

Dane County Rezone Petition

Application Date	Petition Number
09/04/2025	DCPREZ-2025-12211
Public Hearing Date	
11/25/2025	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME LEVI AND LYDIA YODER	PHONE (with Area Code) (608) 690-1397	AGENT NAME ☐	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 9422 COUNTY HIGHWAY KP		ADDRESS (Number & Street) ☐	
(City, State, Zip) BLACK EARTH, WI 53515		(City, State, Zip)	
E-MAIL ADDRESS		E-MAIL ADDRESS	

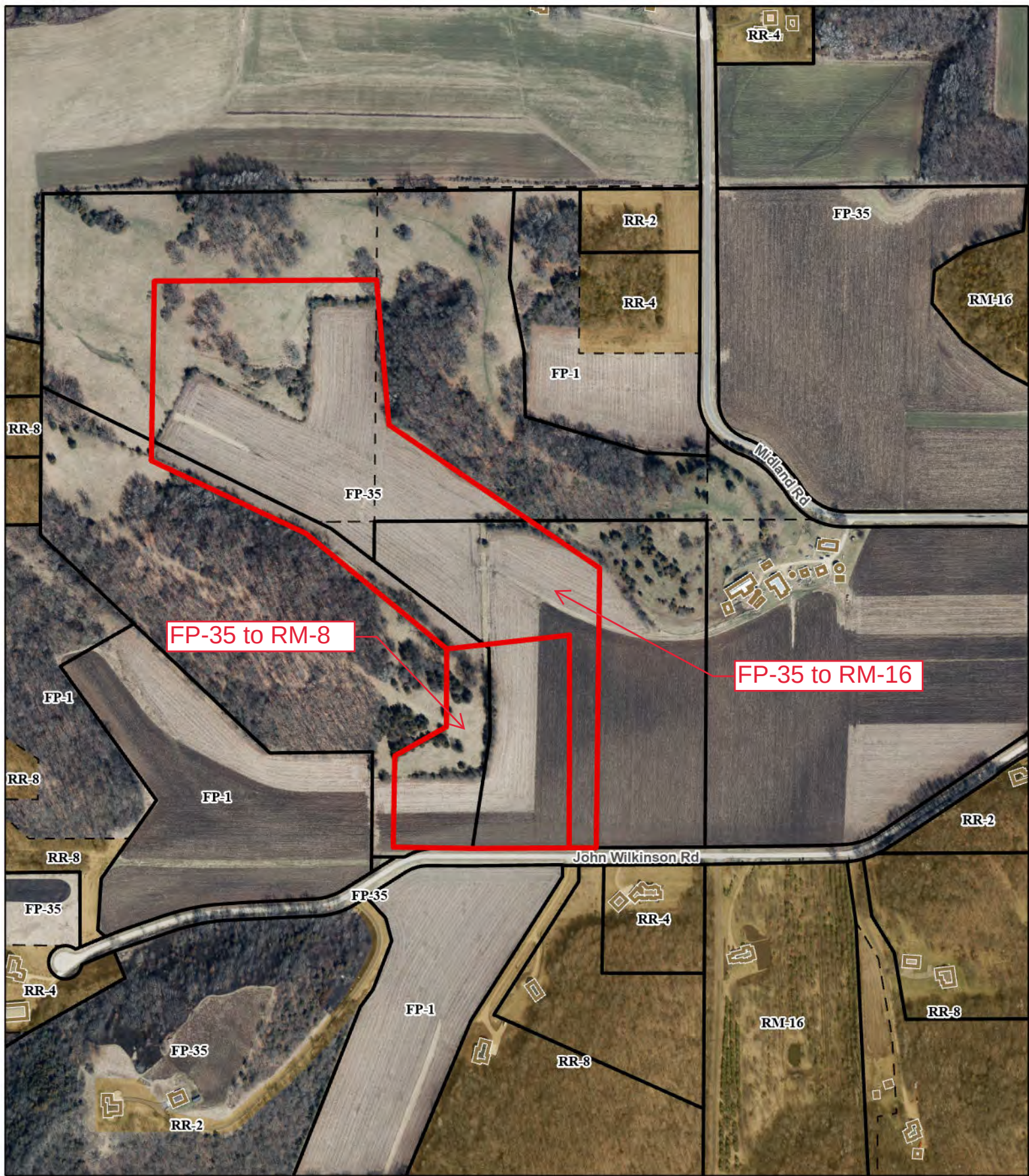
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
North of 5250 John Wilkinson Rd					
TOWNSHIP BLACK EARTH	SECTION 28	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0806-282-8501-0					

