

# Dane County Rezone Petition

<b>Application Date</b>	<b>Petition Number</b>
11/03/2023	DCPREZ-2023-11997
<b>Public Hearing Date</b>	
01/23/2024	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME GREG DUCKERT IRREV TRUST	PHONE (with Area Code) (608) 877-1570	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 2296 TOWER DR		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip)	
E-MAIL ADDRESS gduck1@msn.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	
2296 Tower Road					
TOWNSHIP PLEASANT SPRINGS	SECTION 24	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0611-242-9230-0					

## REASON FOR REZONE

CHANGE ZONING DISTRICT TO ALLOW AN EXPANDED SET OF LAND USES FOR FUTURE BUYERS



FROM DISTRICT:	TO DISTRICT:	ACRES
RR-16 Rural Residential District	RM-16 Rural Mixed-Use District	20

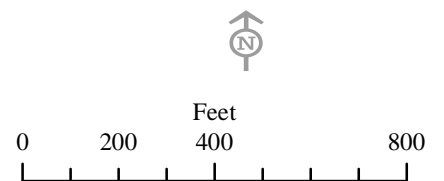
<b>C.S.M REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>PLAT REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>DEED RESTRICTION REQUIRED?</b> <input checked="" type="checkbox"/> Yes <input 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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Note: Electric Generating Facility (solar array farm) is listed as a conditional use under the RM-16 Zoning District.



# REZONE 11997

-  Floodway Areas in Zone AE
-  Floodplain







**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

*PAID BY CREDIT CARD*

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:	Greg Duckert IRRV Trust	Agent Name:	
Address (Number & Street):	2296 Tower Dr.	Address (Number & Street):	
Address (City, State, Zip):	Stoughton, WI 53589	Address (City, State, Zip):	
Email Address:	gduck1@msn.com	Email Address:	
Phone#:	608-877-1570	Phone#:	

PROPERTY INFORMATION			
Township:	Pleasant Springs	Parcel Number(s):	046/0611-242-9230-0
Section:	24	Property Address or Location:	2296 Tower Dr. 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>This zoning proposal is to accommodate a larger population of buyers for the property the property is very difficult to sell at the current time as it has so many excellent features and potential uses but not the appropriate zoning to accommodate the sale. My wife Dina, when she was alive and I made massive improvements to the property over the years we have paid in excess of \$250,000 from property taxes and now need to sell the property to survive financially. The highest and best use for the property would be for the generation of power via solar energy constructing a solar farm. In addition, the creation of a STEM program to offer Science, Technology and Math programs to younger adults of Dane County who may not have access to such education. The change in zoning has already been approved by the Pleasant Springs Town Board. I will be requesting a CUP approval from them and the county 10.234(3) to allow for these uses.</p>		
Existing Zoning District(s)	Proposed Zoning District(s)	Acres
RR-16	RM-16	20.0

**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)	<input checked="" type="checkbox"/> Pre-application consultation with town and department staff	<input checked="" 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

Date 10/28/23

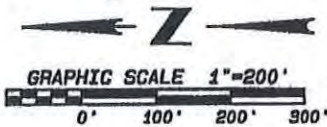


# CERTIFIED SURVEY MAP NO. 15772

THE SW 1/4 OF THE NW 1/4 OF SECTION 24, T.6N., R.11E. OF THE 4TH P.M.,  
TOWN OF PLEASANT SPRINGS, DANE COUNTY, WISCONSIN.

