


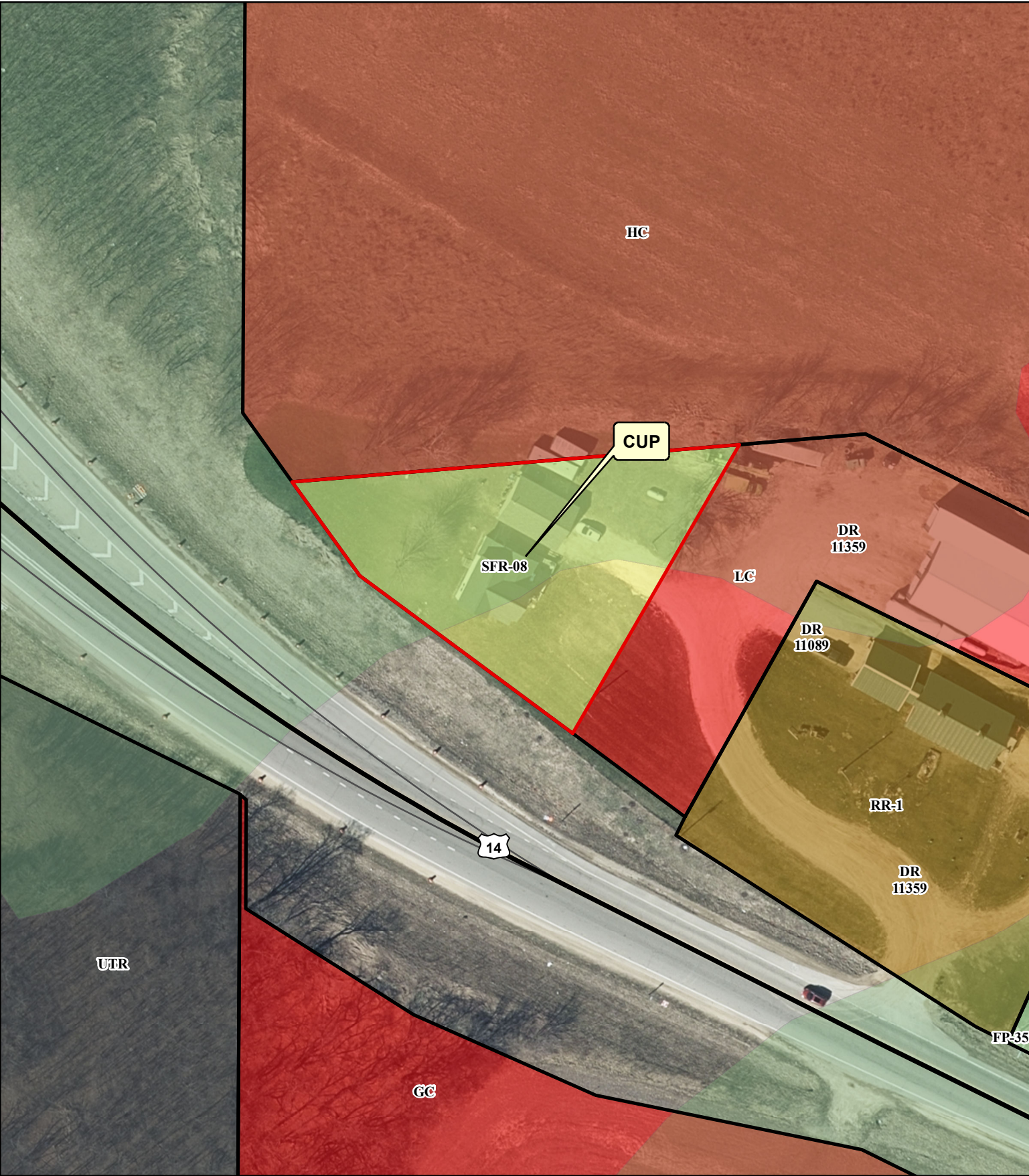


Dane County  
Conditional Use Permit  
Application

Application Date	C.U.P Number
07/28/2021	DCPCUP-2021-02534
Public Hearing Date	
10/26/2021	

