

Dane County Rezone Petition

Application Date	Petition Number
11/08/2021	DCPREZ-2021-11788
Public Hearing Date	
01/25/2022	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME THOMAS M AND JULIA A WILLAN	PHONE (with Area Code) (608) 438-3103	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 4407 VILAS HOPE RD		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) COTTAGE GROVE, WI 53527		(City, State, Zip)	
E-MAIL ADDRESS tom@ironmanbuildings.com		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
4407 Vilas Hope Road					
TOWNSHIP COTTAGE GROVE	SECTION 7	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0711-072-9971-5					

REASON FOR REZONE

CHANGE ZONING TO ALLOW PERMITTED USES IN THE FARMLAND PRESERVATION BUSINESS FP-B ZONING DISTRICT (LAND USE UNKNOWN)

FROM DISTRICT:	TO DISTRICT:	ACRES
RR-2 Rural Residential District	FP-B Farmland Preservation Business District	2.0

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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COMMENTS: PORTIONS OF THE APPLICATION MATERIALS DO NOT CONTAIN FACTUAL INFORMATION.



Legend

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



Petition 11788
THOMAS M and JULIA A
WILLAN



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: Thomas M and Julia A Willan Agent Name:
 Address (Number & Street): 4407 Vilas Hope Rd Address (Number & Street):
 Address (City, State, Zip): Cottage Grove WI 53527 Address (City, State, Zip):
 Email Address: tom@ironmanbuildings.com Email Address:
 Phone#: 608-438-3103 Phone#:

PROPERTY INFORMATION

Township: Town of Cottage grove Parcel Number(s): LOT 2 CSM 9338 CS53/55&56 6/22/99 F/K/A CSM 9121 DESC
 Section: 7 Property Address or Location: 4407 Vilas Hope Rd

0711-072-9971-5

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

Dane County during the comprehensive ordinance revision took away our vested agricultural property rights under AG-1 EX to RR-2 without a hearing in violation of our constitutional rights. Our vested agricultural rights became vested when we purchased a legal lawful building permit from our Town of Cottage Grove building permit issuing authority to start renovating and developing our agricultural barn and property to be used in the agricultural accessory business as a permitted right the AG-1 EX zoning district. This right became vested under The State of Wisconsin Brite line building permit rule as affirmed in Golden Sands Dairy LLC v. Town of Saratoga, 381 Wis. 2d 704, 710 (Wis. 2018) (See Brief of Mr. Bitar filed 11-01-2017 in case number Appeal No. 20154P001258 for a clarification of the law) I can provide a copy if needed. Mr. Bitar told me in an email today that I had to file this rezoning petition to get my vested property rights back. There is no fee amount but we will right you a check to get our vested agricultural property rights back

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
RR-2 AG-1EX	FP-B	2.1

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.

- Scaled drawing of proposed property boundaries
 Legal description of zoning boundaries
 Information for commercial development (if applicable)
 Pre-application consultation with town and department staff
 Application fee (non-refundable), payable to the Dane County Treasurer

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

[Handwritten Signature]

Date 10-21-2021

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, archaeological 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:

Thomas M and Julia A Willan's Supplemental zoning application required by Roger Lanes email response

Parcel description per accessdane.com LOT 2 CSM 9338 CS53/55&56 6/22/99 F/K/A ...

Parcel number according to Roger Lane, The property's parcel number is 0711-072-9971-5.

Parcel address; 4407 Vilas Hope Rd

Current zoning district; 10.242 RR-2 (Rural Residential, 2 to 4 acres) Zoning District, the illegal zoning classification assigned by Dane County zoning, without a hearing or specific notification as required by the United States Constitution, during the comprehensive revisions adopted on January 18, 2019. This specific zoning classification doesn't allow agricultural use. *The Agricultural Accessory Land Use is not listed as a permitted use or a conditional use under the RR-2 Rural Residential Zoning District. (per Roger Lanes email answers 10/28/2021)*

Previous zoning district; AG-1EX the Willans purchased the property on October 30, 2011, the property was zoned AG-1EX. The property is located in the Town of Cottage Grove Farm Preservation district. The Willans filed a legal lawful building permit application to the Town of Cottage Grove on June 4, 2012 that met all of the requirements of zoning under AG-1EX to start rehabbing our agricultural barn built in the 1940s. The Willans were granted a building permit AG-1 EX zoning classification from the beginning of time until Roger Lane rezoned the property in 2013 from AG-1EX to AG-2(2), It remained AG-2 from 2013 until Roger Lane illegally changed it to 10.242 RR-2. Both previous zoning districts allowed agricultural and agricultural accessory uses as a permitted right and RR-2 does not.

