

Dane County Rezone Petition

Application Date	Petition Number
04/21/2023	DCPREZ-2023-11956
Public Hearing Date	
06/27/2023	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME PORK-N-PINES DAIRY INC	PHONE (with Area Code) (608) 798-4669	AGENT NAME DAVID LUCEY	PHONE (with Area Code) (608) 338-9983
BILLING ADDRESS (Number & Street) DAVID LUCEY 7952 COUNTY HIGHWAY K		ADDRESS (Number & Street) 7952 COUNTY HIGHWAY K	
(City, State, Zip) CROSS PLAINS, WI 53528		(City, State, Zip) CROSS PLAINS, WI 53528	
E-MAIL ADDRESS dklucey@chorus.net		E-MAIL ADDRESS dklucey@chorus.net	

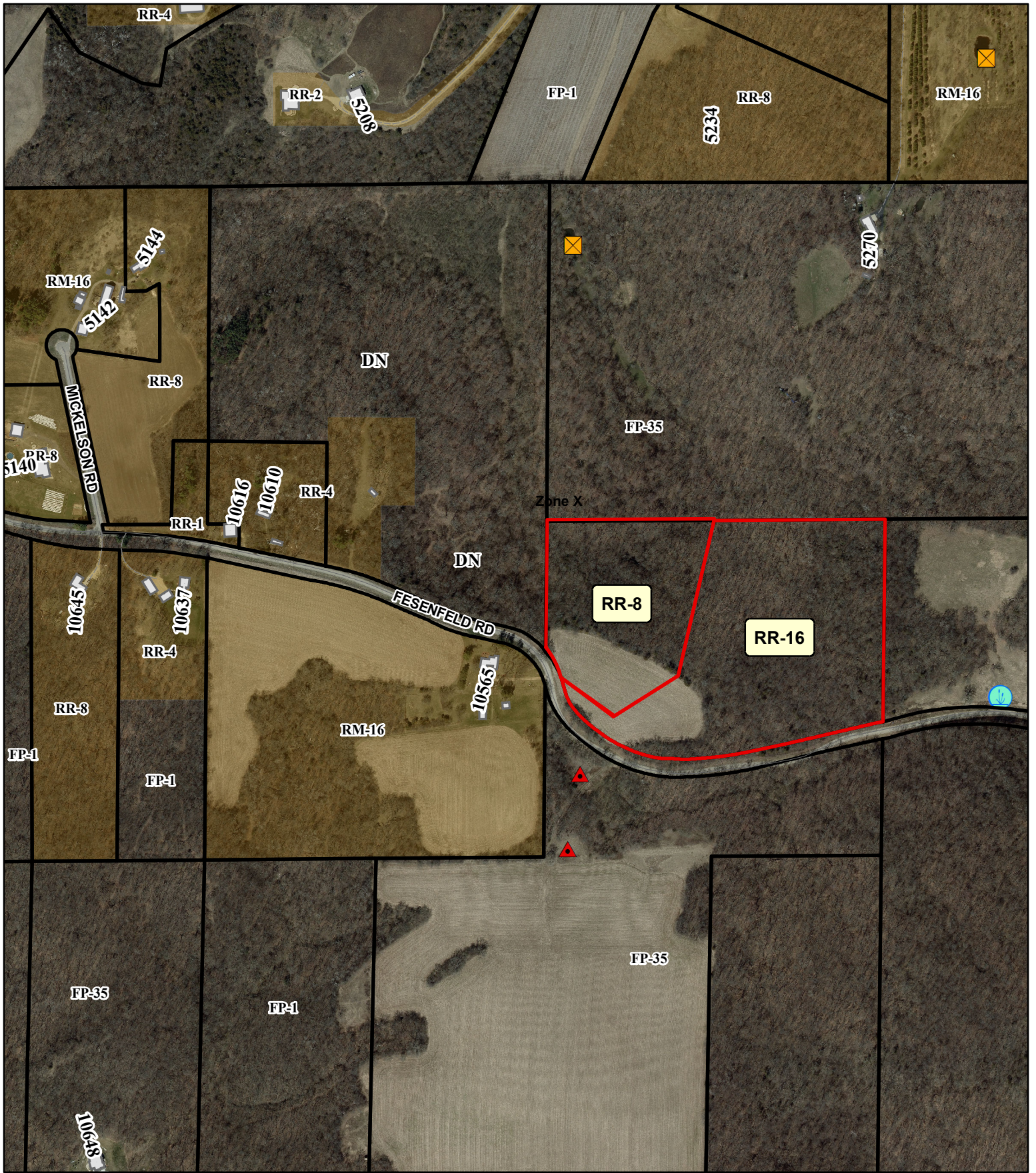
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
West of 10454 Fesenfeld Rd					
TOWNSHIP BLACK EARTH	SECTION 28	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0806-283-9000-3					