OWNER INFORMATION				AGENT INFORMATION			
OWNER NAME JOHN P ZIEGLER		Phone with Area Code (608) 335-9393		AGENT NAME <input type="checkbox"/>		Phone with Area Code	
BILLING ADDRESS (Number, Street) 1252 US HIGHWAY 14				ADDRESS (Number, Street) <input type="checkbox"/>			
(City, State, Zip) OREGON, WI 53575				(City, State, Zip)			
E-MAIL ADDRESS JPZ93@AOL.COM				E-MAIL ADDRESS			
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3			
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP			
1256 US HIGHWAY 14				1252 US HIGHWAY 14			
TOWNSHIP RUTLAND	SECTION 7	TOWNSHIP	SECTION	TOWNSHIP RUTLAND	SECTION 7		
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED			
0510-072-8260-0		---		0510-072-8280-0			
CUP DESCRIPTION							
CARETAKER'S RESIDENCE							
DANE COUNTY CODE OF ORDINANCE SECTION							ACRES
10.271(3)(a)							1.17
COMMENTS: CARETAKER'S RESIDENCE				DEED RESTRICTION REQUIRED?		Inspectors Initials	
				<input type="checkbox"/> Yes <input type="checkbox"/> No		PMK2	
				Applicant Initials _____			
				SIGNATURE:(Owner or Agent) 			
				PRINT NAME: 			
				DATE: 			





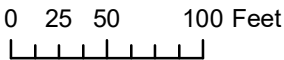


**Legend**



Wetland **Significant Soils**

-  Class 1
-  Class 2



CUP 02534  
JOHN P ZIEGLER





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:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION			
Property Owner Name:	John & Sandra Ziegler	Agent Name:	
Address (Number & Street):	1256 US Highway	Address (Number & Street):	
Address (City, State, Zip):	Oregon WI 53575	Address (City, State, Zip):	
Email Address:	jpz93@aol.com	Email Address:	
Phone#:	608-335-9393	Phone#:	

SITE INFORMATION			
Township:	Rutland	Parcel Number(s):	052/0510-072-8280-0 ; 052/0510-072-8260-0 a-1252
Section:	07	Property Address or Location:	1256 US Highway 14
Existing Zoning:	SFR-08	Proposed Zoning:	LC
		CUP Code Section(s):	10-271 (3) (a) 10.271(3)(a)

DESCRIPTION OF PROPOSED CONDITIONAL USE	
Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use): <del>Equipment Indoor Storage</del> Caretaker's Residence	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Provide a short but detailed description of the proposed conditional use: Former LC-1 Zoning was changed in February, 2019 for sale to Grandson. This sale will not be happening due to birth of new baby & alternate housing location for them. We need more storage building space to keep equipment inside. We had originally located across the end of current LC which at the time was the only location available. That location makes it very difficult to park equipment inside the building. We were granted a building permit to do this work on April 25, 2021 - #14-21. We plan to change the location to new LC area and apply for a new building permit and not use the former approved #14-21 Permit. Lot #1 has a care taker house on it which will now be used by our son	

GENERAL APPLICATION REQUIREMENTS					
Applications will not be accepted until the applicant has met with department staff to review the application and determined 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 particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.					
<input checked="" type="checkbox"/> Complete attached information sheet for standards	<input checked="" type="checkbox"/> Site Plan drawn to scale	<input checked="" type="checkbox"/> Detailed operational plan	<input type="checkbox"/> Written legal description of boundaries	<input checked="" type="checkbox"/> Detailed written statement of intent	<input type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: John P Ziegler

