

# Dane County Rezone & Conditional Use Permit

<b>Application Date</b>	<b>Petition Number</b>
06/25/2014	DCPREZ-2014-10723
<b>Public Hearing Date</b>	<b>C.U.P. Number</b>
08/26/2014	DCPCUP-2014-02278

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME KALTENBERG REV TR, R J/M B	PHONE (with Area Code) (608) 220-1289	AGENT NAME WILLIAMSON SURVEYING	PHONE (with Area Code) (608) 255-5705
BILLING ADDRESS (Number & Street) 5202 EASY ST		ADDRESS (Number & Street) 104A W MAIN ST.	
(City, State, Zip) WAUNAKEE, WI 53597		(City, State, Zip) Waunakee, WI 53597	
E-MAIL ADDRESS		E-MAIL ADDRESS chris@williamsonsurveying.com	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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<b>ADDRESS OR LOCATION OF REZONE/CUP</b>		<b>ADDRESS OR LOCATION OF REZONE/CUP</b>		<b>ADDRESS OR LOCATION OF REZONE/CUP</b>	
5202 Easy St.				west of 5202 Easy St.	
TOWNSHIP VIENNA	SECTION 35	TOWNSHIP	SECTION	TOWNSHIP VIENNA	SECTION 35
<b>PARCEL NUMBERS INVOLVED</b>		<b>PARCEL NUMBERS INVOLVED</b>		<b>PARCEL NUMBERS INVOLVED</b>	
0909-353-9500-5				0909-353-9000-0	

REASON FOR REZONE	CUP DESCRIPTION
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TRANSFER OF RESIDENCE AND FARM BUILDINGS FROM OWNER TO SON.	UNLIMITED LIVESTOCK
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FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1Ex Exclusive Ag District	A-2 (8) Agriculture District	8.18	10.126(3)	8.18

<b>C.S.M REQUIRED?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	<b>PLAT REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>DEED RESTRICTION REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>INSPECTOR'S INITIALS</b>  SCW1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>
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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

**Conditional Use Application**

Application Fee: \$486 Mineral Extraction: \$1136

Items required to be submitted with application:

- Written Legal Description of Conditional Use Permit boundaries
- Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- Scaled map showing neighboring area land uses and zoning districts
- Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner	<u>Rick Kaltenberg</u>	Agent	<u>Williamson Surveying &amp; Associates, LLC</u>
Address	<u>5202 Easy St, Waunakee, WI</u>	Address	<u>104A W. Main St, Waunakee, WI</u>
Phone	<u>608-220-1289</u>	Phone	<u>608-255-5705</u>
Email	<u></u>	Email	<u>chris@williamsonsurveying.com</u>

Parcel numbers affected: 0909-353-9010-8, 0909-353-9000-0, 0909-353-9500-5 Town: Vienna Section: 35  
Property Address: 5202 Easy St

Existing/ Proposed Zoning District : A-1EX / A-2(8)

- Type of Activity proposed: any farm related activities necessary to run an active farm with live stock and the raising of 200-250 units of live stock on site.
- Hours of Operation Dusk to Dawn
- Number of employees 1
- Anticipated customers none
- Outside storage farm equipment, vehicles and live stock pens
- Outdoor activities anything related to running an active farm
- Outdoor lighting standard lighting for farm yard visibility
- Outside loudspeakers none
- Proposed signs existing 4'x4' family farm sign
- Trash removal standard Town trash bins
- Six Standards of CUP (see back)

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: [Signature] (Agent)

Date: 5-28-14

# **Six Standards of a Conditional Use Permit**

Provide an explanation on how the proposed land use will meet all six standards.

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The proposed use will not change from the existing use so it will not cause issues for public health, safety, comfort or general welfare.

2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

The proposed use will cause no changes to values or uses of the neighborhood because there will be no change from the existing use of this site and buildings.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The proposed use will not impede the development and improvement of surrounding property because it is already developed. All the buildings that will be used are existing and have been used for this purpose for many years.

4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

Access, utilities and drainage easements are already in existence for the use of this property to build and maintain this proposed use.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

This site and its buildings have adequate access to Easy Street and no changes are proposed with this conditional use that would create any additional congestion to traffic.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

The proposed use will conform to the regulations of the permitted uses for A-2(8) zoning.



