

MAY 27, 2026 BOA PUBLIC HEARING STAFF REPORT

Appeal 3743. Appeal by Robert and Kim Riege for a variance from minimum required wetland setback Chapter 11.03(2)(a)2., Dane County Code of Ordinances, to permit driveway access to a proposed residence on a tract of land being located in the NE ¼ of the SE ¼, Section 28, Town of Deerfield.

OWNER: Robert and Kim Riege

AGENT: David Dinkel

LOCATION: London Rd, 300 feet east of Sky Ter

ZONING DISTRICT: Pending RR-4 (petition 12270)

COMMUNICATIONS: Town of Deerfield: acknowledgement and recommending approval 4/10/2026

Facts of the Case:

Existing:

- Bob and Kim Riege own agricultural land on the north side of London Road in Section 27 and Section 28 in the Town of Deerfield.
- The land is adjacent to the Village of Deerfield on the north and south of London Road to the south.
- The western property line abuts residential lots within the Town in the Deer Ridge Plat, and unplatted residential lands to the east.
- A previously ditched intermittent stream bisects the property and contains associated wetlands and floodplain.
- Historically, the drainage pattern in the area was along the eastern property line but during the 1940s and 1950s the stream was straightened and moved further west to provide for agricultural drainage.
- In 1975, a west-to-east agricultural ditch was constructed in the southwestern portion of the property to provide additional drainage.
- These low-lying drained fields are included in the WI Wetland Inventory and recent wetland delineation has confirmed the wetland boundaries.
- The floodplain associated with the stream was included in a FEMA study with a defined base flood elevation of 854.8 feet above mean sea level.

Proposed

- Owners would like to create a residential development site, using a transfer of development right, for a family member to build a home on a portion of the land.
- The proposed homesite would be located outside of the wetland setback and floodplain, satisfying the locational requirements of the ordinance.
- Access to the homesite is proposed partially encroaching into the required 75-foot wetland setback and within the floodplain.
- The proposed building site is on a small ridge with an elevation ranging from 855 to 860 above mean sea level.

Zoning Notes:

- Under wetland zoning, a driveway is defined as a structure and is required to satisfy the 75 foot setback to a wetland greater than 2 acres.

History

- Applicant is currently working through the process of obtaining RR-4 zoning for the property. The public hearing on the petition is scheduled for May 26, 2026.

VARIANCES REQUESTED: Purpose: Allow Driveway for access to future residence

Setback from wetland variance:

Minimum required setback from the boundary of a wetland required: 75 feet.

Actual Setback: From front lot line: 40 feet.

VARIANCE NEEDED: 35 feet.