Date: 7-28-2021

**STANDARDS FOR CONDITIONAL USE PERMITS**

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

<p>1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.</p> <p>Returning former LC-1 Property from SFR-08 to LC</p>
<p>2. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.</p> <p>None- See Staff Report November, 27, 2018</p>
<p>3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.</p> <p>None - See Staff Report November 27, 2018</p>
<p>4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.</p> <p>No Change Needed - See Staff Report November 27, 2018</p>
<p>5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.</p> <p>No Change Needed</p>
<p>6. That the conditional use shall conform to all applicable regulations of the district in which it is located.</p> <p>Returning Parcel to LC from SFR-08</p>
<p>7. The conditional use is consistent with the adopted town and county comprehensive plans.</p> <p>Yes - Improves Town Density Map by Changing from 3 Parcels to 2 Parcels.</p>
<p>8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.</p> <ul style="list-style-type: none"><li>Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:</li></ul> <p>No Change</p> <ul style="list-style-type: none"><li>Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:</li></ul> <p>No Change - See Staff Report November 27, 2018</p> <ul style="list-style-type: none"><li>Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:</li></ul> <p>No Change - See Staff Report November 27, 2018</p> <ul style="list-style-type: none"><li>Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:</li></ul> <p>No Change</p> <ul style="list-style-type: none"><li>Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:</li></ul> <p>None - No Change</p>



**WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN**

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

<p>Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.</p> <p>Scaled Site Plan - CSM Included &amp; Clearly Marked.</p> <p>Neighborhood Characteristics - No Change</p> <p>Operations Plan - Hours of Op: 7am Leave, Return 4pm; Number of Employees: 3; No Noise, Odors Etc; No materials or activities outside; No Change to Stormwater Erosion; No Change to Sanitary Facilities; Peliterri Garbage Pickup; No Change to daily traffic; No Change to Materials - NONE; No Change to Outdoor Lighting; No Change to Signage - None</p> <p>Additional Materials - None</p>
<p>List the proposed days and hours of operation.</p> <p>Storage Only</p>
<p>List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.</p> <p>None</p>
<p>List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.</p> <p>None</p>
<p>Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.</p> <p>None</p>
<p>For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under <a href="#">Chapter 11</a> of <a href="#">Chapter 14</a>, Dane County Code.</p> <p>No Change</p>
<p>List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.</p> <p>Septic - Joint Well</p>
<p>List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.</p> <p>Peliterri Waste Removal</p>
<p>Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.</p> <p>No Change</p>
<p>Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.</p> <p>None</p>
<p>Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.</p> <p>None</p>
<p>Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. <a href="#">10.800</a>.</p> <p>None</p>
<p>Briefly describe the current use(s) of the property on which the conditional use is proposed.</p> <p>None</p>
<p>Briefly describe the current uses of surrounding properties in the neighborhood.</p> <p>C-2 - Open Field - Ag</p>

Former LC-1 Zoning was changed in February, 2019 for sale to Grandson. this sale will not be happening due to birth of new baby & alternate housing location for them. We need more storage building space to keep equipment inside. We had originally located across the end of current LC-1 which at the time was the only location available. That location makes it very difficult to park equipment inside the building. We were granted a building permit to do this work on April 25, 2021 - #14-21. We plan to change the location to new LC area and apply for a new building permit and not use the former approved #14-21 Permit. Lot #1 has a care taker house on it which will now be used by our son.

#### **OPERATIONAL NARRATIVE**

Describe in detail the following characteristics of the operation, as applicable:

Hours of operation – No Business Operations – Storage Only

Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time- 3

Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties – None – No Change

Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building – None

Compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code – No Change

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 – None – Care Taker House Septic Only

Facilities for managing and removal of trash, solid waste and recyclable materials – Pelliteri Waste

Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic – No Change

A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken – None

Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties. Signage, consistent with section 10.800 – No Change - None