# **WILLIAMSON SURVEYING & ASSOCIATES, LLC**

**104A WEST MAIN STREET, WAUNAKEE, WI 53597**

**NOA T. PRIEVE and CHRIS W. ADAMS**

**PHONE: 1-608-255-5705 WEB: WILLIAMSONSURVEYING.COM**

## **Letter of Intent**

Rick Kaltenberg is requesting a rezone, conditional use permit and CSM approval in order to separate the existing farm buildings and house located at 5202 Easy Street from the rest of the farm land. Rick is looking to transfer ownership of this new parcel to his son while keeping ownership of the farm land. Currently they use these farm buildings to house live stick and would like to continue this use, so we are also requesting a conditional use permit to be approved along with the rezone request. The parcel that we have proposed would be 8.60 acres including right of way and 8.18 excluding right of way. The county zoning for this size and use would be A-2(8) and the conditional use permit is to request 200-250 head of livestock to be allowed on this proposed site. There are no plans at this time to change the existing conditions of the home or the farm buildings on this site.



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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 <u>Rick Kaltenberg</u>	Agent's Name <u>Williamson Surveying</u>
Address <u>5202 Easy St, Waunakee, WI 53597</u>	Address <u>104A W. Main St, Waunakee</u>
Phone <u>(608) 220-1289</u>	Phone <u>608-255-5705</u>
Email _____	Email <u>chris@williamsonsurveying.com</u>

Town: Vienna Parcel numbers affected: 0909-353-9010-8, 0909-353-9000-0, 0909-353-9500-5

Section: 35 Property address or location: SE 1/4 & SW 1/4 of SW 1/4 Sec. 35, T9N, R9E

Zoning District change: (To / From / # of acres) A-2(8) / A-1EX / 8.60 acres

Soil classifications of area (percentages) Class I soils: 0 % Class II soils: 100 % Other:     %

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:

Rick Kaltenberg wants to transfer his house and farm buildings to his son but retain ownership of the farm land. Currently they use the farm buildings for housing live stock and would like to continue this, so they are applying for a Conditional Use Permit along with this rezone in order to have the number of live stock on this A-2(8) parcel that they currently have.

I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: [Signature] (Agent)

Date: 05/21/2014



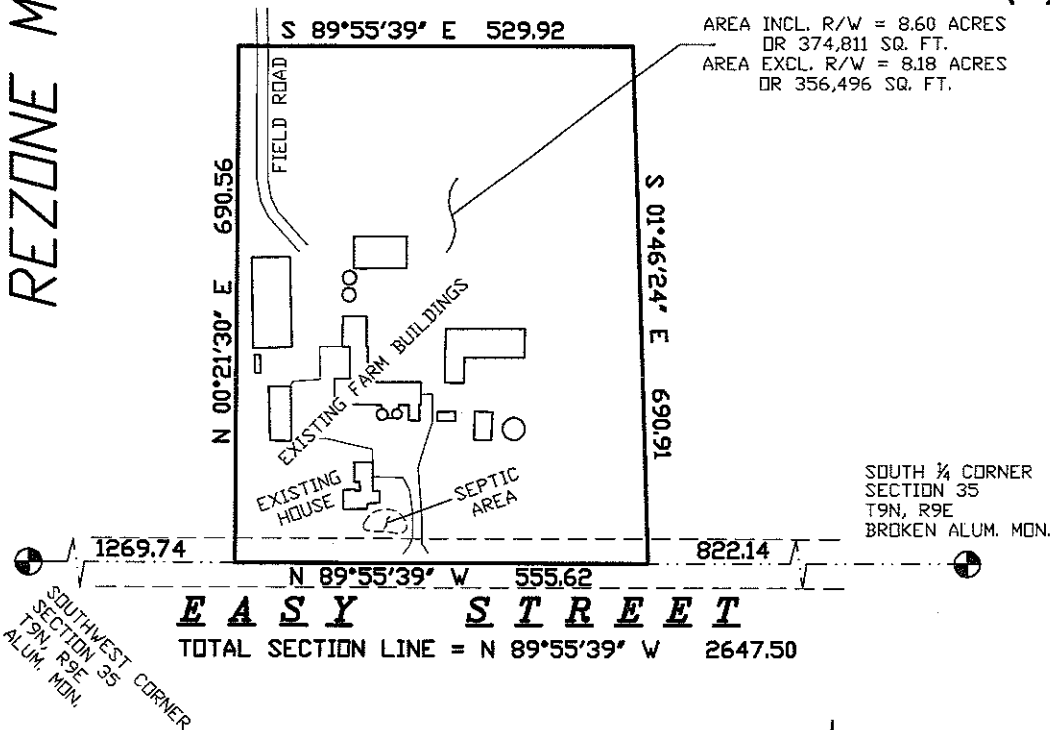
# WILLIAMSON SURVEYING AND ASSOCIATES, LLC