Proposed zoning district; 10.223 FP-B (Farmland Preservation-Business) Zoning District

We are proposing this Specific Zoning district because, our property is located in a farm preservation district, and this is the only district created by Dane County zoning during the comprehensive ordinance revisions, that accommodates our agricultural zoning we had when we purchased the property and became vested when filed our legal lawful building permit application in 2012. Our plans for the property currently are to work within the permitted rights of the specific zoning district and not apply for any conditional use permits currently. We are not asking for anything that wasn't purchased with the property in 2011, we are only looking for our vested permitted rights we obtained with the filing of our building permit application.

The Wisconsin law and the ordinance is specific, A person in a specific zoning district gets to choose specifically what they want to do within the permitted rights of the zoning district. The zoning law allows a citizen to choose one or all the permitted uses of a zoning district, but the law does not mandate they have to do anything as long as they are legally lawfully choosing to use their property for something that is permitted by right!

Mr Lane was specifically told by us in our first email with the application, we were not seeking any conditional use permits associated with any specific use at this time, we were only asking for the permitted uses by right at this time, and we would not specifically decide to file a conditional permit until we get our vested permitted agricultural zoning district back. He refuses to accept our application. Our intended use is to use our property within the permitted agricultural uses by right of the FP-B zoning district. We also told Mr Lane in an email correspondence we would be filing with the respective boards a complete brief explaining our position, the property history that will include current and historic photographs of the property along with a step-by-step analysis of the property using the backdrop of the FP-B ordinance, of why our property qualifies as a matter of law for the FP-B zoning district along with our reason we should be granted the specific zoning district FP-B by the respective boards. We need the application assigned a transaction number so we can prepare for the hearings.

We understand that the zoning process is a standalone decision by the respective boards based on the ordinance of FP-B, not based on any comprehensive decisions Dane County has done, but we believe that those specific circumstances of those events need to be included in the record so if the board, denies our standalone request, there will be a record for the courts to review with all the information. It is our position that though Roger Lane has no voting right, his actions behind the scenes have and continue to violate our civil rights and he should have been recused from anything related to our request. Dane County policy to decide to continue to allow this is going to have to answer for this another day in another forum, that is not before the board at this time.

Dated this 31st day of September 2021.

RESPECTFULLY SUBMITTED:

/s/ Thomas M Willan /s/ Julia A Willan

PRO SE Plaintiffs Thomas M Willan and Julia A Willan

001012

CERTIFIED SURVEY MAP

TOWN BOARD RESOLUTION
TOWN OF COTTAGE GROVE, DANE COUNTY, WISCONSIN

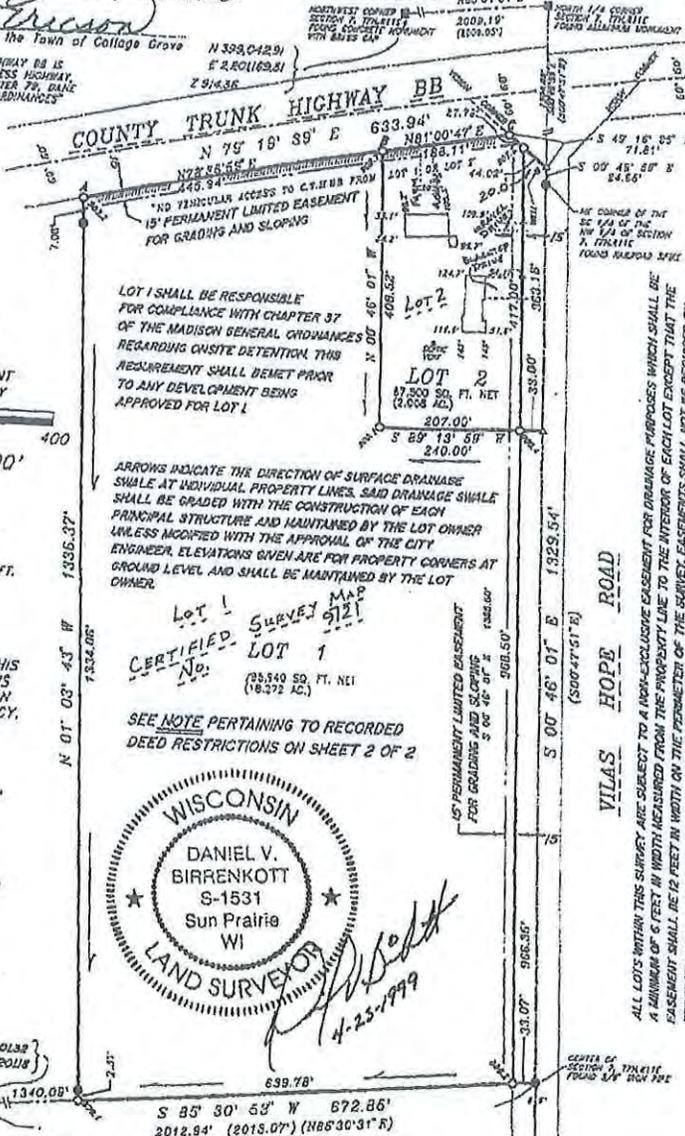
Resolved that this Certified Survey Map, being a part of the Southeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Northwest 1/4 of Section 7, T74N, R11E, Town of Cottage Grove, Dane County, Wisconsin, having been approved by the Town Board, be and the same is hereby approved.