Legal Description:  
Lot 1, CSM 15060

Doc# 5472741

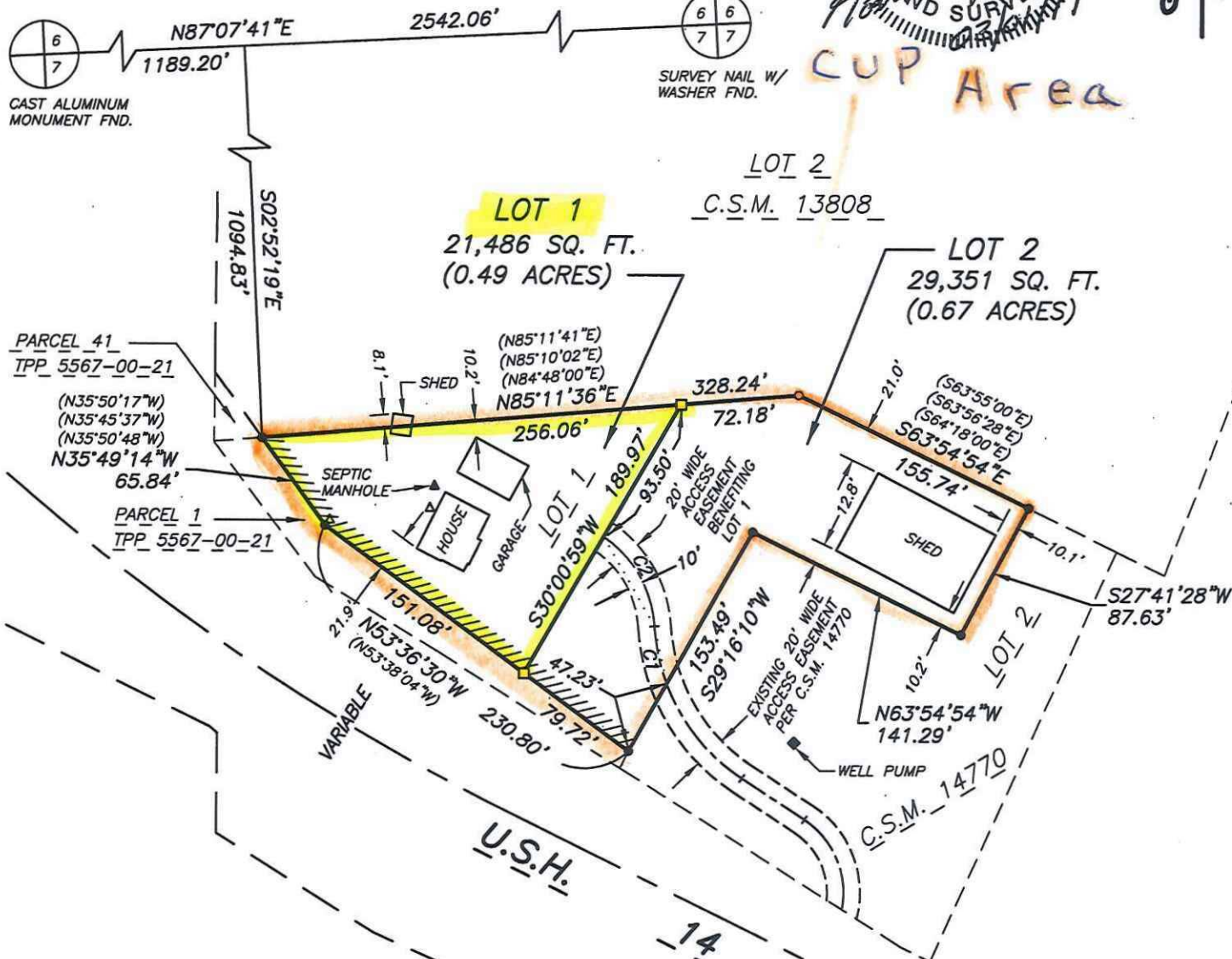
**CERTIFIED SURVEY MAP** No. 15060

Lot 1 of Certified Survey Map 14770 (Vol. 103, Pages 107-108) in the Northeast 1/4 of the Northwest 1/4 of Section 7, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin.