REASON FOR REZONE



CREATING TWO RESIDENTIAL LOTS

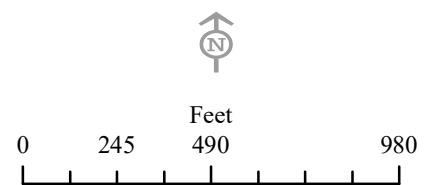
FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RR-8 Rural Residential District	9.01
FP-35 Farmland Preservation District	RR-16 Rural Residential District	17.55

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS RUH1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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REZONE 11956

-  Floodway Areas in Zone AE
-  Floodplain





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
<ul style="list-style-type: none"> • 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:	Pork n Pines Dairy, Inc	Agent Name:	David Lucey, President
Address (Number & Street):	7952 County Rd K	Address (Number & Street):	7952 County Rd K
Address (City, State, Zip):	Cross Plains WI 53528	Address (City, State, Zip):	Cross Plains, WI 53528
Email Address:	dklucey@chorus.net	Email Address:	dklucey@chorus.net
Phone#:	608 798 4669	Phone#:	608 338 9983

PROPERTY INFORMATION			
Township:	Black Earth	Parcel Number(s):	0806-283-9000-3
Section:	28	Property Address or Location:	west of Mark Lucey who is at 10454 Fesenfeld Rd

REZONE DESCRIPTION	
<p>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.</p>	<p>Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

Pork n Pines Dairy Inc sold most of the family farm to Mark Lucey in 2000, but retained the western 80 acres. Of the six divides PnP had, one was given to Mark with the sale of the farm and the other 5 were retained. We are looking to rezone approx. 25 acres north into two lots. The other three divides will be used on the remaining 50 acres south of Fesenfeld, or sold.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP-35	RR-8	9.01
FP-35	RR-16	17.55

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.

<input checked="" type="checkbox"/> Scaled drawing of proposed property boundaries	<input checked="" type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable)	<input checked="" type="checkbox"/> Pre-application consultation with town and department staff	<input checked="" type="checkbox"/> Application fee (non-refundable), payable to the Dane County Treasurer
------------------------------------------------------------------------------------	----------------------------------------------------------------------------	---------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------

