

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
08/03/2020	DCPREZ-2020-11593
Public Hearing Date	C.U.P. Number
10/27/2020	

OWNER INFORMATION		ADDITIONAL OWNER	
OWNER NAME CHRISTOPHER R ROHDE-SZUDY	PHONE (with Area Code) (608) 669-0165	AGENT NAME L.G. SZUDY	PHONE (with Area Code) (608) 795-4785
BILLING ADDRESS (Number & Street) 402 BROADHEAD ST		ADDRESS (Number & Street) 509 W. HUDSON STREET	
(City, State, Zip) MAZOMANIE, WI 53560		(City, State, Zip) Mazomanie, WI 53560	
E-MAIL ADDRESS robrohdeszudy@gmail.com		E-MAIL ADDRESS szudy@charter.net	

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	
North of 6474 Cooke Road					
TOWNSHIP MAZOMANIE	SECTION 36	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0906-363-8880-0					

REASON FOR REZONE			CUP DESCRIPTION	
CREATING ONE RESIDENTIAL LOT				
FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
FP-35 Farmland Preservation District	RR-4 Rural Residential District	4.95		

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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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

- 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:	Christopher Rohde-Szudy	Agent Name:	Same
Address (Number & Street):	402 Brodhead Street	Address (Number & Street):	
Address (City, State, Zip):	Mazomanie, WI 53560	Address (City, State, Zip):	
Email Address:	robrohdeszudy@gmail.com	Email Address:	
Phone#:	608-669-0165	Phone#:	

PROPERTY INFORMATION	
Township: Mazomanie	Parcel Number(s): 034/0906-363-8880-0
Section: 36	Property Address or Location: Cooke Road

REZONE DESCRIPTION		
<p>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.</p>	<p>Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>As recommended by county zoning representatives, dividing a 5 acre parcel from the parent 40 acre parcel to rezone to RR-4 for construction of a house, making use of the density building right included in the parent parcel. The remaining 35 acres is to remain in FP-35 zoning.</p>		
Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP-35	FP-35	35.27 net
FP-35	RR-4	4.95 net

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 checked="" type="checkbox"/> Scaled drawing of proposed property boundaries	<input checked="" type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable) NA	<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 _____

Date

7/24/2020

C.R. Rohde-Szudy
402 Brodhead Street
Mazomanie, WI 53560
608-669-0165
robrohdeszudy@gmail.com

July 24, 2020

Greetings,

I have had the initial meeting with the Town of Mazomanie and received approval to proceed from the Plan Commission and Town Board. The Dane County zoning office should be in receipt of a communication from the Town Clerk surrounding this approval.

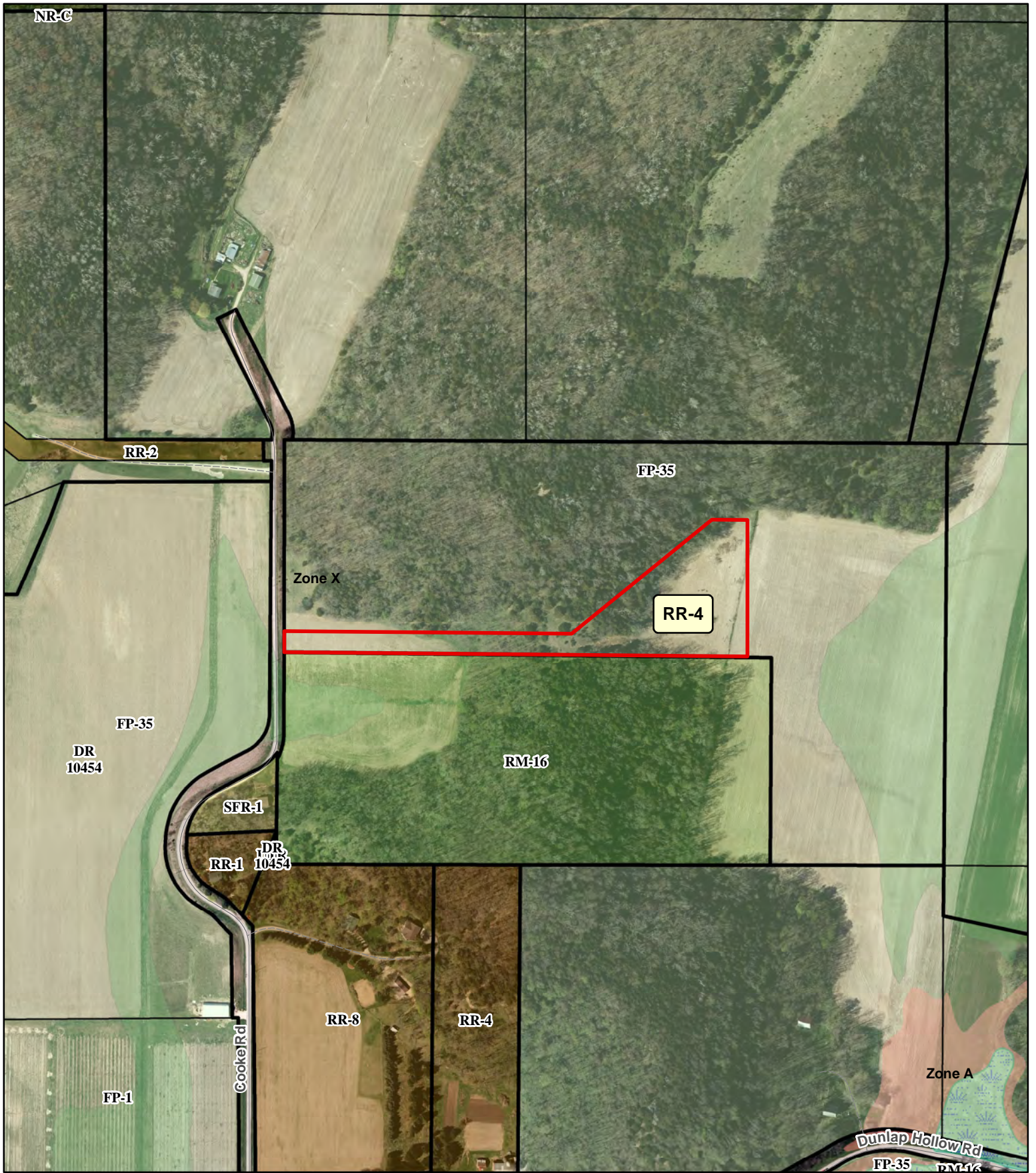
In addition to the required documents, I have also included the proposed driveway easement documentation, as this seems cogent to the matter at hand.

