

# Dane County Rezone Petition

<b>Application Date</b>	<b>Petition Number</b>
03/24/2022	DCPREZ-2022-11833
<b>Public Hearing Date</b>	
05/24/2022	

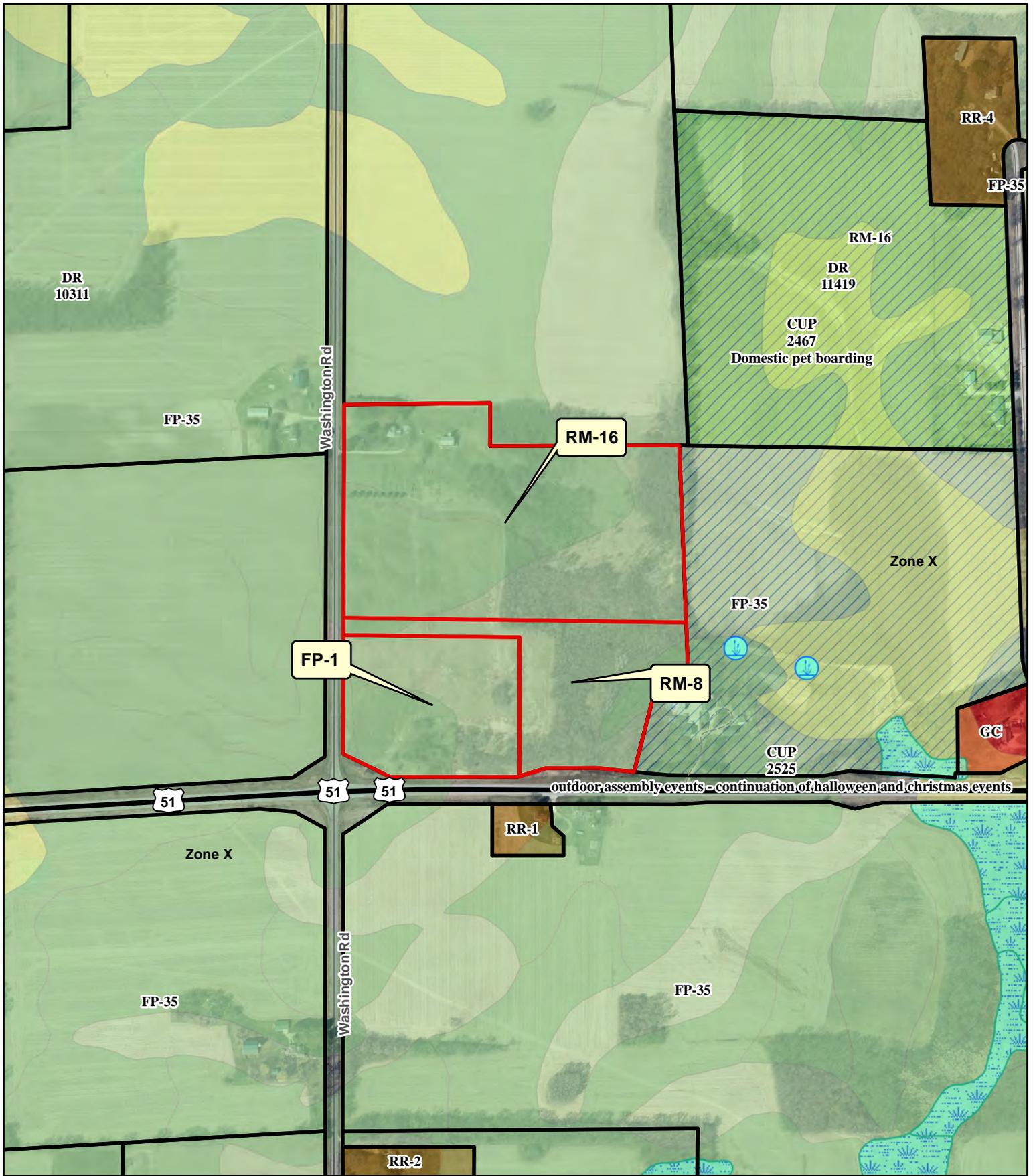
OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME JOSHUA & KERSTIN MABIE	PHONE (with Area Code) (608) 250-0982	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 1390 WASHINGTON RD		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip)	
E-MAIL ADDRESS piedbeautyfarm@gmail.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	
1390 Washington Road					
TOWNSHIP ALBION	SECTION 6	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0512-063-9001-1					

REASON FOR REZONE
CREATING TWO RESIDENTIAL LOTS AND ONE AGRICULTURAL LOT. ONE RESIDENTIAL LOT IS FOR AN EXISTING RESIDENCE.