CURVE DATA							
CURVE	RADIUS	ARC	DELTA	CHORD	CHORD BEARING	TAN. BEARING-IN	TAN. BEARING-OUT
C1	120.60'	35.80'	17°00'30"	35.67'	N12°18'59"W	N20°49'14"W	N03°48'44"W
C2	72.00'	65.37'	52°01'02"	63.15'	N29°49'15"W	N03°48'44"W	N55°49'46"W

NOTES:

- 1.) Bearings are referenced to the Wisconsin County Coordinate System, Dane County Zone, NAD83 (2011), in which the North line of the Northwest 1/4 of Section 7 bears N87°07'41"E.
- 2.) Recorded data, when different than measured, is shown in parenthesis.
- 3.) Refer to building site information contained in the Dane County Soil Survey.
- 4.) All PLSS witness monuments were found and verified.

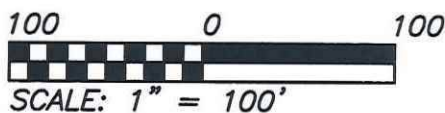


LEGEND:

- 3/4" solid round iron rod found
- 3/4" iron pipe found
- 3/4" x 24" solid round iron rod set, weighing 1.5 pounds per lineal foot
- ////// No vehicular access by acquisition per TPP 5567-00-21-4.01
- △ Septic vent

PREPARED FOR:  
John Ziegler  
1252 U.S.H. 14  
Oregon, WI 53575  
(608) 335-9393