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: David Lucey

Date: Apr 5, 2023

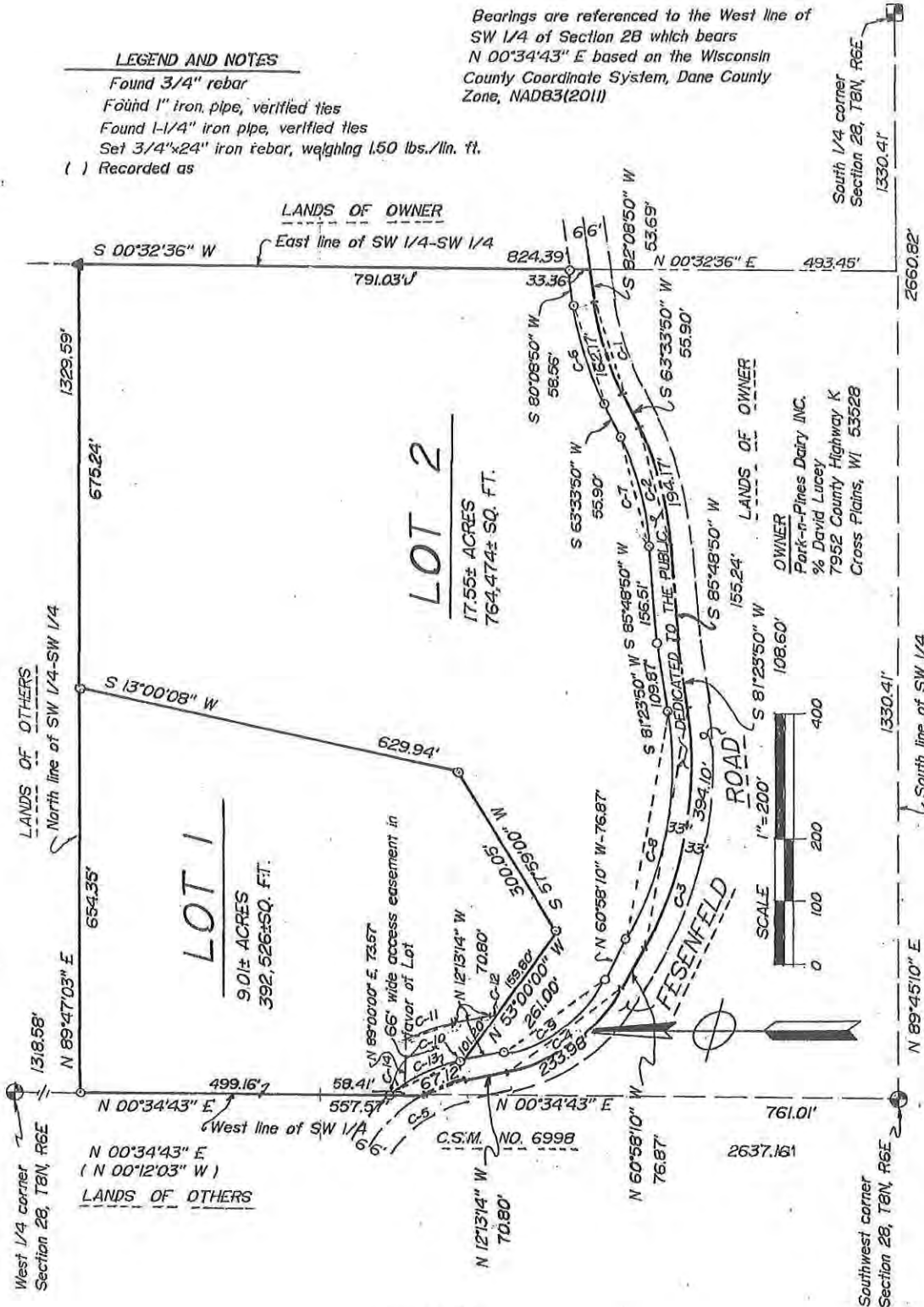
DANE COUNTY CERTIFIED SURVEY MAP NO. _____

LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWN 8 NORTH, RANGE 6 EAST, TOWN OF BLACK EARTH, DANE COUNTY, WISCONSIN.

LEGEND AND NOTES

- Found 3/4" rebar
- Found 1" iron pipe, verified ties
- Found 1-1/4" iron pipe, verified ties
- Set 3/4"x24" iron rebar, weighing 1.50 lbs./lin. ft.
- () Recorded as

Bearings are referenced to the West line of SW 1/4 of Section 28 which bears N 00°34'43" E based on the Wisconsin County Coordinate System, Dane County Zone, NAD83(2011)