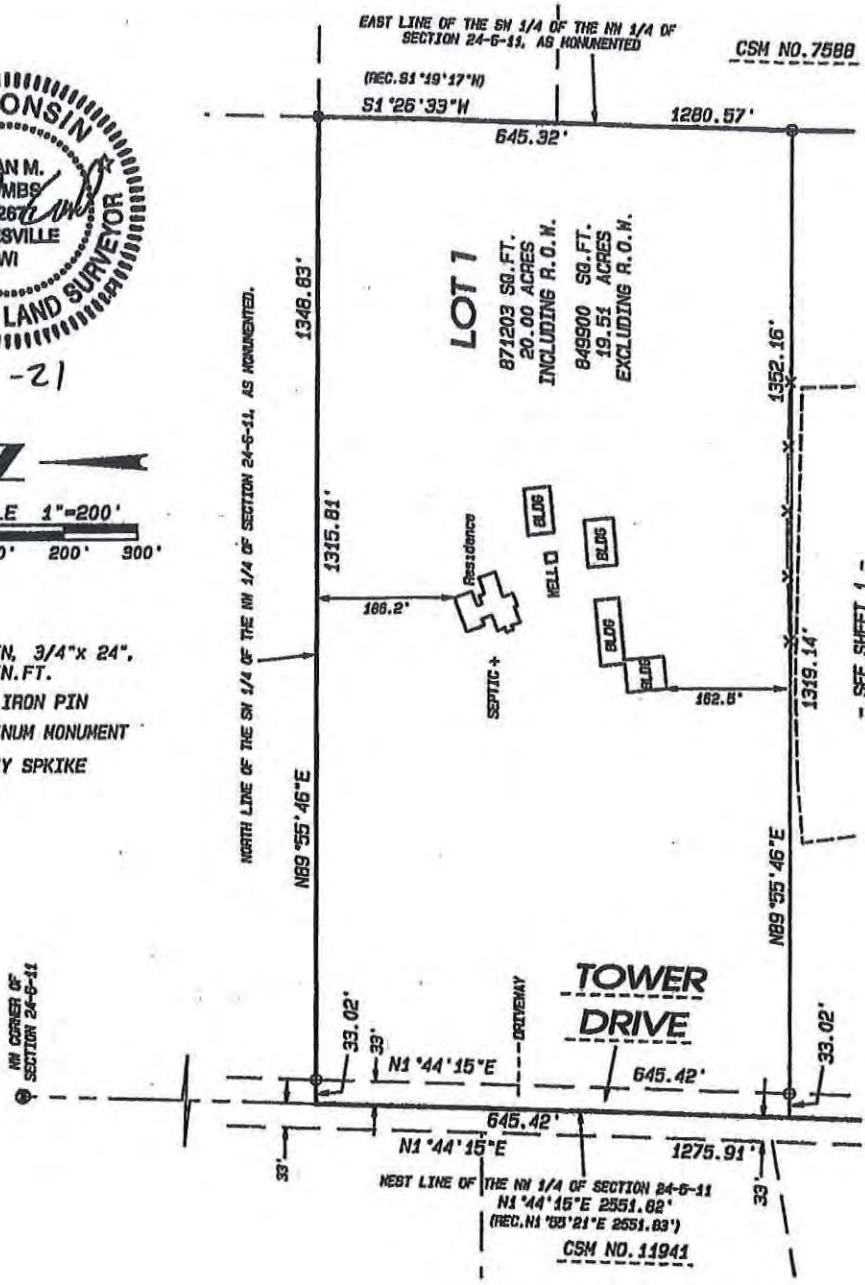


2-23-21



**LEGEND:**

- SET IRON PIN, 3/4" x 24", 1.5 LBS./LIN.FT.
- FOUND 3/4" IRON PIN
- ⊙ FOUND ALUMINUM MONUMENT
- △ FOUND SURVEY SPKIKE
- X— FENCE



NOTE: PLSS CORNERS AND TIES WERE LOCATED IN GOOD CONDITION AND FIELD VERIFIED.

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

**Combs & Associates**

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 N. Milwaukee St.  
Janesville, WI 53408  
www.combsurvey.com

tel: 608 752-0575  
fax: 608 752-0534

# RM-16 (Rural Mixed Use, 16 Acres) Zoning District

Zoning district for agricultural and other rural uses – CH. 10-Zoning, [Section 10.234](#)

## **Permitted Uses 10.234(2)**

- Agricultural uses
- Agricultural accessory uses
- Agricultural entertainment under 10 days/year
- Agricultural accessory buildings
- Farm related exhibitions, up to 5 days/year
- Single family residential – one per parcel
- Residential accessory structures
- Seasonal storage of recreational equipment and motor vehicles (not owner’s or occupant’s) in existing buildings
- Undeveloped natural resources and open space areas
- Home occupations
- Utility services
- Incidental room rental
- Community living arrangements for fewer than 9 persons
- Foster homes for less than five children
- Utility services associated with a permitted use
- Transportation, utility or communication uses required by law

## **Conditional Uses 10.234(3)**

- Agricultural entertainment activities occurring over 10 days/year
- Airports, landing strips or heliports for aircraft owned by the land owner
- Attached accessory dwelling units
- Cemeteries
- Community living arrangements for 9 or more persons
- Domestic pet animal boarding
- Electric generating facilities that use renewable energy
- Farm related exhibitions, sales or events exceeding 5 days a year
- Governmental, institutional, religious, or nonprofit community uses
- Large animal boarding
- Limited family business
- Limited farm business
- Migrant farm labor camps certified under s. 103.92, Wis. Stats.
- Mineral extraction
- Recreational racetracks
- Sanitary facilities in agricultural accessory buildings
- Temporary asphalt or concrete production
- Tourist or transient lodging
- Veterinary clinics
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law

## **Setbacks and Height requirements for Structures 10.234(5-6)**

### Front setback for all structures from Highway centerline / right-of-way line (whichever is greater)

State or Federal Highway: 100/42 feet minimum  
 County Highway: 75/42 feet minimum  
 Town Road: 63/30 feet minimum  
 Subdivision streets platted prior to ordinance: 20 feet minimum  
 All other streets: 30 feet minimum from right-of-way

### Maximum Height:

Residences: 2½ stories or 35 feet maximum  
 Accessory buildings: 35 feet maximum  
 Agricultural buildings: No height requirement

### Residences:

**Side yard:** 25 feet total, with no single side less than 10 feet minimum

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

### Rear and side yards:

**Not housing livestock:** 10-feet

### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts  
 50 feet from Rural Residential zoning districts  
 10 feet from all other zoning districts

## **Lot Area and Width 10.234(4)**

**Minimum:** 16 acres

**Maximum:** None

**Minimum lot width:** 100 feet

## **RM-16 (Rural Mixed Use, 16 Acres) Zoning District**

Zoning district for agricultural and other rural uses – CH. 10-Zoning, [Section 10.234](#)

### **Lot Coverage 10.234(7)**

All buildings and structures: 10% of lot

### **Accessory Buildings Requirements 10.102(2)(a)**

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- Except for agricultural accessory buildings, a principal building must exist or be under construction prior to the construction of an accessory building.
- Except as allowed under an approved CUP, sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.

**NOTE:** A Zoning Permit is required for every building larger than 120 square feet in size. Zoning Permits are not required for accessory buildings equal to or less than 120 square feet on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### **Livestock 10.004(85); 10.234(2)(a)**

There is no numerical limit on the number of livestock. However, all livestock use must comply with a farm soil and water conservation plan meeting the standards of NR 151, Wisconsin Administrative Code and approved by the Department of Land and Water Resources.

### **Incidental Room Rental 10.004(72)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(83)**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.