JOB NO. 18096  
POINTS 17112  
DRWG. 18096  
DRAWN BY RT



SHEET 1 OF 2

**TALARCZYK**  
LAND SURVEYS LLC  
W5105 Kubly Road  
New Glarus, WI 53574  
608-527-5216  
www.talarczyksurveys.com



# CERTIFIED SURVEY MAP No. 14770

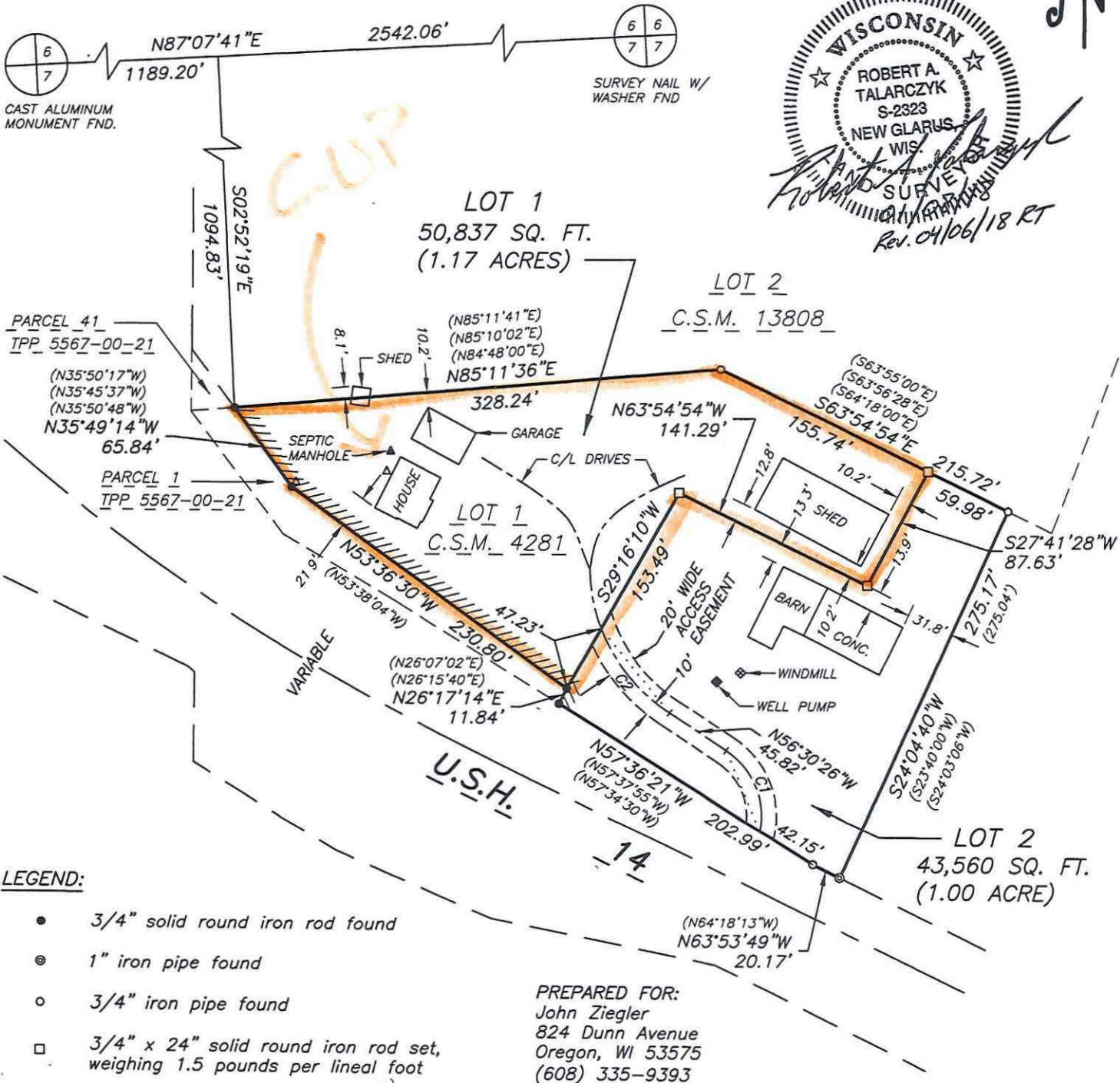
Part of Lot 1 of Certified Survey Map 4281 (Vol. 18, Page 153) in the Northeast 1/4 of the Northwest 1/4 of Section 7, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin.

Document No. 5401692

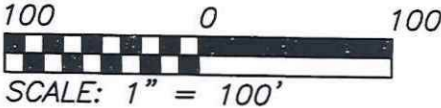
CURVE DATA							
CURVE	RADIUS	ARC	DELTA	CHORD	CHORD BEARING	TAN. BEARING-IN	TAN. BEARING-OUT
C1	53.70'	63.23'	67°27'32"	59.64'	N22°46'40"W	N10°57'06"E	
C2	120.60'	75.12'	35°41'12"	73.91'	N38°39'50"W		N20°49'14"W

### NOTES:

- 1.) Bearings are referenced to the Wisconsin County Coordinate System, Dane County Zone, NAD83 (2011), in which the North line of the Northwest 1/4 of Section 7 bears N87°07'41"E.
- 2.) Recorded data, when different than measured, is shown in parenthesis.
- 3.) Refer to building site information contained in the Dane County Soil Survey.
- 4.) All PLSS witness monuments were found and verified.



JOB NO. 17112  
POINTS 17112  
DRWG. 17112  
DRAWN BY RT



SHEET 1 OF 2

**TALARCZYK**  
LAND SURVEYS, LLC  
W5105 Kubly Road  
New Glarus, WI 53574  
608-527-5216  
www.talarczyklandsurveys.com



Use black ink

## NOTICE

### NOTICE OF TRANSFERRED DEVELOPMENT RIGHTS

Pursuant to approval of rezoning petition #11247, and applicable policies of the town of Rutland Comprehensive Plan, Dane County hereby provides notice that a transfer of development rights has occurred in sections 7 and 10 of the Town of Rutland.