REASON FOR REZONE	
CREATING TWO LOTS FOR RESIDENTIAL AND AGRICULTURAL USE, TRANSFERRING ONE DEVELOPMENT RIGHT	
Other parcels involved: 0806-213-9052-0 Bontrager 0806-204-9501-0 Bontrager 0806-291-8001-0 Bontrager 0806-282-8730-0 Fogel 0806-282-9120-0 Halverson	

FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RM-16 Rural Mixed-Use District	33
FP-35 Farmland Preservation District	RM-8 Rural Mixed-Use District	11.5

C.S.M REQUIRED? ☒ Yes ☐ No Applicant Initials _____	PLAT REQUIRED? ☐ Yes ☒ No Applicant Initials _____	DEED RESTRICTION REQUIRED? ☐ Yes ☒ No Applicant Initials _____	INSPECTOR'S INITIALS RUH1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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COMMENTS:
1. TRANSFERRING ONE DEVELOPMENT RIGHT FROM FRYE PROPERTY (PARCEL ~~0806-294-9340-9~~ 0806-294-9930-5)
2. CONFIGURATION OF LOTS REVISED NOV 4, 2025.



0 300 600 1,200
Feet

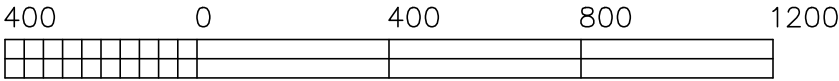
Petition 12211
Yoder

PRELIMINARY
CERTIFIED SURVEY MAP

WALKER SURVEYING INC.

5964 LINDA CT. MAZOMANIE, WI. 53560

PART OF THE NE 1/4 OF THE NE 1/4, SECTION 29, PART OF THE SE 1/4 OF THE SE 1/4, SECTION 20, PART OF THE SW 1/4 OF THE SW 1/4, SECTION 21, AND PART OF THE NW 1/4 OF THE NW 1/4, SECTION 28, LOCATED IN T08N, R06E, TOWN OF BLACK EARTH, DANE COUNTY, WISCONSIN.



GRAPHIC SCALE - FEET SCALE 1" = 400 Ft

LINE TABLE

L-1	S 02°54'19"W	352.60'
L-2	S 11°14'45"E	297.59'
L-3	S 01°06'36"E	256.11'
L-4	S 73°24'25"E	497.37'
L-5	S 87°06'45"E	255.67'
L-6	N 89°12'22"W	173.82'
L-7	S 58°00'02"W	109.56'

W 1/4 CORNER
SEC. 21-08-06



LEGEND

- O = 3/4" * 24" SOLID IRON ROD SET 1.50 LBS./FT. MINIMUM WEIGHT UNLESS OTHERWISE STATED
- () = RECORDED INFORMATION
- I.P. = IRON PIPE
- I.S. = IRON STAKE
- P.P. = PINCHED PIPE
- o = FOUND 3/4" I.S.