I, Penny Ericson, do hereby certify that I am duly appointed, qualified, and acting Town Clerk of the Town of Cottage Grove, and that this Certified Survey Map was approved by the Town Board of the Town of Cottage Grove, Dane County, Wisconsin and I further certify that the conditions of said approval were fulfilled on the

3rd day of December, 1998
Penny Ericson
Penny Ericson, Clerk of the Town of Cottage Grove

SEE DETAIL AT LEFT

NOTE: COUNTY BANK HIGHWAY BB IS A CONTROLLED ACCESS HIGHWAY, PURSUANT TO CHAPTER 79, DANE COUNTY CODE OF ORDINANCES



LOT 1 SHALL BE RESPONSIBLE FOR COMPLIANCE WITH CHAPTER 37 OF THE MADISON GENERAL ORDINANCES REGARDING ON-SITE DETENTION. THIS REQUIREMENT SHALL PRECEDE ANY DEVELOPMENT BEING APPROVED FOR LOT 1.

ARROWS INDICATE THE DIRECTION OF SURFACE DRAINAGE SHALL BE GRADED WITH THE CONSTRUCTION OF EACH PRINCIPAL STRUCTURE AND MAINTAINED BY THE LOT OWNER UNLESS MODIFIED WITH THE APPROVAL OF THE CITY ENGINEER. ELEVATIONS GIVEN ARE FOR PROPERTY CORNERS AT GROUND LEVEL AND SHALL BE MAINTAINED BY THE LOT OWNER.

LOT 1
CERTIFIED SURVEY MAP No. 9338
(35,540 SQ. FT. NET)
(18,272 AC.)

SEE NOTE PERTAINING TO RECORDED DEED RESTRICTIONS ON SHEET 2 OF 2



D. V. Birrenkott
4-23-1999

ALL LOTS WITHIN THIS SURVEY ARE SUBJECT TO A NON-EXCLUSIVE EASEMENT FOR DRAINAGE PURPOSES, WHICH SHALL BE A MINIMUM OF 6 FEET IN WIDTH MEASURED FROM THE PROPERTY LINE TO THE INTERIOR OF EACH LOT EXCEPT THAT THE EASEMENT SHALL BE 12 FEET IN WIDTH ON THE PERIMETER OF THE SURVEY. EASEMENTS SHALL NOT BE REQUIRED ON PROPERTY LINES SHARED WITH GREENWAYS OR PUBLIC STREETS.

(PUBLISHED AS S 0°41'22" E 260'22" W 1266'20" GROUND 1)
S 0°41'22" E 260'22" W 1266'20" GROUND 1
S 0°41'22" E 260'22" W 1266'20" GROUND 1
S 0°41'22" E 260'22" W 1266'20" GROUND 1

DETAIL NOT TO SCALE
MARKS REFERRED TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, T74N, R11E, ASSUMED BEARING 89°41'17"

REFERENCE IS MADE TO AN EASEMENT FOR WISCONSIN TELEPHONE COMPANY RECORDED AS DOCUMENT NO. 432630

SCALE: 1" = 200'

- LEGEND:
● = IRON PIPE FOUND
○ = IRON PIPE SET MIN. WT. 1.138/LIN. FT.
() = RECORD DATA
▲ = P.K. NAIL SET

NOTE: THE INTENT OF THIS CERTIFIED SURVEY MAP IS TO ADD CITY OF MADISON AS AN APPROVING AGENCY.

