

# Dane County Rezone Petition

<b>Application Date</b>	<b>Petition Number</b>
04/16/2024	DCPREZ-2024-12058
<b>Public Hearing Date</b>	
06/18/2024	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME MAIER FARM REAL ESTATE LLC	PHONE (with Area Code)	AGENT NAME AXLEY BRYNELSON, LLP (MITCH OLSON)	PHONE (with Area Code) (608) 283-6730
BILLING ADDRESS (Number & Street) 7085 SCHUMACHER RD		ADDRESS (Number & Street) PO BOX 1767	
(City, State, Zip) WAUNAKEE, WI 53597		(City, State, Zip) Madison, WI 53701	
E-MAIL ADDRESS maierfarms.patrick@hotmail.com		E-MAIL ADDRESS molson@axley.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
7119 Schumacher Rd					
TOWNSHIP VIENNA	SECTION 21	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0909-212-8500-7		0909-212-8140-0			

## REASON FOR REZONE

REZONE OUT OF WETLAND STATUS

FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	FP-35 Farmland Preservation District	46.9

<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>INSPECTOR'S INITIALS</b>  RUH1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>
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COMMENTS: PETITION SUBMITTED TO REMEDY A WETLAND ZONING VIOLATION, PER DCCO 11.10



### **Rezone Description**

Portions of Parcels 064/0909-212-8500-7 and 064/0909-212-8140-0 are located within the County Shoreland-Wetland zoning overlay, due to the presence of a wetland classified as E1Kf. The inventory designation of the wetland, which is shown on the attached scaled drawing of the property boundaries, indicates the wetland does not extend beyond Parcel No. 064/0909-212-8500-7; however, a wetland delineation that Applicant Maier Farm Real Estate LLC received from Heartland Ecological Group indicates the boundary extends into Parcel No. 064/0909-212-8140-0, terminating at Schumacher Rd. The wetland delineation also indicates the wetland is very shallow, with a depth of only one (1) foot. This wetland delineation is included with Applicant's rezoning application.

As noted by the State classification, the area has been farmed historically in years of low to normal precipitation. Accordingly, re-zoning the wetland designation on the Properties and removing them from the Shoreland-Wetland zoning overlay will not have an adverse effect on any of the factors in Wis. Adm. Code NR 115.04(2)(c)4. or County Ordinance Sec. 11.10(2). Applicant requests the County amend its Shoreland-Wetland zoning overlay map to remove Parcels 064/0909-212-8500-7 and 064/0909-212-8140-0 from the overlay.

**Legal Description of Parcels to be Rezoned**

Applicant Maier Farm Real Estate LLC requests the County rezone Parcels 064/0909-212-8500-7 and 064/0909-212-8140-0 outside of the County Shoreland-Wetland zoning overlay, after which the sole zoning designation for the Parcels would be Farmland Preservation.

