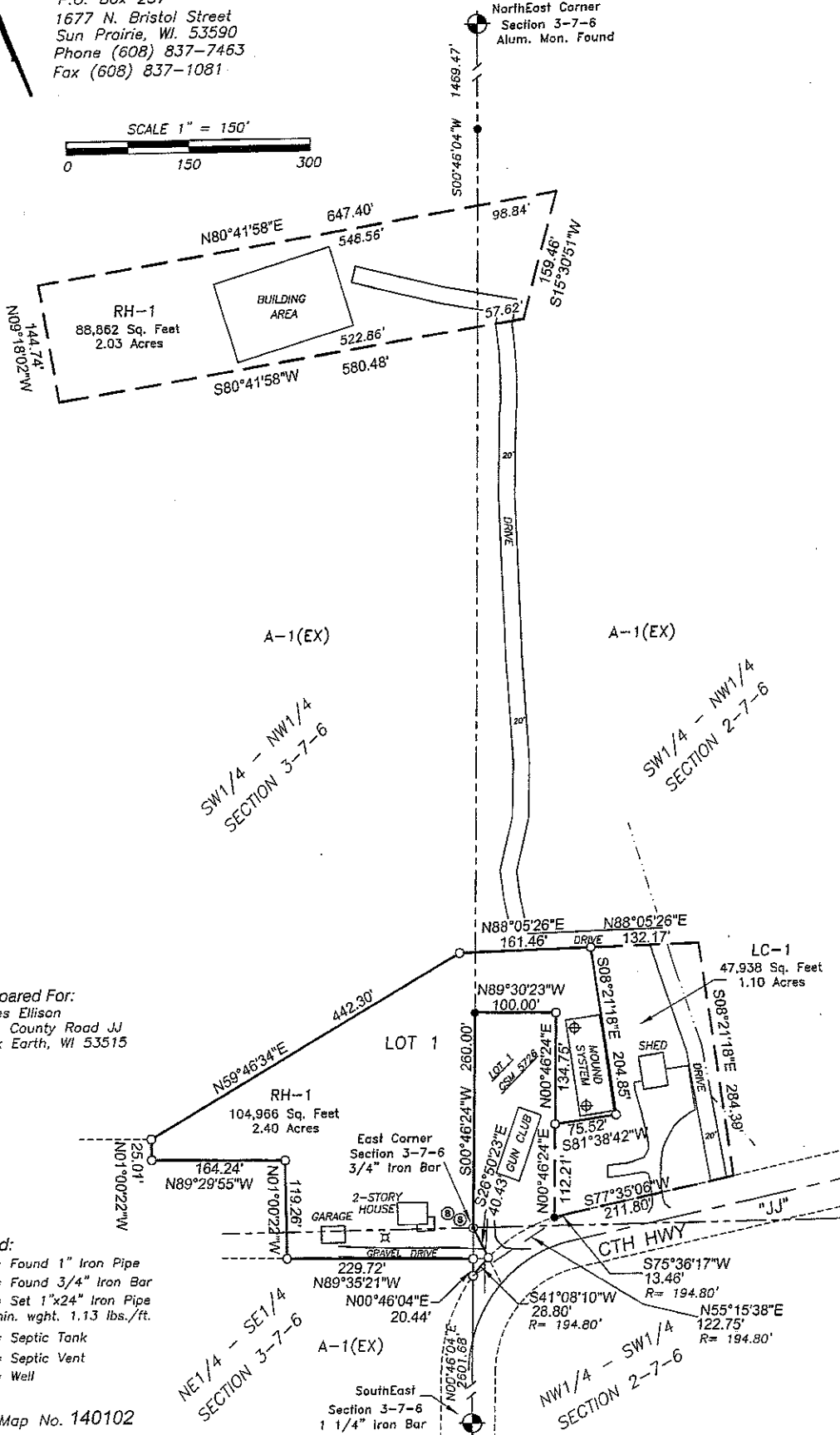
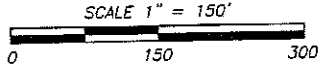
I authorize that I am the owner or have permission to act on behalf of the owner of the property.
Submitted By: James Elleston Date: 3/20/14



BIRRENKOTT SURVEYING, INC.

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, WI. 53590
Phone (608) 837-7463
Fax (608) 837-1081

ZONING MAP



Prepared For:
James Ellison
4671 County Road JJ
Black Earth, WI 53515

Legend:

- = Found 1" Iron Pipe
- ⊙ = Found 3/4" Iron Bar
- = Set 1"x24" Iron Pipe min. wght. 1.13 lbs./ft.
- ⊕ = Septic Tank
- ⊕ = Septic Vent
- ⊕ = Well

Office Map No. 140102

5. The proposed development must meet all land use standards of the Comprehensive Plan.
6. Development rights shall not be transferred into protected areas such as floodplains, wetlands, or the Ridgetop Protection Area.