**Development Rights Transferred:** In accordance with the Transfer of Development Rights (TDR) policies of the *Town of Rutland* component of the *Dane County Comprehensive Plan*, one (1) development right was transferred from the sending property to the receiving property, as described below. The transfer will allow the development of one (1) single family residential lot on the receiving property.

**Receiving Property:** One development right was transferred to the R-1A Residential zoned "receiving" property described below.

- Lot \_\_\_ of Certified Survey Map # 14770, located in section 7, town 5 north, range 10 east, town of Rutland, Dane County, Wisconsin.

**Sending Property:** One (1) development right has been transferred from the "sending" property described below. The transfer one (1) of the available density units on the sending property. A deed restriction has been recorded with the Dane County Register of Deeds under document # 5401693 prohibiting non-farm development on 40 acres of the sending property.

- The NW 1/4 of the SE 1/4, Section 10, Township 5 North, Range 10 East, Town of Rutland, Dane County Wisconsin.  
(Tax parcel #0510-104-8500-3)

*This Notice provides information regarding a Transfer of Development Rights between properties in accordance with the policies & programs of the town of Rutland component of the Dane County Comprehensive Plan.*

  
Signature of County official

10 APRIL 2018  
Date

ROGER LANE DANECOUNTY ZONING ADMINISTRATOR  
Name printed Title

STATE OF WISCONSIN, County of Dane

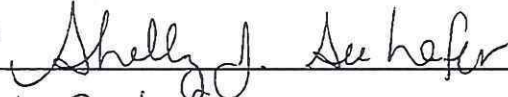
This document was drafted by:  
(print or type name below)

Dane County Zoning Administrator

\*Names of persons signing in any capacity must be typed or printed below their signature.  
P&D form 2/20/2001

Subscribed and sworn to before me on 4-10-2018 by the above named person(s).

Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07)



Print or type name:

Shelly J. Seehafer

Title Real Estate Specialist

Date commission expires: 2-28-2020

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
5401695  
04/13/2018 10:49 AM  
Trans Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 1

Recording area

Name and return address:

JOHN ZIEGLER  
824  
1252 Hwy 14  
OREGON WI 53575

0510-072-8230-9

PARCEL IDENTIFICATION NUMBER(S)





**DEED RESTRICTIONS**

PETITION NO. 11359

Use black ink & print legibly

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
5472742  
03/04/2019 10:45 AM  
Trans Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 3

**WHEREAS**, John P. Ziegler and Sandy L. Ziegler

are owners of the following described real estate in the  
Town of Rutland, Dane County, Wisconsin further  
described as follows:

*Recording area*

Name and return address:

John P. Ziegler  
1252 U.S.H. 14  
Oregon, WI 53575

Parent Parcel Number(s):

0510-072-8240-0

**LEGAL DESCRIPTION:**

Lots 1 & 2 of Certified Survey Map Number 15040, located in the NE 1/4 of the NW  
1/4 of Section 7, Town 5 North, Range 10 East, Town of Rutland, Dane County,  
Wisconsin.



**WHEREAS**, said owners desire to place certain restrictions and notice on the above-described real estate, to bind the owner(s) and those who may acquire title hereafter.

**WHEREAS**, the restrictions provided herein shall be enforceable at law or equity against any party who has or acquires any interest in the land subject to this restriction by the following who are named as Grantees and beneficiaries with enforcement rights:

- The County Government of Dane County, Wisconsin provided that the land is under the jurisdiction of said County at the time the enforcement action is commenced, and;
- The Town Government of the Town of Rutland, Dane County, provided that the land is within the jurisdiction of said Town at the time the enforcement is commenced, and;
- The owner(s) of record of any lands that are located within 300 feet of the subject property.

**THEREFORE**, the following restrictions are hereby imposed:

1. The LC-1 parcel (Lot 2) and R-1A (Lot 1) parcels are prohibited of being sold separately. Both parcels shall be required to be sold together.