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

REZONE MAP

## A-1 EX. TO A-2(8)

AREA INCL. R/W = 8.60 ACRES  
OR 374,811 SQ. FT.  
AREA EXCL. R/W = 8.18 ACRES  
OR 356,496 SQ. FT.



**PREPARED FOR:**  
RICK KALTENBERG  
5202 EASY ST  
WAUNAKEE, WI 53597



## A-1 EX. TO A-2(8)

A parcel of land located in part of the SE 1/4 and SW 1/4 of the SW 1/4 of Section 35, T9N, R9E, Town of Vienna, Dane County, Wisconsin being more particularly described as follows:

Commencing at the South 1/4 corner of said Section 35; thence N 89°55'39" W, 822.14 feet to the point of beginning.

thence continue N 89°55'39" W, 555.62 feet; thence N 00°21'30" E, 690.56 feet; thence S 89°55'39" E, 529.92 feet; thence S 01°46'24" E, 690.91 feet to the point of beginning. This parcel contains 8.60 acres and is subject to a road right of way of 33.00 feet over the most southerly part thereof.

DELAYED EFFECTIVE DATE REQUESTED



# CERTIFIED SURVEY MAP

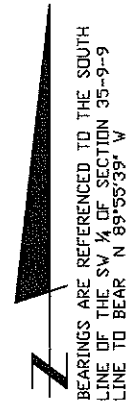
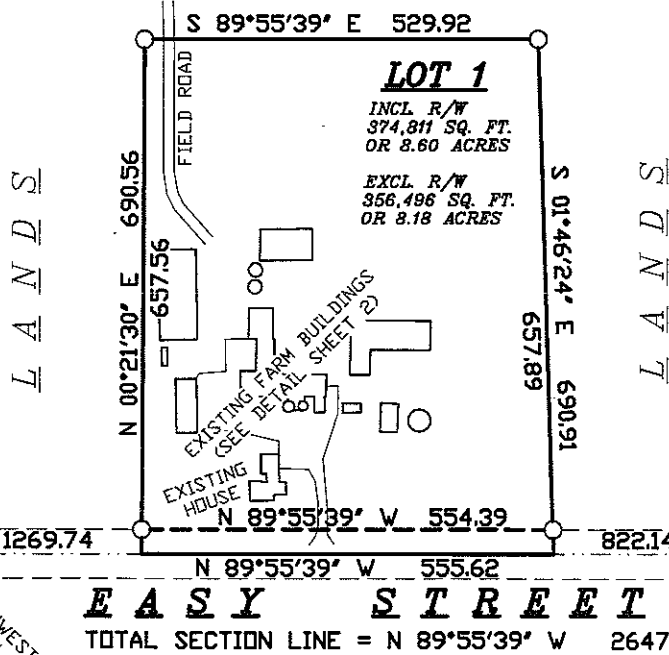
WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE & CHRIS W. ADAMS, REGISTERED LAND SURVEYORS

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE 1/4 and SW 1/4 of the SW 1/4 of Section 35, T9N, R9E, Town of Vienna, Dane County, Wisconsin.

## LANDS



### LEGEND

- = SET 3/4"x24" REBAR WT 1.5 LB PER LIN FT
- ⊕ = FOUND ALUMINUM MON.

### PREPARED FOR:

RICK KALTENBERG  
 5202 EASY ST  
 WAUNAKEE, WI 53597

### 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, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.
- 3.) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.