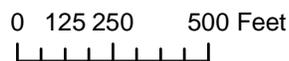
FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RM-16 Rural Mixed-Use District	22.53
FP-35 Farmland Preservation District	RM-8 Rural Mixed-Use District	8.35
FP-35 Farmland Preservation District	FP-1 Farmland Preservation District	8.58

<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>  RWL1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>
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**Legend**

- |   |   |
|---|---|
|  Wetland    | <b>Significant Soils</b>  |
|  Floodplain |  Class 1 |
|   |  Class 2 |



Petition 11833  
**JOSHUA & KERSTIN  
 MABIE**



**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
<ul style="list-style-type: none"> <li>• PERMIT FEES DOUBLE FOR VIOLATIONS.</li> <li>• ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION.</li> </ul>	

## REZONE APPLICATION

APPLICANT INFORMATION			
Property Owner Name:	Joshua and Kerstin Mabie	Agent Name:	N/A
Address (Number & Street):	1390 Washington Road	Address (Number & Street):	
Address (City, State, Zip):	Stoughton, WI 53589	Address (City, State, Zip):	
Email Address:	piedbeautyfarm@gmail.com	Email Address:	
Phone#:	(608) 250-0982	Phone#:	

PROPERTY INFORMATION			
Township:	Albion	Parcel Number(s):	002/0512-063-9001-1
Section:	Sec 06 T5N R12E	Property Address or Location:	1390 Washington Road, Stoughton, WI 53589

REZONE DESCRIPTION		
<p><b>Reason for the request.</b> 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><b>Is this application being submitted to correct a violation?</b>            Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>We seek to divide our forty acre farm into three lots to allow us to build a house on the south-eastern lot (Lot 3 on the attached map). This new house will make use of the property's last remaining building site which was confirmed by a Dane County zoning. The two lots we intend to create are currently a mixture of cloverfield, orchard, Christmas tree plantation, apiary and woods. The house and its lawn and landscaping will result in minimal change to the current land use. We will preserve the woods around the house, and the orchard will continue to grow around the house. We have attached a full project description that explains the ways that this new house will support the agricultural work we are doing on our small diversified farm.</p>		
Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP-35		40.23
	RM-16	21.46
	RM-8 (2)	8.225, 8.301

**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 type="checkbox"/> Scaled drawing of proposed property boundaries	<input type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable)	<input type="checkbox"/> Pre-application consultation with town and department staff	<input type="checkbox"/> Application fee ( <b>non-refundable</b> ), 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 Kerstin Mabie

Date 3/14/22

## **Project Overview Pied Beauty Farm Stay**

The Comprehensive Town Plan adopted by the Town of Albion in 2006 looked forward to Albion being a place where “residents enjoy[ed] . . . opportunities for commercial businesses, along with residences and agriculture. . . rural character is predominant . . . and recreational opportunities are abundant,” among other goals.

The house we plan to build on our farm and our intention to rent it as a tourist lodging supports the broad vision that Albion has articulated in its Comprehensive Town Plan as well as the specific goals, objectives, and policies that follow from this broad vision.

### **Background on the Farm**

When we bought our farm in 2017, it was composed of fifteen acres of woods, fifteen tillable acres planted in corn and soybeans, and ten acres of lawn, gardens, agricultural outbuildings, and a farm house. Over the past five years, we have worked to increase the productivity of the land to secure our farm’s economic and environmental sustainability. To this end, we took the tillable acreage out of conventional corn and soybean rotation and converted it to an organic field with a cover crop of clover. Since 2018, we have planted 230 apple trees to establish an organic cider apple orchard in the clover field. We keep honey bees which feed on the clover, pollinate the trees, and produce honey and wax for sale. We have also planted Christmas trees in the field and have rented a portion of it to a small vegetable farmer. In what was formerly lawn around the agricultural outbuildings, we have planted a test orchard of 60 trees and a wholesale cut flower garden.

### **The proposed house and conditional use preserves our existing farm operation by maintaining the farm as a viable source of income.**

To preserve and foster opportunities for agriculture and to protect Albion as a place where rural character is predominant, the Comprehensive Town Plan aims to “Preserve existing farm operations,” and “Protect and preserve the soils and other natural resources of the Town for future generations” (Goal 1 Agriculture, Objectives 3 and 5). Relatedly, the town also aims to “Foster a local economy that is sustainable” by “maintaining farming as a viable source of income” (Goal 12 Economic Development, Objective 1).