Curt Kodl of the Dane County zoning office had indicated that the county was currently foregoing pre-application consultations due to the COVID-19 crisis. However this was a couple months ago, and if phone or online meeting options are now available, I would be happy to meet. Please advise on the zoning office's preference in this regard.





Thank you,

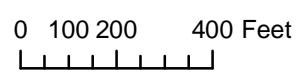
A handwritten signature in black ink, appearing to be 'Rob Rohde-Szudy', enclosed within a large, hand-drawn oval.

Rob Rohde-Szudy



Legend

- | | | | | |
|--|------------|---|---|---------|
|  | Wetland | Significant Soils |  | Class 1 |
|  | Floodplain |  | Class 2 | |



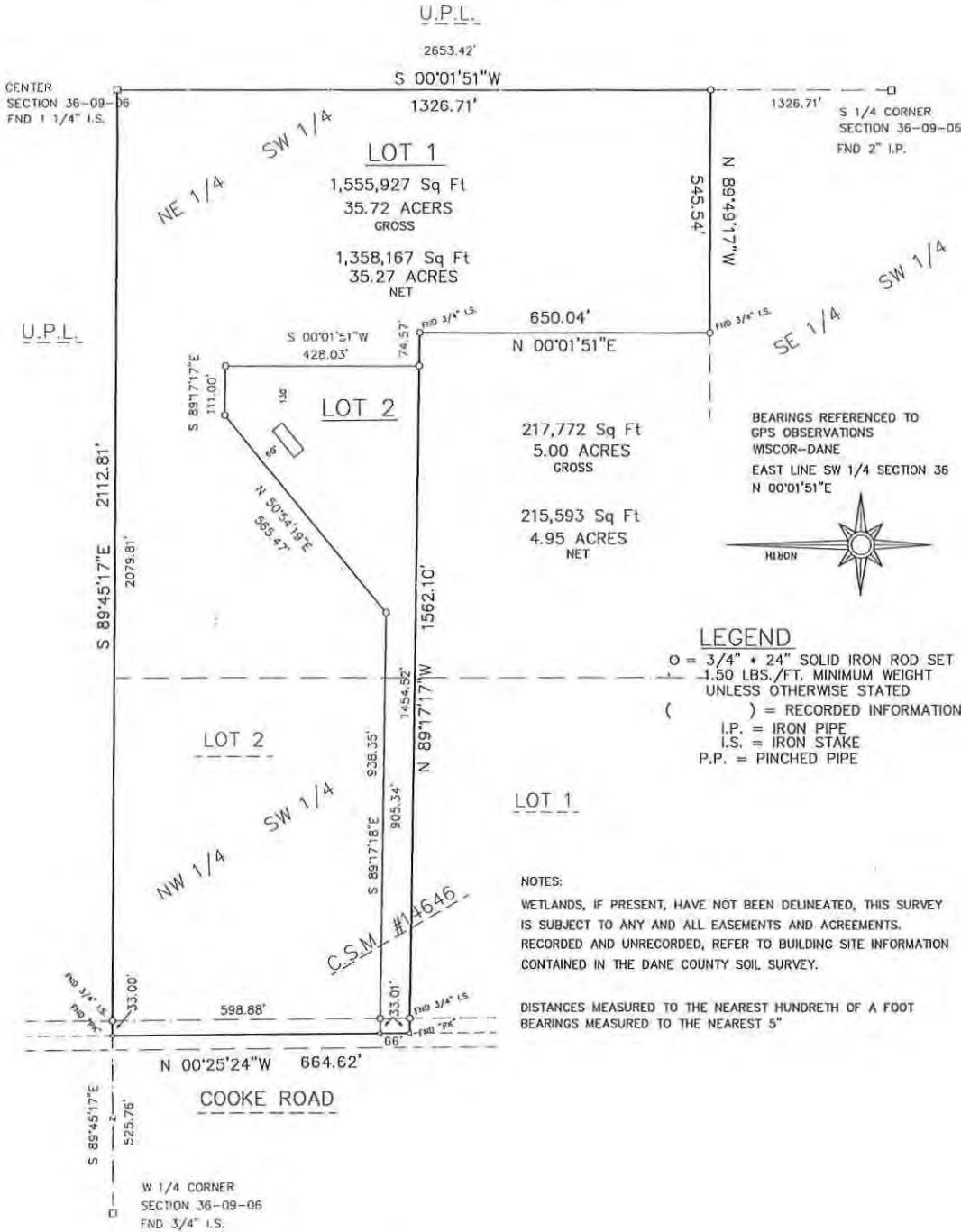
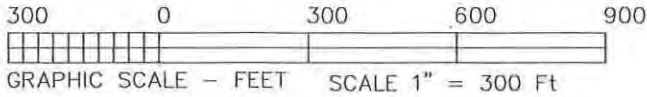
Petition 11593
**CHRISTOPHER R ROHDE-
 SZUDY**

CERTIFIED SURVEY MAP

WALKER SURVEYING INC.

5964 LINDA CT. MAZOMANIE, WI. 53560

LOCATED IN PART OF THE NE 1/4 OF THE SW 1/4, AND PART OF THE NW 1/4 OF THE SW 1/4, SECTION 36, T09N, R06E, TOWN OF MAZOMANIE, DANE COUNTY, WISCONSIN.



SURVEYED FOR:
CHRISTOPHER RHODE-SZUDY
402 BROADHEAD ST
MAZOMANIE, WI 53560

DOCUMENT NO. _____
CERTIFIED SURVEY MAP NO. _____
VOLUME _____ PAGE _____

L E G A L D E S C R I P T I O N

Part of Lot 2, Certified Survey Map #14646, located part of the NE 1/4 of the SW 1/4 and part of the NW 1/4 of the SW 1/4, Section 36, T09N, R06E, Town of Mazomanie, Dane County, Wisconsin more fully described as follows;

Beginning at the Southwest corner said Lot 2

THENCE North 00 degrees 25 minutes 31 seconds West for a distance of 66.00 feet along the centerline of Cooke Road

THENCE South 89 degrees 17 minutes 18 seconds East for a distance of 938.35 feet