SCALE 1" = 200'



SURVEYORS SEAL

DOCUMENT NO. \_\_\_\_\_

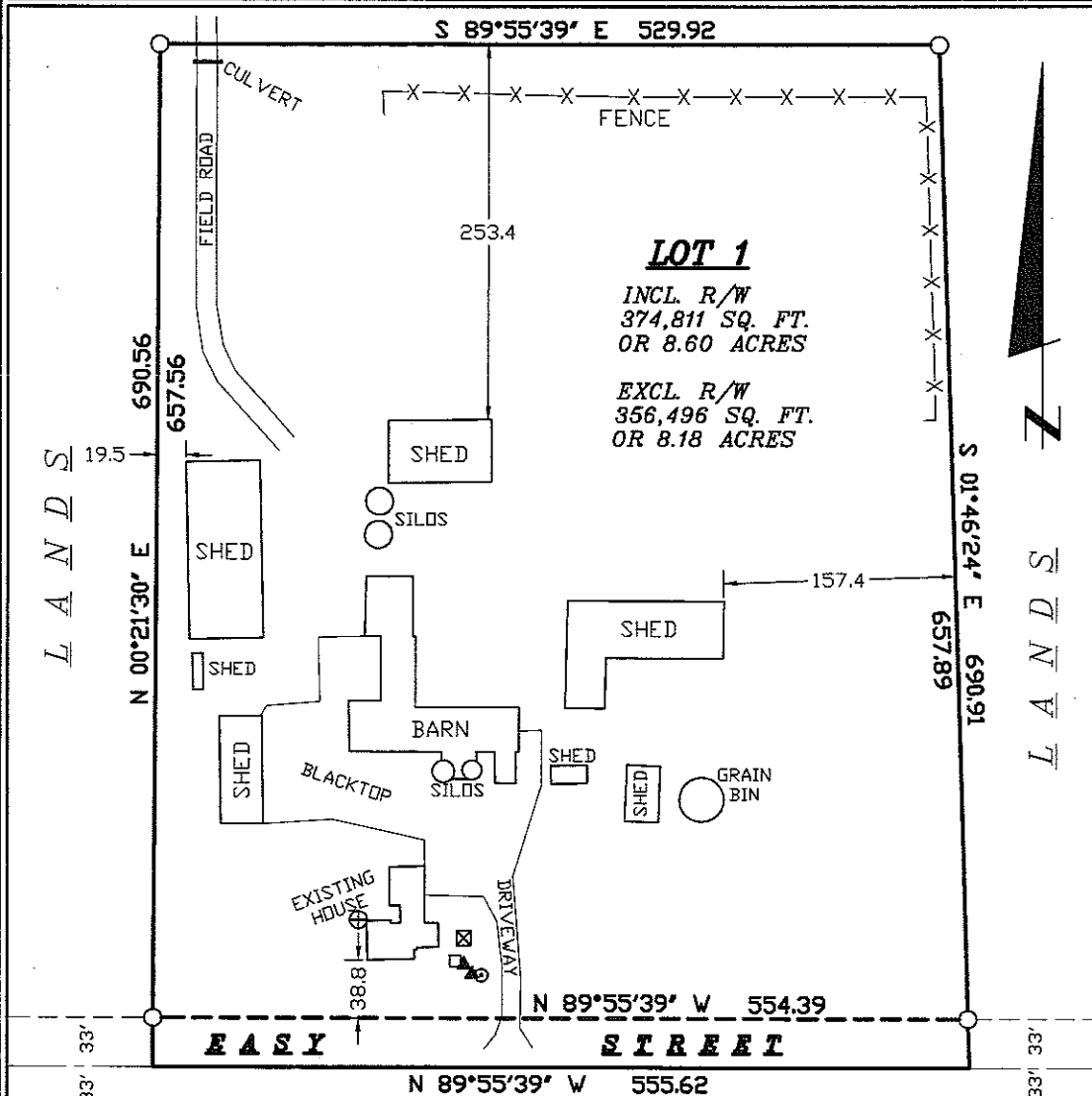
CERTIFIED SURVEY MAP NO. \_\_\_\_\_



# CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC  
NDA T. PRIEVE & CHRIS W. ADAMS, REGISTERED LAND SURVEYORS  
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE 1/4 and SW 1/4 of the SW 1/4 of Section 35,  
T9N, R9E, Town of Vienna, Dane County, Wisconsin.