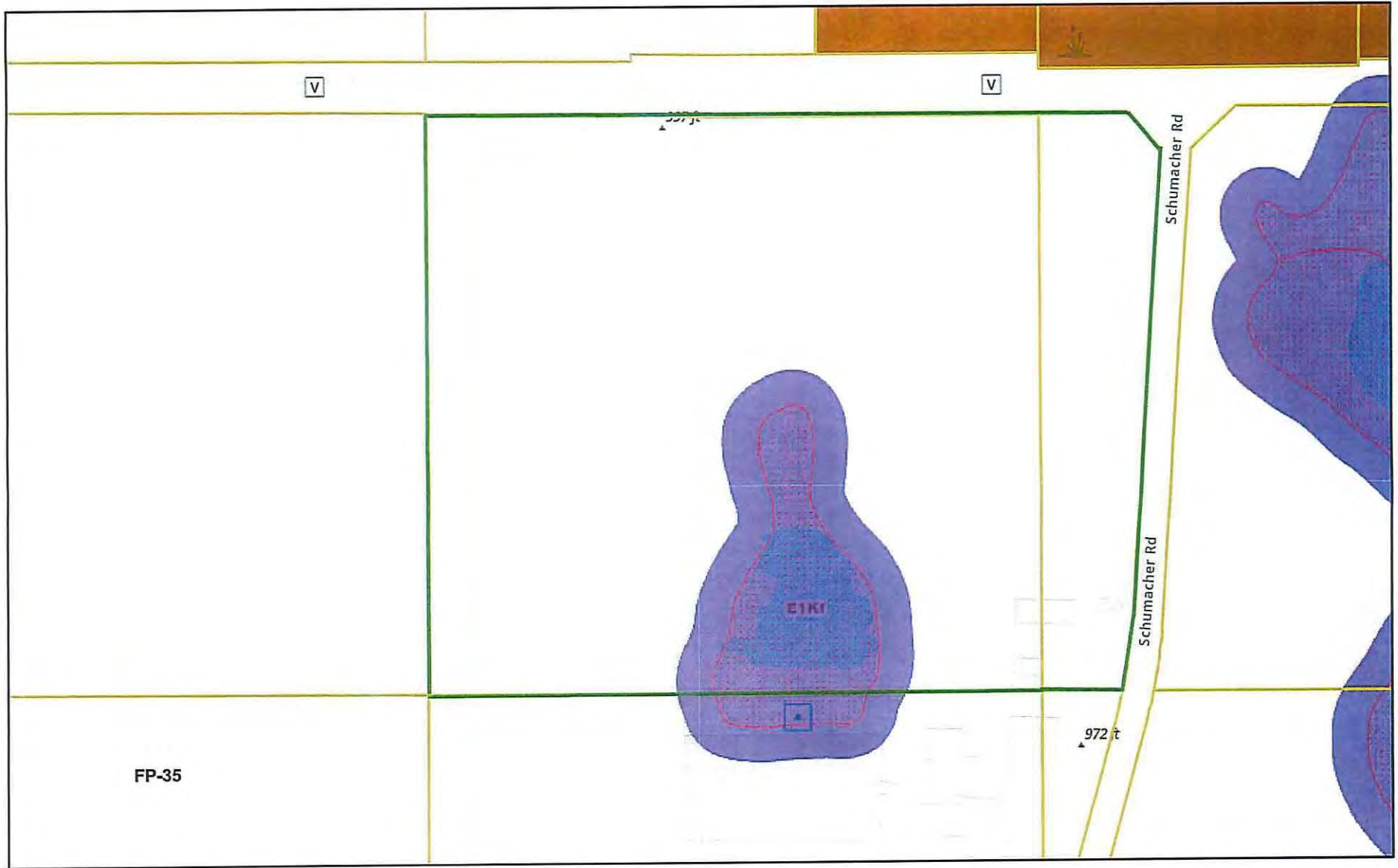
Parcel 064/0909-212-8500-7 is described as follows:

The Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 21, in Township 9 North, Range 9 East, in the Town of Vienna, Dane County, Wisconsin.

Parcel 064/0909-212-8140-0 is described as follows:

That part of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 21 lying West of the centerline of Schumacher Road, in Township 9 North, Range 9 East, in the Town of Vienna, Dane County, Wisconsin.

# Dane County Map



April 12, 2024

Parcels

Rural Zoning

Farmland Preservation

Rural Residential and Rural Mixed Use

DNR Wetlands > 2ac - 75ft Buffer

Wetland Class Points

Excavated pond



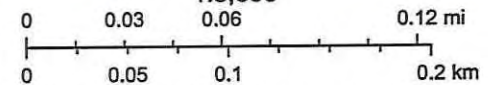
Wetland too small to delineate



Wetland Class Areas

Area to be Rezoned

1:3,600



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,



- Study Area (44.95 ac)
  - Dane Co 1' Contours
  - Culverts
  - Wetland Boundary
  - Approx. Tile Main Location
  - Drain Tile Features
- Sample Points**
- Upland
  - Wetland



**Heartland**  
ECOLOGICAL GROUP INC

**Figure 7. Field Map**

Maier Farm  
Project #20200322  
T9N, R9E, S21  
T Vienna, Dane Co

2018 Orthophoto  
Dane Co, HEG  
LRR: NCNE  
Figure Created: 3/5/2024