SURVEYED FOR:
LEVI & LYDIA YODER
9422 CTH KP
BLACK EARTH, WI 53515

C.S.M. #16706

SECTION 21
SW 1/4 - SW 1/4
NW 1/4 - NW 1/4
SECTION 28

FP-35 to RM-16

LOT 4
1,623,514 Sq Ft
37.27 ACRES

LOT 2
JOHN WILKINSON CROPLAND

FP-35 to RM-8

LOT 3
499,277 Sq Ft
11.46 ACRES
DEDICATED TO THE PUBLIC

LOT 1
JOHN WILKINSON CROPLAND

DOCUMENT NO. _____

CERTIFIED SURVEY MAP NO. _____

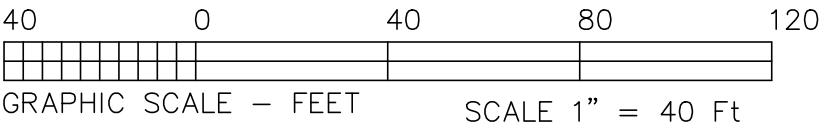
VOLUME _____ PAGE _____

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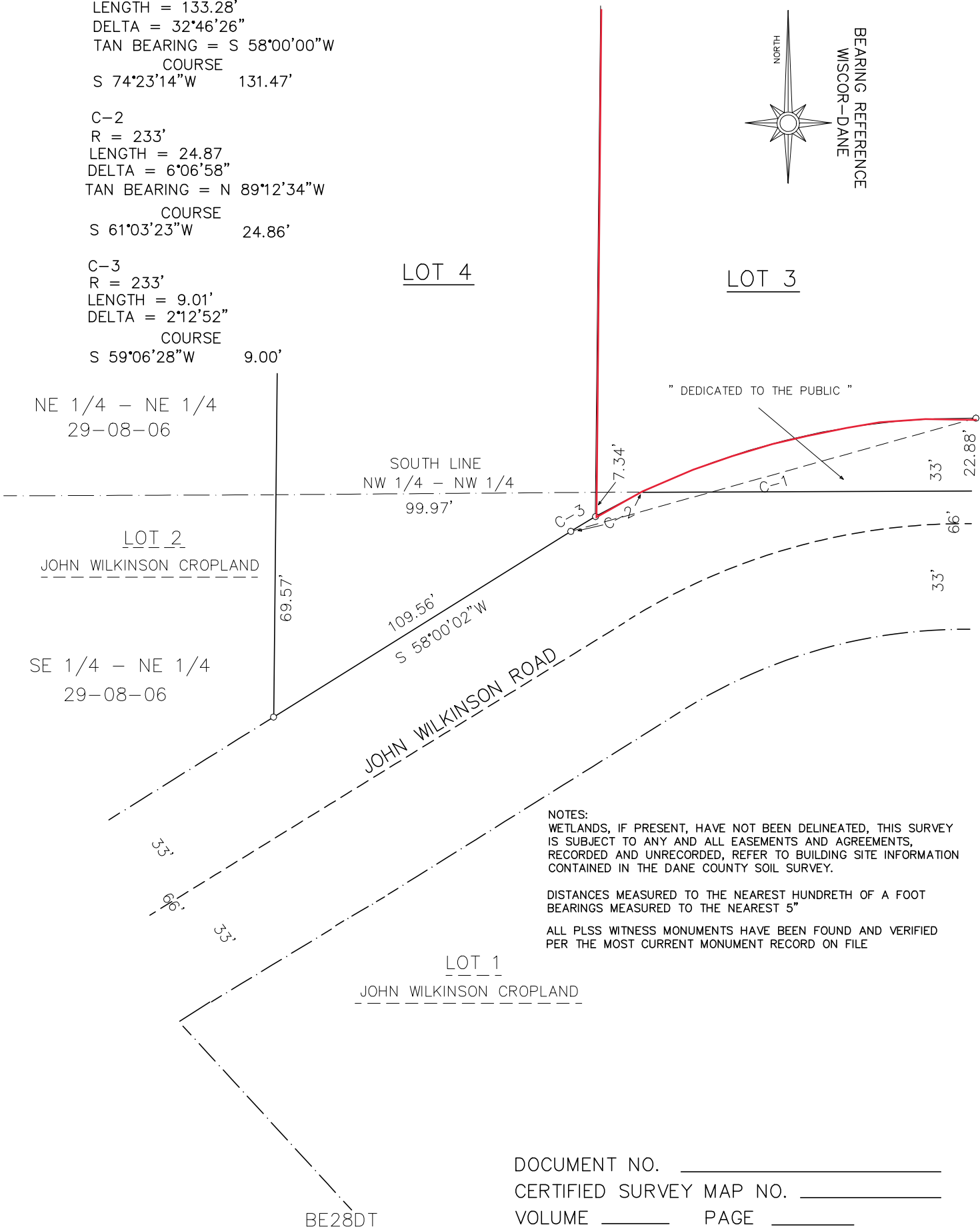
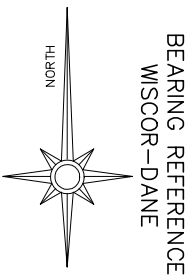
PART OF THE NE 1/4 OF THE NE 1/4, SECTION 29, PART OF THE SE 1/4 OF THE SE 1/4, SECTION 20, PART OF THE SW 1/4 OF THE SW 1/4, SECTION 21, NAD PART OF THE NW 1/4 OF THE NW 1/4, SECTION 28, LOCATED IN T08N, R06E, TOWN OF BLACK EARTH, DANE COUNTY, WISCONSIN.



C-1
R = 233'
LENGTH = 133.28'
DELTA = 32°46'26"
TAN BEARING = S 58°00'00"W
COURSE
S 74°23'14"W 131.47'

C-2
R = 233'
LENGTH = 24.87
DELTA = 6°06'58"
TAN BEARING = N 89°12'34"W
COURSE
S 61°03'23"W 24.86'

C-3
R = 233'
LENGTH = 9.01'
DELTA = 2°12'52"
COURSE
S 59°06'28"W 9.00'



FP-35 to RM-16 (lot 2)

Part of the SE 1/4 of the SE 1/4, Section 20, part of the SW 1/4 of the SW 1/4, Section 21, part of the NW 1/4 of the NW 1/4, Section 28, and part of the NE 1/4 of the NE 1/4, Section 29, located in T08N, R06E, Town of Black Earth, Dane County, Wisconsin more fully described as follows; Commencing at the W 1/4 corner of said Section 21; THENCE South 00 degrees 23 minutes 25 seconds West for a distance of 1662.52 feet to the point of beginning; THENCE South 04 degrees 15 minutes 18 seconds East for a distance of 589.81 feet; THENCE South 56 degrees 31 minutes 28 seconds East for a distance of 1010.21 feet; THENCE South 00 degrees 27 minutes 48 seconds West for a distance of 1126.15 feet to the North Right-of-way John Wilkinson Road; THENCE South 89 degrees 44 minutes 17 seconds West for a distance of 100.00 feet along said Right-of-way; THENCE North 00 degrees 27 minutes 48 seconds East for a distance of 852.00 feet; THENCE South 83 degrees 13 minutes 25 seconds West for a distance of 498.44 feet THENCE North 50 degrees 33 minutes 56 seconds West for a distance of 704.63 feet; THENCE North 64 degrees 10 minutes 18 seconds West for a distance of 713.17 feet; THENCE North 01 degrees 28 minutes 34 seconds East for a distance of 710.10 feet; THENCE North 89 degrees 18 minutes 21 seconds East for a distance of 878.70 feet to the point of beginning.

FP-35 to RM-8 (lot 3)

Part of the NW 1/4 of the NW 1/4, Section 28, T08N, R06E, Town of Black Earth, Dane County, Wisconsin more fully described as follows; Commencing at the W 1/4 corner of said Section 28; THENCE North 00 degrees 37 minutes 21 seconds East for a distance of 1249.66 feet to the North Right-of-way John Wilkinson Road ; THENCE North 58 degrees 00 minutes 02 seconds East for a distance of 109.56 feet along said Right-of-way; THENCE along a curve to the right having a radius of 233.00 feet and an arc length of 9.01 feet, being subtended by a chord of North 59 degrees 06 minutes 28 seconds East for a distance of 9.00 feet along said Right-of-way to the point of beginning; THENCE North 00 degrees 37 minutes 20 seconds East for a distance of 378.59 feet; THENCE North 60 degrees 26 minutes 13 seconds East for a distance of 237.15 feet; THENCE North 00 degrees 00 minutes 50 seconds West for a distance of 327.78 feet; THENCE North 83 degrees 13 minutes 25 seconds East for a distance of 498.44 feet; THENCE South 00 degrees 27 minutes 48 seconds West for a distance of 852.00 feet to the North Right-of-way said John Wilkinson Road; THENCE South 89 degrees 44 minutes 23 seconds West for a distance of 405.69 feet along said Right-of-way; THENCE North 89 degrees 12 minutes 22 seconds West for a distance of 173.82 feet along said Right-of-way; THENCE along a curve to the left having a radius of 233.00 feet and an arc length of 124.27 feet, being subtended by a chord of South 75 degrees 29 minutes 40 seconds West for a distance of 122.81 feet to the point of beginning.



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
• PERMIT FEES DOUBLE FOR VIOLATIONS. • ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION.	

REZONE APPLICATION

APPLICANT INFORMATION

Property Owner Name:	Levi R Yoder	Agent Name:	
Address (Number & Street):	9422 Cty Rd KP	Address (Number & Street):	
Address (City, State, Zip):	Black Earth WI 53515	Address (City, State, Zip):	
Email Address:	N/A	Email Address:	
Phone#:	608-690-1397	Phone#:	

PROPERTY INFORMATION

Township:	Black Earth	Parcel Number(s):	0806-291-8001-0 0806-204-9501-0
Section:	28 20 21	Property Address or Location:	0806-282-8501-0 0806-213-9052-0

REZONE DESCRIPTION

Reason for the request. 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.

Is this application being submitted to correct a violation?
Yes ☐ No ☐

Create 2 lots for Residence + farming
Transferring 1 development right from Frye property

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP 35	RM 16	35
FP 35	RM 8	12

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.

☒ Scaled drawing of proposed property boundaries	☒ Legal description of zoning boundaries	☐ Information for commercial development (if applicable)	☒ Pre-application consultation with town and department staff	☒ Application fee (non-refundable), 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 Levi Yoder

Date 9-4-25

SUPPLEMENTAL INFORMATION FOR COMMERCIAL DEVELOPMENT

A scaled site plan and detailed operations plan must be submitted for commercial rezone applications. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach the relevant maps and plans listed below to your application form.

☐ **SCALED SITE PLAN.** Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

- ☐ Scale and north arrow
- ☐ Date the site plan was created
- ☐ Existing subject property lot lines and dimensions
- ☐ Existing and proposed wastewater treatment systems and wells
- ☐ All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- ☐ All dimension and required setbacks, side yards and rear yards
- ☐ Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- ☐ Location and dimensions of any existing utilities, easements or rights-of-way
- ☐ Parking lot layout in compliance with s. 10.102(8)
- ☐ Proposed loading/unloading areas
- ☐ Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- ☐ All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade
- ☐ Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area
- ☐ Any lighting, signs, refuse dumpsters, and possible future expansion areas.

☐ **NEIGHBORHOOD CHARACTERISTICS.** Describe existing land uses on the subject and surrounding properties.

- ☐ Provide a brief written statement explaining the current use(s) of the property on which the rezone is proposed.
- ☐ Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

☐ **OPERATIONAL NARRATIVE.** Describe in detail the following characteristics of the operation, as applicable:

- ☐ Hours of operation
- ☐ Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at anytime
- ☐ Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- ☐ Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building
- ☐ Compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code
- ☐ 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.
- ☐ Facilities for managing and removal of trash, solid waste and recyclable materials.
- ☐ Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- ☐ A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken
- ☐ Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties
- ☐ Signage, consistent with section 10.800

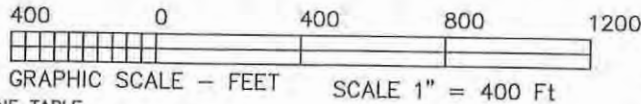
☐ **ADDITIONAL PROPERTY OWNERS.** Provide contact information for additional property owners, if applicable.

Additional Property Owner Name(s):	Joas & Rachel Bontrager
Address (Number & Street):	10477 MIDLAND RD
Address (City, State, Zip):	Mazomanie WI 53560
Email Address:	
Phone Number:	

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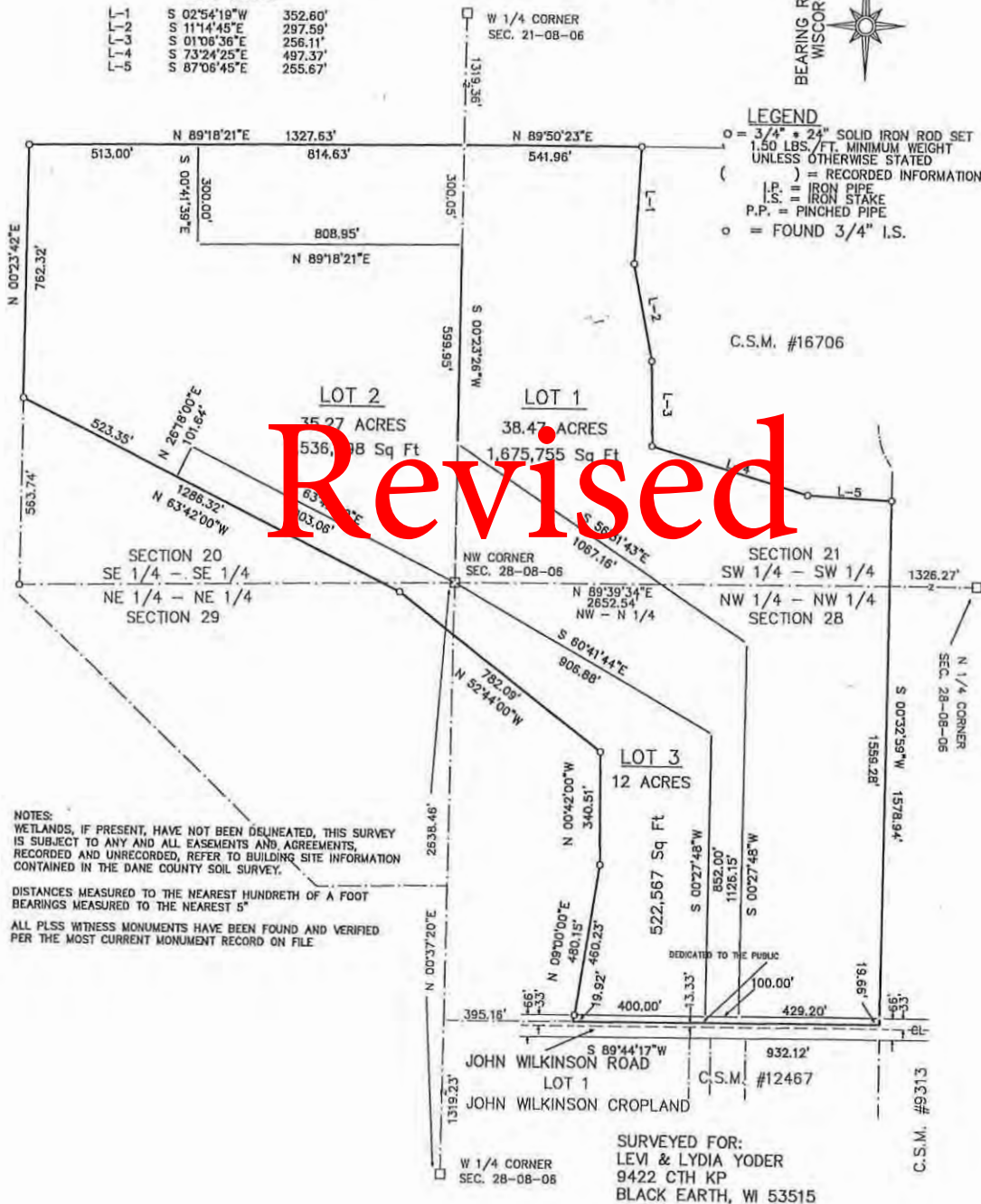


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 1.50 LBS./FT. MINIMUM WEIGHT
 UNLESS OTHERWISE STATED
 () = RECORDED INFORMATION
 I.P. = IRON PIPE
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 P.P. = PINCHED PIPE
 ○ = FOUND 3/4" I.S.



DOCUMENT NO. _____
 CERTIFIED SURVEY MAP NO. _____
 VOLUME _____ PAGE _____

FARMLAND PRESERVATION DENSITY STUDY

Note: Density policies vary by town. Farmstead ownership is based on the date farmland preservation zoning. This report is based on the best property information available to staff. Please contact staff with questions at (608) 266-4266. Learn about density studies at <https://danecountyplanning.com/Permits-Applications/Density-Study>

Applicant: Flogel Survivors TR

Accela ID: DCPREZ-2024-12119

Density Study Date: 12/16/2024

Public Hearing Date: 12/17/2024

Town: Black Earth

Section(s): 20, 21, 28, 29

Petition Number: 12119

Farmstead Owner: Henry Flogel

Adoption Date: 8/14/1981

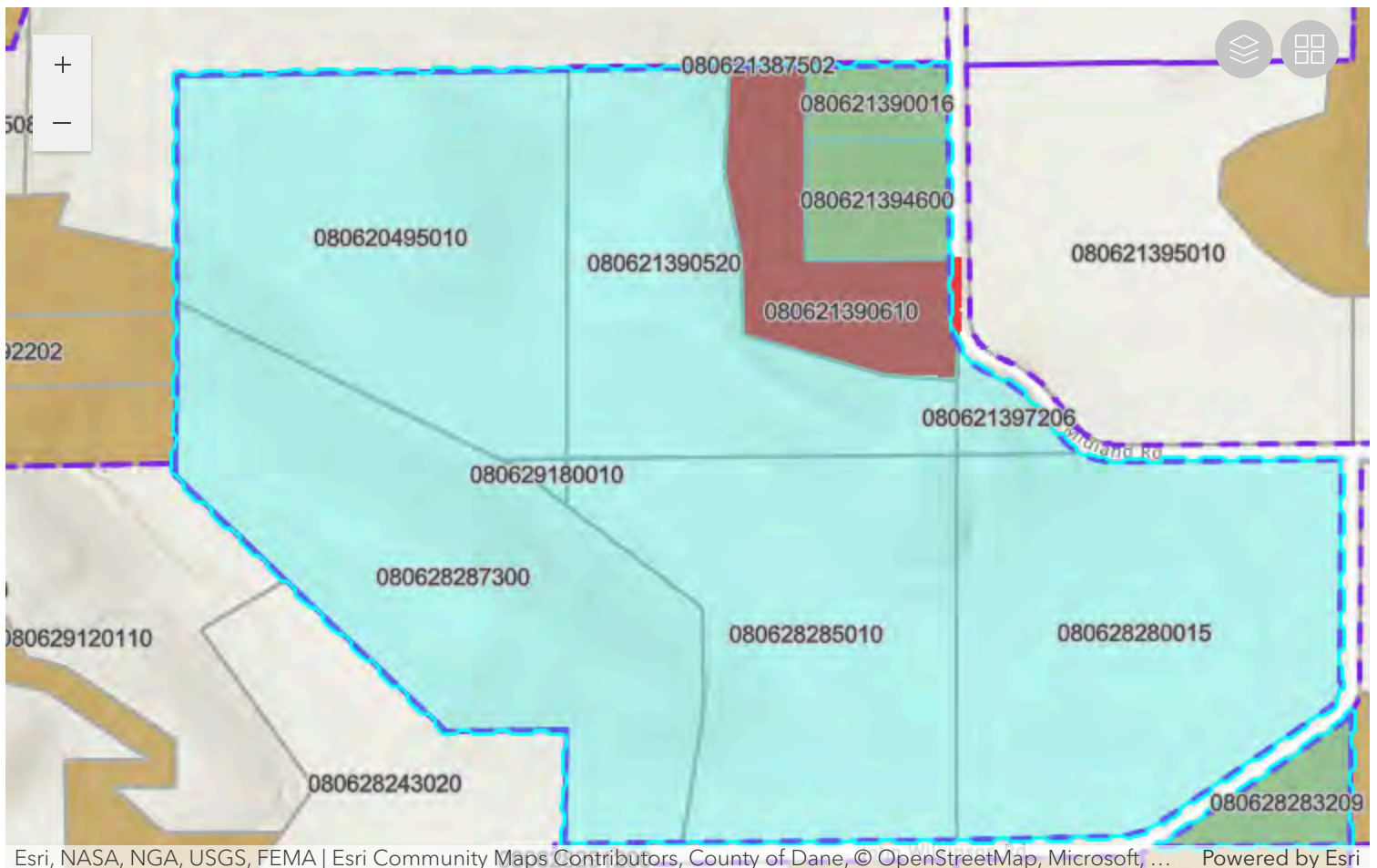
Density Factor: 1:35 acres

Farmstead Acres: 175.82

Available Density Unit(s): 2

Original Splits: 5.02

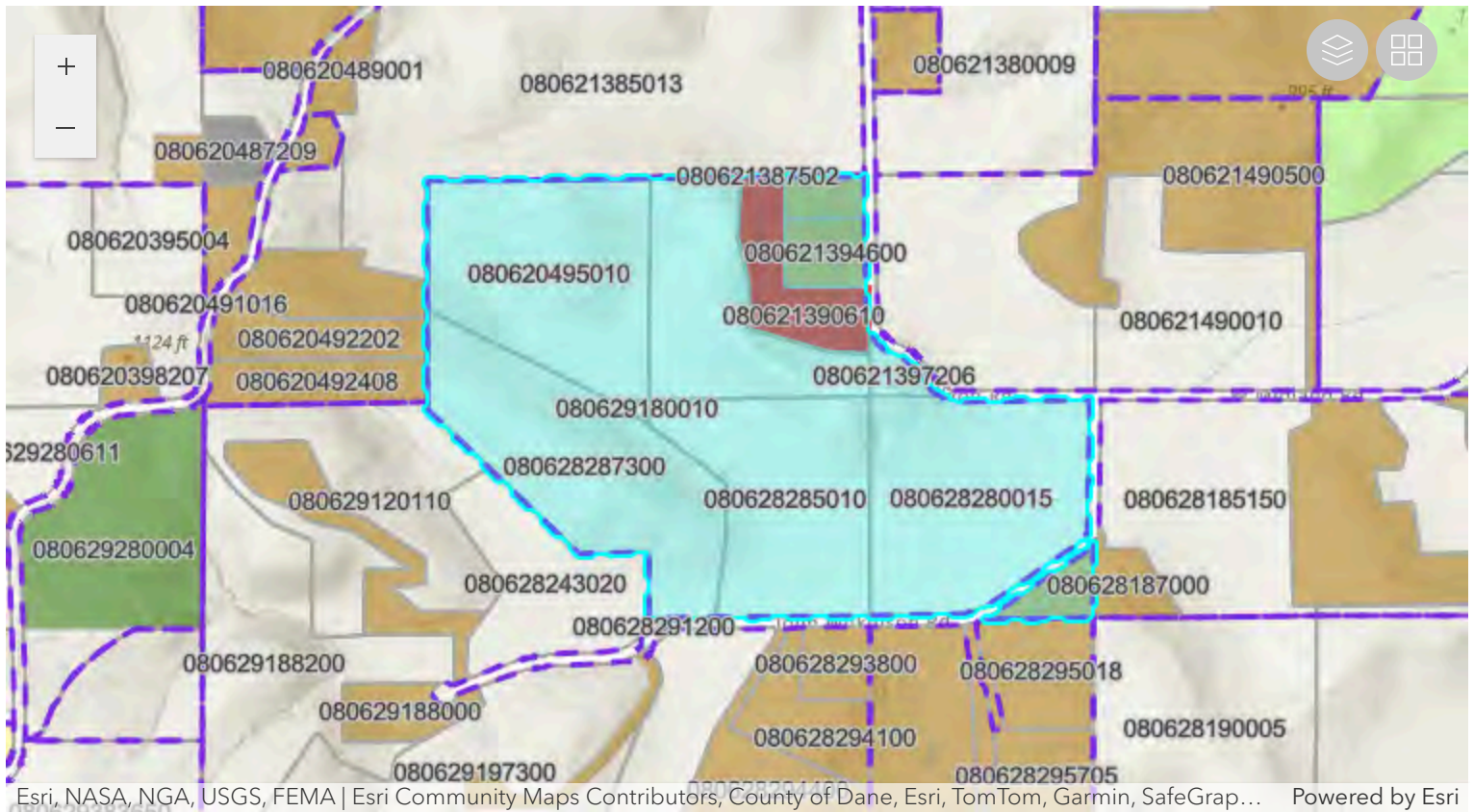
Justification: 5 original splits, -3 for RR-2 and RR-4 lots. (080621390016, 080628283209 and 080621394600) 2 splits remain.



Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, County of Dane, © OpenStreetMap, Microsoft, ... Powered by Esri

FARMLAND PRESERVATION DENSITY STUDY

Applicant: Flogel Survivors TR



Parcel Number	Acres	Owner	CSM
080620495010	32.9	FLOGEL SURVIVORS TR, DOLORES C	
080621390016	2.75	FISHER REV LIVING TR, KEVIN & DIANE	07990
080621390520	22.3	FLOGEL SURVIVORS TR, DOLORES C	
080621390610	9.51	STEVEN L FLOGEL & LISA D FLOGEL	
080621394600	4.43	STEVEN L FLOGEL & LISA D FLOGEL	11575
080621397206	1.83	FLOGEL SURVIVORS TR, DOLORES C	
080628280015	34.32	FLOGEL SURVIVORS TR, DOLORES C	
080628283209	3.16	Current Owner	07052
080628285010	29.31	FLOGEL SURVIVORS TR, DOLORES C	
080628287300	35.07	THOMAS J FLOGEL	
080629180010	0.38	FLOGEL SURVIVORS TR, DOLORES C	