CURVE DATA
A-C
CHORD LENGTH: 633.94'
BEARING: N79°19'39"E
ARC LENGTH: 634.12'
RADIUS: 7580.00'
DELTA: 04°47'36"
A-B
CHORD LENGTH: 445.94'
BEARING: N78°36'59"E
ARC LENGTH: 446.00'
RADIUS: 7580.00'
DELTA: 03°22'17"
B-C
CHORD LENGTH: 188.11'
BEARING: N81°00'47"E
ARC LENGTH: 188.11'
RADIUS: 7580.00'
DELTA: 01°25'13"

CERTIFIED SURVEY MAP NO. 9338
VOL. 53 PAGE 55
DOCUMENT NO. 3126529

COORDINATES AS PUBLISHED BY THE CITY OF MADISON, BASED ON NAD 27

SHEET ONE OF TWO
OFFICE MAP NO. 971059vm

5/1

001013

CERTIFIED SURVEY MAP

DATED: 4/1/98



**BIRRENKOTT
SURVEYING, INC.**
P.O. Box 237
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590
Phone (608) 837-7463
Fax (608) 837-1081

Surveyor's Certificate:

I, Daniel V. Birrenkott, hereby certify that this survey is in compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that I have surveyed and mapped the lands described hereon and that the map is a correct representation in accordance with the information provided.

[Signature] 4-21-1998
Daniel V Birrenkott, Registered Land Surveyor No. S-1531

Description:

Being Lot 1 and Lot 2 of Certified Survey Map No. 9121, Volume 51, Pages 151-152, Certified Survey Maps of Dane County, located in the Southeast 1/4 of the Northwest 1/4, and the Northeast 1/4 of the Northwest 1/4, Section 7, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin.

NOTE— REFERENCE IS GIVEN TO THE RECORDED DEED RESTRICTION ON FILE WITH THE DANE COUNTY REGISTER OF DEEDS AND DANE COUNTY ORDINANCE AMENDMENT NO. 7341 THAT RESTRICTS RESIDENTIAL DEVELOPMENT ON THE A-2 ZONED AREA (LOT 1 OF THIS CERTIFIED SURVEY MAP). SAID RESTRICTION SHALL RUN IN FAVOR OF DANE COUNTY AND THE PERTINENT TOWN BOARD AS WELL AS THE OWNERS OF LAND WITHIN 300 FEET OF THIS SITE. REFERENCE IS ALSO GIVEN TO THE RECORDED DEED RESTRICTION ON FILE WITH THE DANE COUNTY REGISTER OF DEEDS THAT AFFIRMS THE INTENTION OF MAINTAINING AGRICULTURAL LAND USE AND TO HAVE NO RESIDENTIAL DEVELOPMENT OR FURTHER SUBDIVISION ON LOT 1 WITHOUT APPROVAL OF THE TOWN OF COTTAGE GROVE, DANE COUNTY, AND THE CITY OF MADISON. THIS DEED RESTRICTION SHALL RUN IN FAVOR OF THE CITY OF MADISON.

THE OWNERS OF LOTS 1 AND 2 OF THIS CERTIFIED SURVEY MAP RECOGNIZE AND ACKNOWLEDGE THAT STORM WATER DRAINAGE FROM EACH LOT OF THIS CSM MAY BE CONVEYED FROM AND TO EITHER LOT IN A MANNER CONSISTENT WITH THE GRADES OF THE PROPERTY. FURTHER, IN THE EVENT OF DEVELOPMENT OF EITHER LOT OF THIS CSM, NEITHER LOT MAY ALTER THE CONTOURS OF THE LOT SO AS TO DIRECT MORE RUNOFF TOWARD THE REMAINING LOT OF THIS CSM WITHOUT PRIOR APPROVAL OF THE OWNER OF THAT LOT.

Owners Certificate:

As owner I hereby certify that I have caused the lands described on this Certified Survey Map to be surveyed, divided and mapped as shown on this Certified Survey Map. I also certify that this Certified Survey Map is required by s75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Natural Resources Committee for approval and the City of Madison City Council, as a required approving authority."