### LEGEND

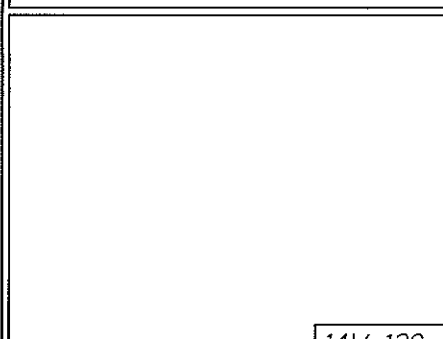
- = SET 3/4"x24" REBAR  
WT 1.5 LB PER LIN FT
- ⊕ = FOUND ALUMINUM MONUMENT
- ⊗ = WELL
- ⊙ = SEPTIC VENT
- ⊠ = OLD WELL
- = SEPTIC CLEANOUT
- ▲ = SEPTIC TANK

SCALE 1" = 100'



Sheet 2 of 4

### SURVEYORS SEAL



14W-139





# CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC  
NOA T. PRIEVE & CHRIS W. ADAMS, REGISTERED LAND SURVEYORS  
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE ¼ and SW ¼ of the SW ¼ of Section 35,  
T9N, R9E, Town of Vienna, Dane County, Wisconsin.

### SURVEYOR'S CERTIFICATE

I, Chris W. Adams, Registered 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. A parcel of land located in part of the SE ¼ and SW ¼ of the SW ¼ of Section 35, T9N, R9E, Town of Vienna, Dane County, Wisconsin being more particularly described as follows:

Commencing at the South ¼ corner of said Section 35; thence N 89°55'39" W, 822.14 feet to the point of beginning.

thence continue N 89°55'39" W, 555.62 feet; thence N 00°21'30" E, 690.56 feet; thence S 89°55'39" E, 529.92 feet; thence S 01°46'24" E, 690.91 feet to the point of beginning. This parcel contains 8.60 acres and is subject to a road right of way of 33.00 feet over the most southerly part thereof.

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

Date \_\_\_\_\_

\_\_\_\_\_  
*Chris W. Adams S-2748  
Registered Land Surveyor - Owner*

### OWNERS' CERTIFICATE:

As owner, I hereby certify that I caused the land described on this certified survey map to be surveyed, divided and mapped as represented on the certified survey map. I also certify that this certified survey map is required by sec. 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee for approval.

WITNESS the hand seal of said owners this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

*R.J./M.B. Kaltenberg Revocable Trust*

\_\_\_\_\_  
*Richard J Kaltenberg*

\_\_\_\_\_  
*Mary Beth Kaltenberg*

STATE OF WISCONSIN)  
DANE COUNTY)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the above named Richard J. & Mary Beth Kaltenberg to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_ County, Wisconsin.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
*Notary Public*

\_\_\_\_\_  
*Print Name*

Sheet 3 of 4

**SURVEYORS SEAL**

14W-139



# CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE & CHRIS W. ADAMS, REGISTERED LAND SURVEYORS

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE ¼ and SW ¼ of the SW ¼ of Section 35,  
T9N, R9E, Town of Vienna, Dane County, Wisconsin.

### TOWN BOARD RESOLUTION

Resolved that this certified survey map is hereby acknowledged and approved by the Town of Vienna on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Shawn Haney  
Town Clerk

### NOTE:

REFER TO BUILDING SITE INFORMATION CONTAINED IN THE DANE COUNTY SOIL SURVEY.

Approved for recording per Dane County Zoning and Land Regulation Committee action on \_\_\_\_\_.

\_\_\_\_\_  
Daniel Everson  
Assistant Zoning Administrator

### REGISTER OF DEEDS:

Received for recording this \_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_ o'clock \_\_\_\_M. and recorded in Volume \_\_\_\_\_ of Dane County Certified Surveys on pages \_\_\_\_\_ through \_\_\_\_\_.

\_\_\_\_\_  
Kristi Chlebowski  
Register of Deeds

DOCUMENT NO. \_\_\_\_\_

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

SURVEYORS SEAL