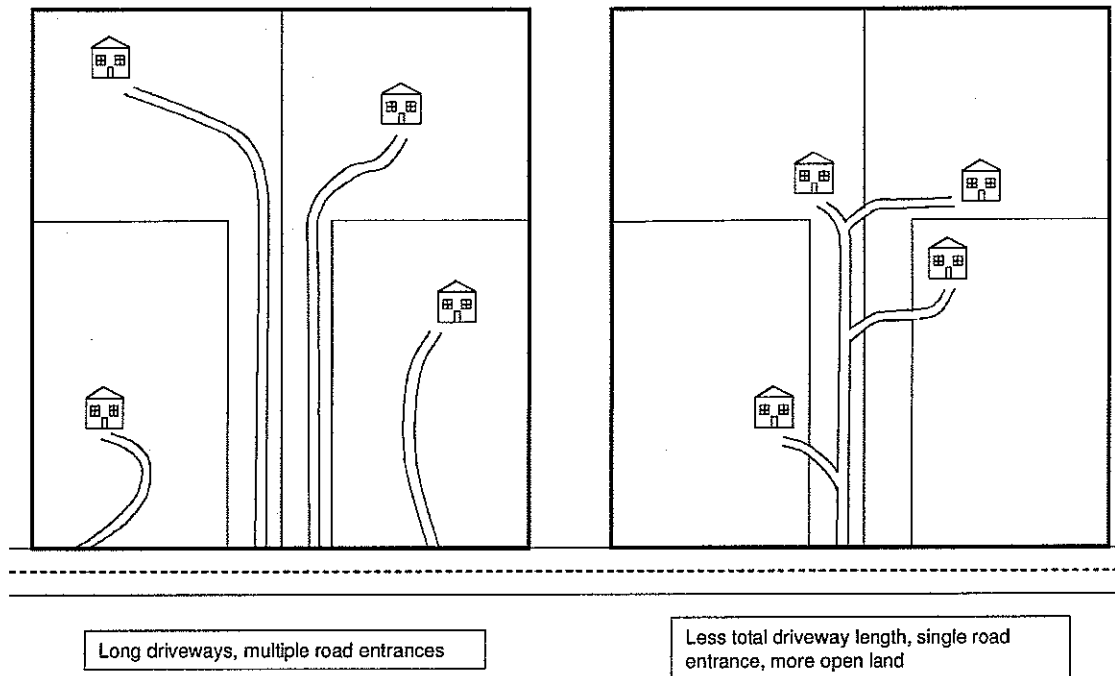
If in the future Dane County establishes a program for transferring development rights between towns, the Town of Vermont may consider participating in a way that helps achieve the goals of this Plan. The Town's participation would likely be limited to acting as a sending area for development rights. Such participation could allow landowners to recover some of the value of their land while protecting its rural character and natural beauty. The Town would not favor becoming a receiving area for development rights from outside the Town, which would likely involve allowing development at a greater density than our current one-per-35-acre standard.

10.3 Siting

Non-farm residential development will be limited to areas that are not deemed essential to agricultural pursuits or the rural environment of the town.

1. The site and the buildings should be located so they are compatible with the rural character and natural beauty of the town. For example, buildings with simple lines, in sheltered locations, are compatible with the traditional farmsteads typical of the town. Buildings that are hidden from view, screened by trees and topography, using roofing and siding materials that blend with the surrounding area, tend to be compatible with the natural beauty.
2. Where development is proposed to be located in open fields or meadows, the site must be evaluated for agricultural significance.
3. Buildings proposed to be located in agriculturally significant fields will only be allowed if located on the edge or corner of a field.
4. For development proposed on agriculturally significant land, no more than 3 acres total for driveway, septic, dwelling and outbuildings may be removed from availability for agricultural use.
5. Suitability for septic tank systems must be shown by test results of a state certified soil tester.
6. Minimum lot size for rezoning is two acres.
7. Building location must minimize loss of trees and grading of land.
8. The natural appearance of ridges, ridgetops and ridge shoulders shall be preserved to the maximum extent possible. Buildings located above the shoulder of a ridge must comply with the requirements of Section 10.4, Ridgetop Protection.
9. Note that Dane County Ordinance 75.19(6)(b) requires that each residential ownership parcel of less than 35 acres must front on a public road for at least 66 feet.

When property is being divided to create multiple home sites, it is often advantageous to place them relatively close to each other. With appropriate screening of homes, such an arrangement can provide for shorter driveways and smaller total developed area, while preserving wider expanses of open, undeveloped land.