[Signature] P.O.A.
James M. Vale
Power of Attorney for C.J. Vale

State of Wisconsin)
Dane County) Personally came before me this 2nd day of April, 1998, the above named owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

[Signature]
Notary Public, Dane County, Wisconsin. My Commission Expires 10-31-99

City of Madison Plan Commission Certificate:

Approved for recording per Secretary of the City of Madison Plan Commission
[Signature] Dated June 18, 1999
BRAD MORRIS, Secretary, City of Madison Plan Commission
[Signature]

"Wetlands if present have not been delineated."
"Refer to building site information contained in Dane County Soil Survey."
"This survey is subject to any and all easements and agreements both recorded and unrecorded."



Legend:
Scale: 1 inch = 200 feet

- = Iron stake found
- = 1"x24" Iron pipe set
min.wt.=1.13#/in.fl

Surveyed For: James Vale 920-623-5058
249 Starges Street Columbus, WI 53925

Location: Part of the Southeast 1/4 of the Northwest 1/4 of Section 7, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin.

Approved for recording per Dane County Zoning and Natural Resources Committee action of June 18, 1999.

[Signature] #6668
Norbert Scribner, Authorized Representative

Surveyed: PC/MK
Drawn: DRS
Approved: DVB
Field book: 151/67
Tape/File: 980150

Register of Deeds Certificate:
Received for recording this 22 day of June, 1999
at 5:43 o'clock P m and recorded in Volume 53 of Certified Survey Maps of Dane County on Page 55 + 56
[Signature] Register of Deeds

Sheet 2 of 2
Office Map No. 971059VM

Document No. 3126529
Certified Survey Map No. 9338, Volume 53, Page 56



DANE COUNTY PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

October 29, 2021

Thomas Willan
4407 Vilas Hope Road
Cottage Grove, WI 53527

RE: Submittal of a rezoning application (second)

SITE: 4407 Vilas Hope Road, Section 7, Town of Cottage Grove

Dear Mr. Willan,

Thank you for the submittal of rezoning application. Unfortunately I cannot accept the application in its current state. Some of the information is still missing as noted in my previous letter to you dated October 28, 2021. The minimum information necessary for a rezoning application is listed under Dane County Code of Ordinance Section 10.101(8). The application did not include information on the proposed land use that would necessitate the change. Please see section, "Reason for Request" as noted on the application.

There are some minor corrections needed on the application. The existing zoning of the property is RR-2, not AG-1EX. Please revise. The application does not include the parcel number of the property. The property's parcel number is 0711-072-9971-5.

The zoning application indicates that you would like to change the zoning of the property to FP-B which is a zoning district which accommodates uses that are commercial or industrial in nature. Please provide information on the intended land use of the property. If it involves a business venture, please provide a site plan showing activities areas and parking areas, and provide a narrative of the proposed land use.

If you feel aggrieved by contents of this letter, you may appeal the contents through the administrative appeal process pursuant to Dane County Code of Ordinances Section 10.101(9) within 30 days of the date of this letter.

If you have any further questions or concerns regarding the proposed changes to your property, please feel free to contact me directly at 266-9078.

All information along with the check is being mailed back to you today. Please submit the application in a complete package. Incomplete application will not be accepted per the zoning ordinance.

Respectfully,

Roger Lane
Dane County Zoning Administrator

Cc: Town of Cottage Grove Clerk
Assistant Corporation Counsel David Gault
Dane County Zoning Inspector Sarah Johnson

Planning

(608)266-4251, Rm. 116

Records & Support

(608)266-4251, Rm. 116

Zoning

(608)266-4266, Rm. 116

Dane County Zoning Ordinance Section 10.101(8)

(8) Petitions to Rezone (Zoning Map Amendments)

(a) *Who may petition to rezone.* As described in [s. 59.69\(5\)\(e\), Wis. Stats.](#), petitions to amend the zoning map to change the zoning district of any new or existing parcels, or to modify the boundaries of any zoning district may be submitted by any of the following:

- 1.** A property owner in the area affected by the proposed amendment;
- 2.** The town board affected by the proposed amendment;
- 3.** Any member of the zoning committee, or
- 4.** Any county board supervisor.

(b) Petition requirements.