THENCE North 50 degrees 54 minutes 19 seconds East for a distance of 565.47 feet

THENCE South 89 degrees 17 minutes 17 seconds East for a distance of 111.00 feet

THENCE South 00 degrees 01 minutes 51 seconds West for a distance of 428.03 feet to the South line said lot 2

THENCE North 89 degrees 17 minutes 17 seconds West for a distance of 1487.53 feet along said line to the point of beginning

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 5.00 acres more or less.

TEXT FOR EASEMENT AND SHARED DRIVEWAY AND MAINTENANCE AGREEMENT

WHEREAS, Christopher R. Rohde-Szudy and L.G. Szudy are owners of the following described real estate in County of Dane, State of Wisconsin, to with:

LEGAL DESCRIPTION

Certified Survey Map No. 14646, recorded in Volume 101 Page 281 of Certified Survey Maps, as Document Number 5369445.

WHEREAS, Christopher R. Rohde-Szudy and L.G. Szudy are the owners of the following real estate in County of Dane, State of Wisconsin, which will be divided from the parent parcel to be rezoned for home building, to with:

LEGAL DESCRIPTION

Part of Lot 2, Certified Survey Map #14646, located part of the NE 1/4 of the SW 1/4 and part of the NW 1/4 of the SW 1/4, Section 36, T09N, R06E, Town of Mazomanie, Dane County, Wisconsin more fully described as follows;

Beginning at the Southwest corner said Lot 2

THENCE North 00 degrees 25 minutes 31 seconds West for a distance of 66.00 feet along the centerline of Cooke Road

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THENCE North 89 degrees 17 minutes 17 seconds West for a distance of 1487.53 feet along said line to the point of beginning

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 5.00 acres more or less.