The economics of farming are increasingly challenging, especially for farmers as small as we are.<sup>1</sup> We rented our tillable acres to a corn and soybean farmer for the first year after we bought our farm at the rate of \$100 per acre (\$1400). The small size of our tillable field makes it impossible for us to purchase equipment to row crop the field ourselves. Even with equipment to till the field, we could expect to gross less than \$15,000 per year (assuming 170 bushels of corn per acre and \$6 per bushel); the net would be far less after subtracting fuel, seed, fertilizer, and pesticide costs.

When mature, our existing 230 apple trees will yield 14,000 bottles of cider which will wholesale at \$5 per bottle. Even after expenses, our field will be able to provide a viable

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<sup>1</sup> The U.S. Department of Agriculture estimates the median farm income in 2020 to be a loss of -\$1,198. For small “residence farms” like ours the USDA estimates an average net loss of -\$2,334. U.S. Department of Agriculture, “Farm Household Income Estimates,” <https://www.ers.usda.gov/topics/farm-economy/farm-household-well-being/farm-household-income-estimates/>

source of income as an cider apple orchard. The proposed orchard house and farm stay will support our apple business in several ways. First, our orchard will take 7-10 years to mature. Rental income from the house will provide a source of income while we continue to plant trees and while we wait for those we have planted to mature. Secondly, the house rental will provide a source of income during lean years when late frosts damage the apple crop. Thirdly, we anticipate marketing and sales opportunities for our apples, flowers, vegetables and honey that will inevitably result from bringing visitors from outside the region to our farm rental.

#### **The proposed house and conditional use contributes to a visually appealing community**

We have designed the house to fit into agricultural landscape where it is located. The unpainted cedar and metal roof design of the house takes inspiration from the tobacco barn that stood on our farm prior to our purchase of it and that remain standing on other farms all along Washington Road. In addition to patterning the geometry and materials of the building after traditional agricultural buildings, we have chosen to locate the house well back from Washington road to minimize its visual impact on passersby. When the apple orchard is mature, the house will be completely screened from view.

#### **The proposed house and conditional use protects farmland from future inappropriate use and/or development.**

By building this house at the eastern margin of our field, we seek to protect the remaining acres from future development. This house will make use of the last remaining residential development opportunity on the property; therefore, no other house can be built on our farm. The presence of the sceptic field and well in the far eastern border of our field all but assures that the location we have chosen for this house will remain the only site of development for generations into the future. Even if the house is expanded, remodeled, or torn down and rebuilt, the new owners of the house and farm would in all likelihood site a home in the place we have chosen.

One objection to the site might be the necessity of a driveway across the field. Far from preventing agricultural use of our fourteen-acre field, however, this driveway will support our apple orchard. In addition to providing access to the house, the driveway will provide off-road access to the middle of our orchard for agricultural machinery during harvest times. The driveway does not present a unique barrier to row cropping our fourteen-acre field because it is unlikely that anyone will remove the valuable apple trees we have planted to return the field to a conventional corn and soybean rotation.

Developing this small portion of our field as a tourist and transient lodging rental home provides the financial support necessary for us (and any future owner of the farm) to continue to work the fourteen tillable acres in a way that is financially sustainable and environmentally sensitive. In short, the orchard and the house that support it preserve the rural character of our corner of Washington Road and Highway 51 by preempting and foreclosing other inappropriate, less desirable, or less sustainable conditional uses.