- 1. *Town consultation.*** Prior to submitting a rezone petition, applicants must consult with the affected town clerk, town plan commission or town board, as determined by the town.
- 2. *Application form.*** Zoning petitions must be submitted in a form approved by the zoning administrator, and must include, at a minimum, the following:
 - a.** The name, address and other contact information for the owner(s) of all properties affected by the rezone;
 - b.** The name, address and other contact information for anyone acting as the owner's agent on the application;
 - c.** A written legal description accurately describing the area to be rezoned;
 - d.** A scaled drawing of the proposed rezone area, including area in acres or square feet;
 - e.** The town(s) in which the proposed rezone is located;
 - f.** Parcel ID numbers affected by the proposed rezone;
 - g.** A written narrative describing the proposed use;
- 3. *Site plan.*** For rezones to the HAM-R, HAM-M, LC, LC, HC, RI or MI zoning districts, the applicant must provide site plans as described in [s. 10.101\(6\)](#) ;
- 4. *Land division application.*** If required under Chapter 75, Dane County Code, the applicant must provide draft certified survey maps, preliminary plats, land division applications and any associated fees;
- 5. *Fees.*** The applicant must provide payment of all applicable fees as described in Chapter 12, Dane County Code.
- 6. *Other information.*** Any other information the zoning administrator, or designee, determines necessary to evaluate the nature, location or intensity of the proposed use or consistency with the *Dane County Comprehensive Plan* or the *Dane County Farmland Preservation Plan*.
- 7.** Incomplete applications will not be accepted.

Dane County Rezone Petition

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11/08/2021	DCPREZ-2021-11788
Public Hearing Date	
01/25/2022	

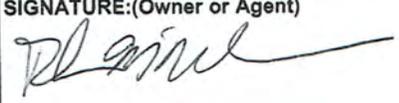
OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME THOMAS M AND JULIA A WILLAN	PHONE (with Area Code) (608) 438-3103	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
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E-MAIL ADDRESS tom@ironmanbuildings.com		E-MAIL ADDRESS	

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0711-072-9971-5					

REASON FOR REZONE

CHANGE ZONING TO ALLOW PERMITTED USES IN THE FARMLAND PRESERVATION BUSINESS FP-B ZONING DISTRICT. THE PROPOSED LAND USE IS AGRICULTURAL USE CONSISTENT WITH THE PERMITTED BY RIGHT USES LISTED IN THE FP-B ZONING DISTRICT. PRIOR TO THE 2019 COMPREHENSIVE REVISIONS THE PROPERTY HAD VESTED AGRICULTURAL ZONING ATTACHED TO THE PROPERTY AND WAS TAKEN AWAY WITHOUT NOTIFICATION OR A HEARING BY THE DANE COUNTY ZONING DEPARTMENT. THE ZONING PETITIONERS HAVE BEEN IN THE AGRICULTURAL ACCESSORY BUSINESS SINCE 2010 PROVIDING OVER 10 MILLION DOLLARS IN GROSS REVENUE DIRECTLY TO FARMERS FOR AGRICULTURAL SERVICES SINCE MOVING TO THE PROPERTY IN 2011.

FROM DISTRICT:	TO DISTRICT:	ACRES
RR-2 Rural Residential District	FP-B Farmland Preservation Business District	2.0

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

COMMENTS: PORTIONS OF THE APPLICATION MATERIALS DO NOT CONTAIN FACTUAL INFORMATION.

THE ABOVE STATEMENT IS WRITTEN BY DANE COUNTY ZONING AND DOES NOT REFLECT THE PETITIONERS POSITION IN THIS REZONING MATTER. THE APPLICATION OF THE PETIONERS IS VERY FACTUAL, IT IS A MATERIAL FACT THAT THE PETITIONERS PROPERTY HAS BEEN IN AN AGRICULTURAL ZONING DISTRICT SINCE THE 1940S AND IT WAS ONLY BEEN INTERRUPTED BY DANE COUNTY ZONING NOT PROVIDING COMPENSATION, A HEARING, OR NOTIFICATION DURING THE COMPREHENSIVE ORDINACE REVISIONS OF 2019 BEFORE THEY WERE EXTINGUSHED EVEN AFTER THE PETITIONERS EMAILED ROGER LANE, PAM ANDROS, AND THE TOWN OF COTTAGE GROVE JUNE 28, 2018 OBJECTING TO THE RR-2 ZONING CLASSIFICATION

DATE:
11-10-2021