WHEREAS, the undersigned desires to create a shared driveway agreement, via a driveway to be constructed, for the purpose of providing shared access for ingress and egress to Lot 2, and the east portion of Lot 1;

WHEREAS, Undersigned hereby intends to define the respective rights and responsibilities of future owners of both parcels, with respect to use of an easement strip and concerning driveway improvements constructed thereon.

WHEREFORE, Undersigned, as owner of Lot 2, and Lot 1, for a valuable consideration receipt of which is hereby acknowledged and for the mutual benefits herein conferred, hereby declare as follows:

DRIVEWAY DESCRIPTION: Undersigned, Christopher R Rohde-Szudy and L.G. Szudy as owners of Lot 1 and Lot 2, hereby create a perpetual, non-exclusive, easement for the benefit of Lot 1 and Lot 2, for the purpose of providing access for ingress and egress from Cooke Road to said lots, and for parking of vehicles, over and across the following described parcel of real estate, to wit:

The Access Easement to be finalized based on measurement of as-built driveway across Lot 2 between Cooke Road and Lot 1.

The Undersigned, as owners of Lot 2, hereby grant to the future owners of Lot 1, for him, her, and them, their tenants, servants, guests, visitors, licensees, employees, in common with all others having the like right, with or without vehicles, for all purposes connected with the use of Lot 1, the right and liberty to freely pass and repass along and over the easement strip described above, for the purpose of going to and returning from Cooke Road to the said Lot 1.

SHARED USE: Undersigned, as owner of Lot 2, hereby agrees to the no-exclusive and common use of the driveway for purposes of ingress and egress.

NO OBSTRUCTION: The owner of no premises served by the driveway shall at any time park vehicles or place or allow to be placed other obstructions in the driveway, either temporarily or permanently, which would block free passage over the driveway to the disadvantage of any other owner, their tenants or invitees.

MAINTENANCE AND REPAIR: The maintenance, repair or replacement of driveway improvements in the easement area shall be shared equally by the owners of Lot 1 and Lot 2. The maintenance of the driveway shall include snow removal, sanding/salting to deal with winter driving conditions, and repair of any erosion by replacement of gravel. It is intended the driveway will be maintained in such condition so as to facilitate regular use by vehicles for ingress and egress, which is safe and which condition permits vehicles to negotiate the driveway at reasonable speeds (up to 10 mph) without danger or damage.

DAMAGES: In the event that any part of the driveway is damaged by vehicles, equipment, or otherwise, other than normal wear and tear, the owners of the premises which the vehicles or equipment were accessing when the damage occurred shall be solely responsible for the repair of such damages.

DECISIONS: Decisions respecting maintenance of the driveway, contracting for maintenance, or snow plowing shall be by mutual agreement of the future owners of Lot 1 and Lot 2. In the event that the owners of the affected lots are not able to agree on any matter which is subject to this agreement, the issue shall be settled by arbitration. Arbitration may be initiated by either owner by submitting a written demand for arbitration to the other affected owner(s). Within five days of such demand, the affected owners shall meet and agree on a single arbitrator. If the parties are unable to agree on a single arbitrator, the owners of Lot 1 shall within an additional seven days appoint an arbitrator, and the owners of Lot 2 shall within an additional seven days appoint an arbitrator. If the two arbitrators so appointed are unable to determine the issue, they shall appoint a third arbitrator, and all of the arbitrators so chosen shall determine the issue by majority vote. The issue determined by arbitration shall be binding on the parties and enforceable in accordance with Wisconsin Statute Chapter 788. If an owner fails to appoint an arbitrator timely in accordance with this provision, the issue in controversy shall be determined by the arbitrator appointed by the other affected owner(s) and such determination shall be binding on all affected owners.

BINDING EFFECT: This easement and agreement are granted for the mutual benefit of the owners of Lot 1 and Lot 2, and their respective successors, and is intended to run with the land. This easement and

agreement is binding on the undersigned and the future owners of Lot 2, and their personal representative, heirs, successors and assigns.

Christopher R. Rohde-Szudy Dated

L.G. Szudy Dated

State of Wisconsin
County of Dane

Personally came before me this ____ day of _____, 2020, the above named Christopher Rohde-Szudy and L.G. Szudy, known to me as the persons who executed the foregoing agreement and acknowledged the same.

Notary Public, State of Wisconsin Dated

My Commission Expires: