

Lane, Roger

From: Parks, Timothy <TParks@cityofmadison.com>
Sent: Tuesday, July 6, 2021 5:24 PM
To: 'Dan Paulson'; Lane, Roger
Cc: John Becker; Judy Acker Maly; Zellers, Benjamin; Grady, Brian; Brandon Bledsoe
Subject: RE: ZP 2021-11720

Folks,

The RR-8 zoning for the proposed lot is fine with the City, but the land remaining RM-16 will need to be subjected to a restrictive covenant as outlined below.

Please let me know if you have any additional questions.

TIM



Timothy M. Parks

Planner (Pronouns: He/ Him/ His)
Department of Planning & Community & Economic Development
Planning Division
Madison Municipal Building, Suite 017 (Level Zero "0")
215 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703
tparks@cityofmadison.com
T: 608.261.9632

From: Dan Paulson <Dan@paulsonllc.net>
Sent: Tuesday, July 6, 2021 11:37 AM
To: Lane, Roger <lane.roger@countyofdane.com>; Parks, Timothy <TParks@cityofmadison.com>
Cc: John Becker <jfbecker@sbcglobal.net>; Judy Acker Maly <judy@ackermaly.com>; Zellers, Benjamin <BZellers@cityofmadison.com>; Grady, Brian <BGrady@cityofmadison.com>; Brandon Bledsoe <townofburke@frontier.com>
Subject: RE: ZP 2021-11720

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Roger:

At the direction of my client, John Becker, please modify the zoning change application requesting a change to RM-8 to a change to RR-8.

Tim:

Please let me know if this modification satisfies the City's concerns.

Thank you,
Dan

Daniel A. Paulson, P.L.S.

Paulson and Associates, LLC

Land Surveying
136 W. Holum Street
DeForest, WI 53532
Dan@PaulsonLLC.net
608-846-2523 (o)

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From: John Becker <jfbecker@sbcglobal.net>
Sent: Tuesday, July 6, 2021 10:51 AM
To: Dan Paulson <Dan@paulsonllc.net>
Subject: Re: ZP 2021-11720

Hi Dan,
I don't see a problem with the change to RR8, unless you do?

On Jul 6, 2021, at 8:18 AM, Dan Paulson <Dan@paulsonllc.net> wrote:

John & Judy:
Roger is suggesting we modify the zoning change request to RR-8.
I've attached the spec sheets on both zoning districts for your review.
Is this acceptable to you?
Dan

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From: Lane, Roger <lane.roger@countyofdane.com>
Sent: Monday, July 5, 2021 11:58 AM
To: Dan Paulson <Dan@paulsonllc.net>
Subject: RE: ZP 2021-11720

I would agree. Change the zoning to RR-8.

Roger

From: Dan Paulson <Dan@paulsonllc.net>
Sent: Friday, June 25, 2021 1:31 PM

To: Lane, Roger <lane.roger@countyofdane.com>
Cc: 'Judy Acker Maly' <judy@ackermaly.com>; 'John Becker' <jfbecker@sbcglobal.net>; Zellers, Benjamin <BZellers@cityofmadison.com>; Grady, Brian <BGrady@cityofmadison.com>; Brandon Bledsoe <townofburke@frontier.com>; Parks, Timothy <TParks@cityofmadison.com>
Subject: RE: ZP 2021-11720

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Roger:
I'm looking for your advice.
Sounds like the City will accept the zoning change to RM-8 and a land division if the owner signs a deed restriction that the new lot is restricted to residential use.
Another option is to change the Zoning to a Residential District. (see below)
Amending the petition requesting RM-8 to RR-8 sounds the easiest, but want to see what you think.
Thanks,
Dan

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From: Parks, Timothy <TParks@cityofmadison.com>
Sent: Friday, June 25, 2021 12:06 PM
To: Dan Paulson <Dan@paulsonllc.net>; Brandon Bledsoe <townofburke@frontier.com>
Cc: 'Judy Acker Maly' <judy@ackermaly.com>; 'John Becker' <jfbecker@sbcglobal.net>; Zellers, Benjamin <BZellers@cityofmadison.com>; Grady, Brian <BGrady@cityofmadison.com>
Subject: RE: John Becker

Folks,

As you know, under Sec. 11.B.(1) of the Cooperative Plan between the City of Madison and the Town of Burke (as well as City of Sun Prairie and the Village of DeForest), any "development" of the Becker parcel, in addition to Town requirements, is subject to City of Madison approval. "Development" is defined at Sec. 6.A. of the Plan as the "division of land, or construction of more than one principal structure on a parcel of land, or rezoning a parcel from a residential or agricultural classification to a non-residential classification." As this property is not in a protected area, "the full range of urban services, including... City public water and sewer service, and attachment to the... City may or may not be required, in the sole discretion of the... City." However, under Sec. 11.B.(3), "the division of a five (5) acre or larger parcel... into only two parcels for residential purposes shall not be considered 'development' under this Plan, and the owners may, subject to applicable Town and County regulations,

divide and rezone the parcel to a single-family residential district and construct a single-family residence on each of the two new parcels without the cooperation or approval of... Madison....”

In order to be eligible for the exemption above, the City believes that the property to be divided needs to be zoned to a residential zoning district per the County Zoning Code. The property is currently zoned RM-16 and staff is aware of the pending petition to rezone Lot 1 to RM-8 (Zoning Petition ID 11720). We do not feel that the RM-8 and RM-16 zoning districts are consistent with this exception. The RM – Rural Mixed-Use Districts in DCO 10.233 and 10.234 “Provide for a mix of agriculture, residential, utility, limited business and accessory uses consistent with and appropriate to a rural setting...” The broader “mixed-use” districts are not consistent with a “single family residential district” and actually allow for permissive and conditional uses that are not consistent with the “development” exception in the Cooperative Plan, including, specifically, allowing for more than just the construction of a single-family residence on the resulting parcels. In lieu of a single-family residential district to implement the exemption in the cooperative plan for this division, the City of Madison will accept a restrictive covenant to limit the potential use of the proposed lot and the remaining 51.7 acres consistent with the intent of the cooperative plan. The deed restriction would allow the City to ensure that even if the parcel is zoned RM that it would be handled like a RR- or SF-zoned district. If the parcels are zoned to a RR or SF district (which are single-family zoning districts) instead of the RM districts, then no such covenant would be required.

In lieu of zoning the 60.9 acres to a residential zoning district, please have a restrictive covenant drafted for the City’s review and approval that will implement the provisions of the Cooperative Plan. The restrictive covenant shall apply to the entire 60.9 acres of the Becker property and shall include a boundary description of the overall ownership.

If there are any questions about this message or the process to get the City of Madison’s approval of the proposed land division, please let me know.

Best regards,
TIM

Timothy M. Parks

Planner (Pronouns: He/ Him/ His)
Department of Planning & Community & Economic Development
Planning Division
Madison Municipal Building, Suite 017 (Level Zero “0”)
215 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703
tparks@cityofmadison.com
T: 608.261.9632

<image001.jpg>

From: Dan Paulson <Dan@paulsonllc.net>
Sent: Friday, June 25, 2021 10:31 AM
To: Brandon Bledsoe <townofburke@frontier.com>
Cc: 'Judy Acker Maly' <judy@ackermaly.com>; 'John Becker' <jfbecker@sbcglobal.net>; Parks, Timothy <TParks@cityofmadison.com>
Subject: RE: John Becker

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PJ:
Thanks for the update.

John:

We will need Burke to submit a "Town Action Report" to Dane County prior to July 22nd if we want the Committee to act on your request, so please settle up with the Town.

Thanks,
Dan

Daniel A. Paulson, P.L.S.

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From: Town of Burke Administrator <townofburke@frontier.com>
Sent: Friday, June 25, 2021 10:27 AM
To: Dan Paulson <Dan@paulsonllc.net>
Cc: 'Judy Acker Maly' <judy@ackermaly.com>; 'John Becker' <jfbecker@sbcglobal.net>;
tparks@cityofmadison.com
Subject: RE: John Becker

The Town took action on it at their June 16 Board meeting. We are waiting for payment for outstanding monies owed the Town. Once paid, the action report will be sent to Dane county.

Invoice was mailed to Becker on June 17, 2021.

PJ

PJ Monson, WCMC, CMTW
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Madison WI 53718
Town of Burke, Dane County
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From: Dan Paulson [<mailto:Dan@paulsonllc.net>]
Sent: Friday, June 25, 2021 10:22 AM

To: townofburke@frontier.com
Cc: Judy Acker Maly; John Becker; tparks@cityofmadison.com
Subject: John Becker

PJ:

When is the Town planning to review John Becker's request for a Zoning Change and Land Division (see attached exhibits)?

The Dane County ZLR Committee has this item on their July 27th agenda.

Thanks,

Dan

Daniel A. Paulson, P.L.S.

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<RM-8.pdf>

<RR-8.pdf>