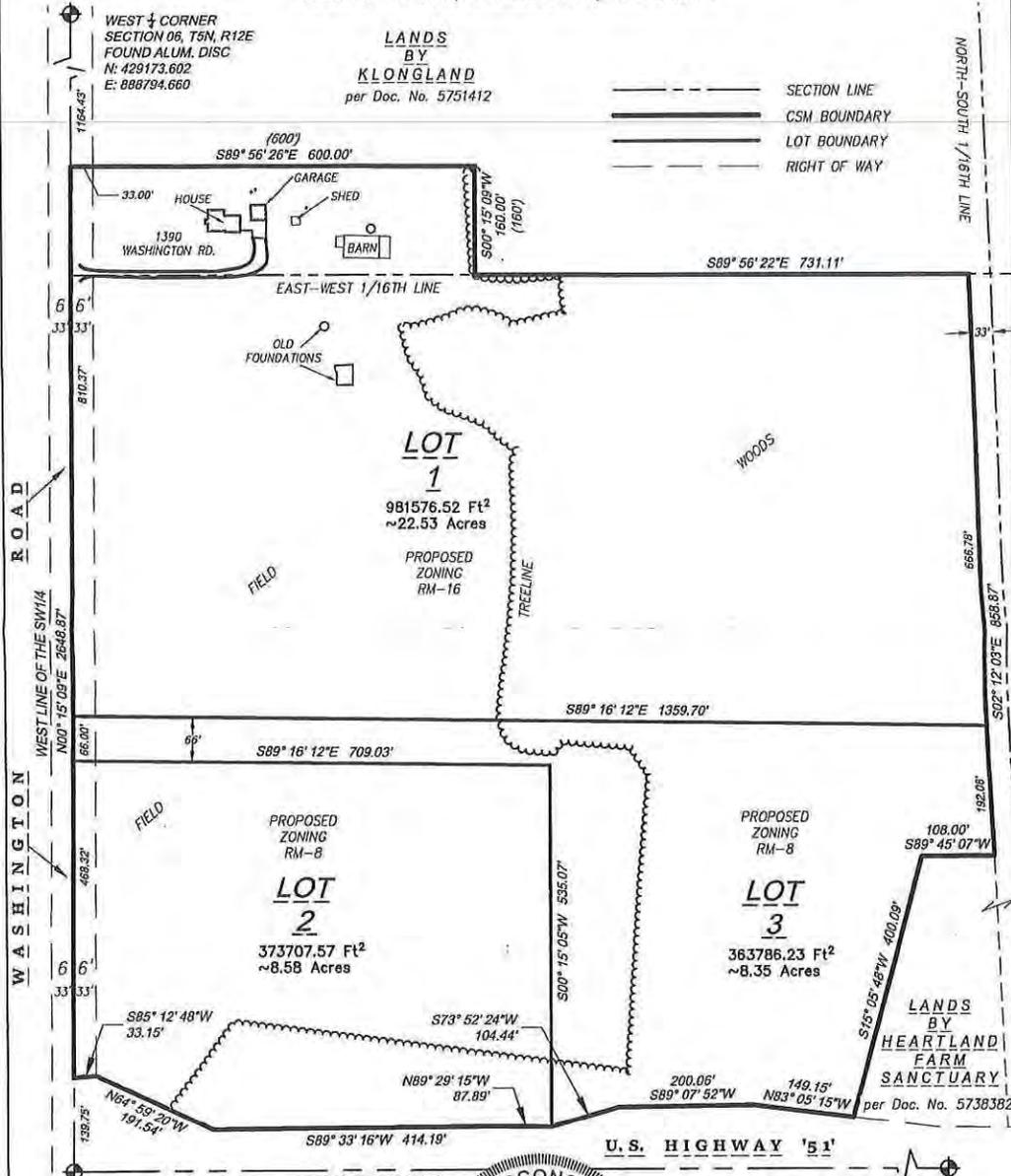
# PRELIMINARY CERTIFIED SURVEY MAP

PART OF THE E1/2 OF THE SW1/4 OF FRACTIONAL SECTION 06, T5N, R12E,  
TOWN OF ALBION, DANE COUNTY, WISCONSIN.

WEST 1/4 CORNER  
SECTION 06, T5N, R12E  
FOUND ALUM. DISC  
N: 429173.602  
E: 888794.660

LANDS  
BY  
**KLONGLAND**  
per Doc. No. 5751412

- SECTION LINE
- CSM BOUNDARY
- LOT BOUNDARY
- RIGHT OF WAY



SOUTHWEST CORNER  
SECTION 06, T5N, R12E  
FOUND ALUM. DISC  
N: 426524.761  
E: 888782.988

N89° 54' 05" E 2754.75'  
SOUTH LINE OF THE SW1/4

U.S. HIGHWAY '51'

Right of Way Varies

SOUTH 1/4 CORNER  
SECTION 06, T5N, R12E  
FOUND ALUM. DISC  
N: 426529.488  
E: 891537.734

**SURVEYED BY:**

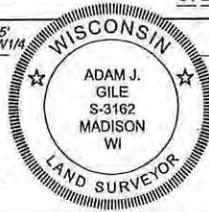
Gile Land Surveying  
1870 Paddock Place  
Fitchburg, WI 53575

**SURVEYED FOR:**

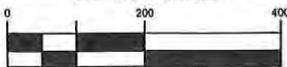
Josh Mable  
Korstin Mable  
1390 Washington Road  
Stoughton, WI 53689