10.4 Ridgetop Protection

Ridgetop building is a serious and contentious issue in the Town of Vermont. We encourage applicants to construct their buildings below rather than on top of ridges and high hills, for several reasons. A building located below the crest of a hill causes less impact on the natural beauty and rural character that we seek to preserve. Buildings below the ridgetop generally require shorter and less steep driveways, which are less expensive to construct and maintain, and cause less environmental impact. Owners find that buildings below the ridges are not subject to the noise from great distances and the high winds that are experienced on the hilltops. We recognize that construction within this area may also have special implications with respect to energy use, winter road safety and emergency vehicle access, and erosion damage.

The Ridgetop Protection Area (RPA) is established not to prohibit building on ridgetops, but to minimize the impact of ridgetop building on the natural beauty and rural character of the town. Residences and residential accessory buildings within the RPA are subject to special conditions designed to limit their scale and their visibility from neighbors, from roads, and from other ridgetops.

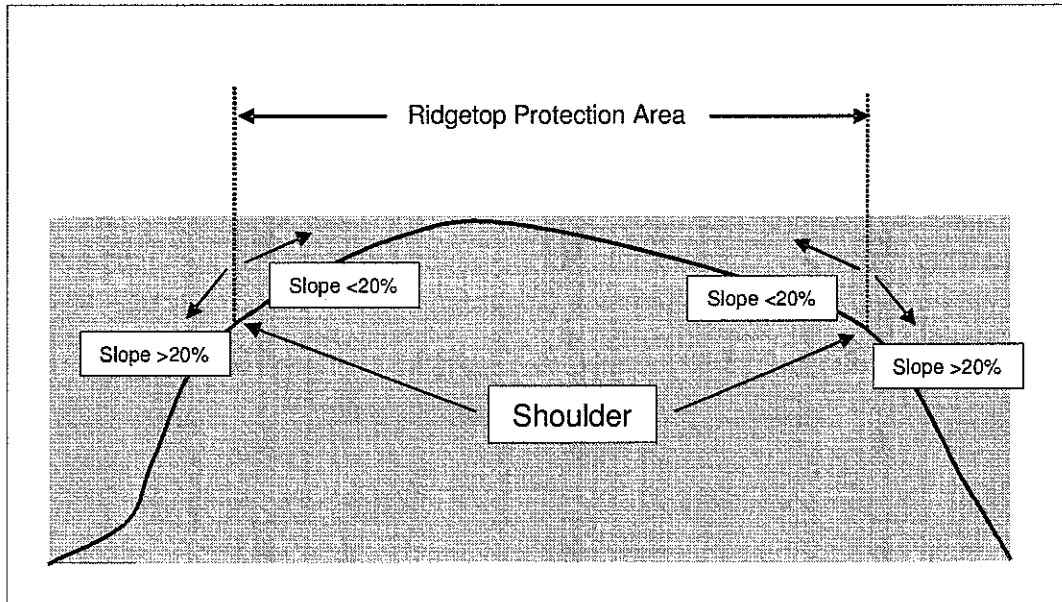
The (RPA) is defined as any location that is located above the *shoulder* of the ridge. The *shoulder* is the point at which the local slope changes from greater than 20% to less than 20%.

To facilitate protection of this area, all new residences and residential accessory buildings located within the RPA are subject to the following constraints:

- The maximum height is limited to 24 feet. The maximum height is measured from the high point of the building to the average ground level around the building. The average ground level is the average of the ground level measured at each corner of the building. The ground level at each point is the original natural ground level or finished ground level, whichever is lower.
- External attachments such as chimneys, lightning rods, and antennas are not included in the height measurement.

- Buildings existing at the time of adoption of this plan are not subject to the height limit. Additions to existing buildings must comply with the height limit.
- Farm accessory buildings are not subject to the height limit.

We recognize that the visual screening provided by trees is temporary. At its discretion, the Plan Commission may consider such screening when evaluating development proposals.



Definition of Ridgetop Protection Area

10.5 Driveways

The Town's interests in regulating driveways include ensuring safety for current and future owners, preventing excessive erosion, and minimizing visual impact. We encourage driveways that are short, with gentle slopes and minimal excavation.

1. Any person seeking to establish, construct, improve, modify or rework a driveway which changes the existing topography of the land shall first apply for a Driveway Permit from the Town Board.
2. Driveways must meet the requirements of the Town Driveway Ordinance, including safe passage for emergency vehicles, maximum driveway grade, and maximum side-slope steepness. Driveway planning should take into account natural topography and erosion concerns, and minimize long steep grades. Longtime residents understand that long steep driveways can pose significant safety and maintenance problems. Even the best-engineered driveways require regular filling and grading to repair the gullies that result from summer rainstorms. And a grade that is easy to negotiate on a dry sunny spring day can become precarious or even hazardous in the midst of winter snows.
3. A shared driveway may be preferable to multiple individual driveways for environmental or safety reasons. One driveway shall serve no more than four residences. Shared driveways must meet the requirements of the Town Driveway Ordinance for turnout lanes, access easements, and maintenance agreements.
4. Roads or driveways may be permitted to cross agricultural land to reach proposed non-