



DANE COUNTY PLANNING & DEVELOPMENT

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

August 3, 2020

Daniel J. Krause
116 Spring St.
Oregon, Wisconsin 53575

RE: Register of Deeds Quit Claim Deed document #5552477
Deed between Mary Jo Johnson and TCOB2 IRREV TR

Dear Attorney Krause,

Please be aware that the Dane County Zoning Division is in receipt of a deed instrument that was prepared by your office. This deed was identified by our office due to peculiarities in its configuration. The document was reviewed for compliance with Dane County Code of Ordinances. In researching this deed, it appears that Johnson conveyed to TCOB2 IRREV Tr. Approximately 26 acres of land, which currently holds the zoning district classification of FP-35, Farmland Preservation.

Under Dane County Code of Ordinances, Chapter 75, *Land Division Regulations*, a land division which creates a parcel under 35 acres in size is required to have a Certified Survey Map prepared and approved. The Quit Claim Deed violates Dane County Code of Ordinance Section, 75.17.

Under Dane County Code of Ordinances, Chapter 10, *Zoning Regulations*, Section 10.222(4)(a), the minimum size for a lot in the FP-35 Zoning District is 35 acres. The Quit Claim Deed violates Dane County Code of Ordinance Section 10.222(4)(a).

This letter serves as notice that the transaction that has occurred under Register of Deeds document #5552477 is in violation of the Dane County Codes of Ordinance sections as stated. Three parcels of land was created under 35 acres in size without being part of a Certified Survey Map. Further, the property did not receive approvals for the necessary zoning district classification or for the creation of the parcels. In order to correct the situation, a rezone petition needs to be submitted to amend the zoning district map to designate the appropriate zoning classifications for the property. In addition, a Certified Survey Map will need to be submitted that describes the new property boundaries. Please understand that a Certified Survey Map can only be submitted until the town of Albion and the Dane County Zoning Committee approved the rezone petition.

You are hereby instructed to submit the aforesaid information within 30 days of the date of this letter to avoid enforcement action.

Your cooperation is appreciated in this matter.

Sincerely,
Daniel Everson
Dane County Land Division Review

CC:
Mary Jo Johnson
Town of Albion
Zoning Adm. Roger Lane
Senior Planner Majid Allan

*Housing &
Economic Development*
(608)266-4270, Rm. 362

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

75.17 CERTIFIED SURVEY MAPS.

(1) Procedure

(a) Application. Any land divider who shall divide land located in an unincorporated area of Dane County which results in a land division shall prepare a certified survey map in accordance with section 236.34 of the Wisconsin Statutes and all of the requirements in this chapter which may apply. All certified survey maps shall be submitted to the committee for approval and shall, after approval, be recorded in the office of the Dane County Register of Deeds.

75.06 DEFINITIONS.

For the purpose of this chapter certain words or phrases used herein are defined as follows:

(6) Land division. A division of a parcel of land which is not a subdivision and which creates less than five lots, parcels or building sites of 35 acres each or less in area, regardless of whether the act of division also creates one or more lots, parcels or building sites on 35 acres or more.

10.222 FP-35 FARMLAND PRESERVATION DISTRICT.

(4) Lot size requirements

(a) Minimum lot size. All lots created in the FP-35 zoning district must be at least thirty-five (35) acres in area, excluding public rights-of-way.