**SURVEYED ON:**

1/20/2022



**GRAPHIC SCALE**

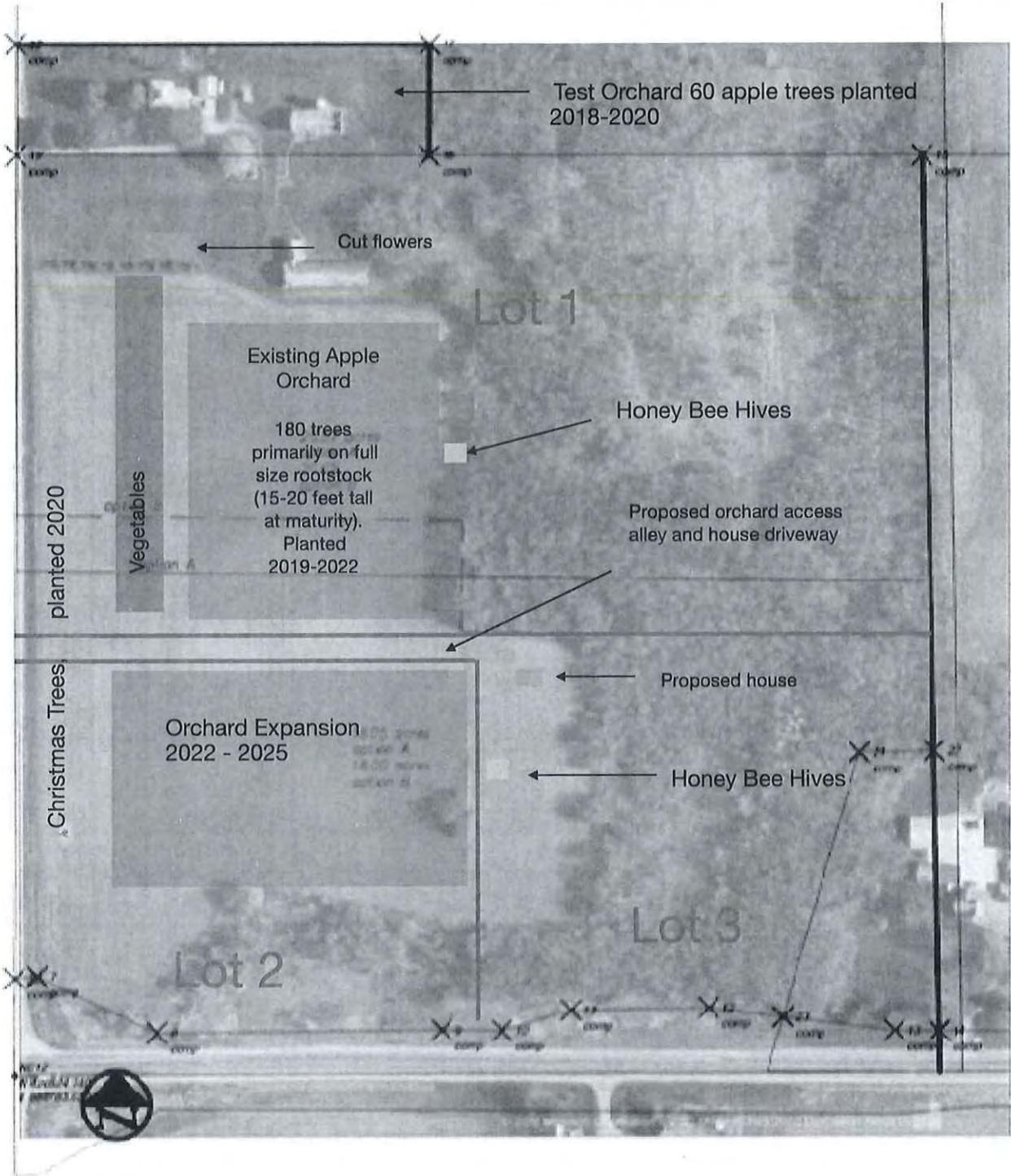


SHEET 1 OF 4

BEARINGS REFERENCED TO THE  
DANE COUNTY COORDINATE  
SYSTEM NAD 83 (2011) AND  
REFERENCED TO THE SOUTH  
LINE OF THE SW1/4 OF S6, T5N,  
R12E, MEASURED AS N89° 54' 05" E



608-338-6850



GRAPHIC SCALE



1 inch = 20 ft