DANE COUNTY CERTIFIED SURVEY MAP NO. _____
LOCATED IN THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 28, TOWN 8
NORTH, RANGE 6 EAST, TOWN OF BLACK EARTH, DANE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, John M. Halverson, Professional Land Surveyor, hereby certify that I have surveyed, divided, and mapped a parcel of land located in the Southwest ¼ of the Southwest ¼, Section 28, Town 8 North, Range 6 East, Town of Black Earth, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southwest corner of said Section 28; thence N 00°34'43" E, 761.01 feet along the West line of the SW ¼-SW ¼ of said Section 28 to a point in the centerline of Fesenfeld Road and the point of beginning; thence N 00°34'43" E, 557.57 feet along the West line of said SW ¼-SW ¼ to the Northwest corner of said SW ¼-SW ¼; thence N 89°47'03" E, 1329.59 feet along the North line of said SW ¼-SW ¼ to the Northeast corner of said SW ¼-SW ¼; thence S 00°32'36" W, 824.39 feet along the East line of said SW ¼-SW ¼ to a point in the centerline of Fesenfeld Road; thence S 82°08'50" W, 53.69 feet along the centerline of Fesenfeld Road; thence Southwesterly, 162.17 feet along the arc of a curve to the left having a central angle of 18°35'00" and a radius of 500.00 feet, said arc also being the centerline of Fesenfeld Road, the long chord of which bears S 72°51'19.5" W, 161.46 feet; thence S 63°33'50" W, 55.90 feet along the centerline of Fesenfeld Road; thence Southwesterly, 194.17 feet along the arc of a curve to the right having a central angle of 22°15'00" and a radius of 500.00 feet, said arc also being the centerline of Fesenfeld Road, the long chord of which bears S 74°41'20" W, 192.95 feet; thence S 85°48'50" W, 155.24 feet along the centerline of Fesenfeld Road; thence S 81°23'50" W, 108.60 feet along the centerline of Fesenfeld Road; thence Northwesterly, 394.10 feet along the arc of a curve to the right having a central angle of 37°38'00" and a radius of 600.00 feet, said arc also being the centerline of Fesenfeld Road, the long chord of which bears N 79°47'10" W, 387.05 feet; thence N 60°58'10" W, 76.87 feet along the centerline of Fesenfeld Road; thence Northwesterly, 233.98 feet along the arc of a curve to the right having a central angle of 48°44'56" and a radius of 275.00 feet, said arc also being the centerline of Fesenfeld Road, the long chord of which bears N 36°35'42" W, 226.98 feet; thence N 12°13'14" W, 70.80 feet along the centerline of Fesenfeld Road; thence Northwesterly, 67.12 feet along the arc of a curve to the left having a central angle of 16°01'26" and a radius of 240.00 feet, said arc also being the centerline of Fesenfeld Road, the long chord of which bears N 20°13'57" W, 66.90 feet to the point of beginning, containing 27.76 acres, more or less.

Lot 1 shall be subject to an access easement in favor of Lot 2 for ingress and egress purposes, located in the Southwest ¼ of the Southwest ¼ of Section 28, Town 8 North, Range 6 East, Town of Black Earth, Dane County, Wisconsin and is described as follows:

Commencing at the Southwest corner of said Section 28; thence N 00°34'43" E, 819.42 feet along the West line of the SW ¼-SW ¼ of said Section 28; thence S 34°44'41" E, 40.97 feet to a point on the Easterly r/w line of Fesenfeld Road and the point of beginning; thence N 89°00'00" E, 73.57 feet; thence Southeasterly, 71.58 feet along the arc of a curve to the right having a central angle of 12°05'52" and a radius of 339.00 feet, the long chord of which bears S 18°16'10" E, 71.44 feet; thence S 12°13'14" E, 70.80 feet; thence Southeasterly, 5.83 feet along the arc of a curve to the left having a central angle of 01°53'50" and a radius of 176.00 feet, the long chord of which bears S 13°10'04" E, 5.83 feet; thence N 53°00'00" W, 101.20 feet; thence Northwesterly, 86.82 feet along the arc of a curve to the left having a central angle of 18°13'14" and a radius of 273.00 feet, said arc also being the Easterly r/w line of Fesenfeld Road, the long chord of which bears N 21°19'51" W, 86.45 feet to the point of beginning,

That I have made the survey, land division and map under the direction of David Lucey.

That I have complied with the provisions of Section 236.34 of the Wisconsin State Statutes and the Dane County Land Division and Subdivision Regulations to the best of my knowledge and belief. That such certified survey map is a true and correct representation of all the exterior boundaries of the land surveyed and the division thereof made.

John M. Halverson
Professional Land Surveyor
6381 Coon Rock Road
Arena, WI 53503

Dated this ___ day of _____, 2023

LOT 1 LEGAL

A parcel of land located in the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 28, Town 8 North, Range 6 East, Town of Black Earth, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southwest corner of said Section 28; thence N $00^{\circ}34'43''$ E, 819.42 feet along the West line of the SW $\frac{1}{4}$ -SW $\frac{1}{4}$ of said Section 28 to a point on the Northerly r/w line of Fesenfeld Road and the point of beginning; thence N $00^{\circ}34'43''$ E, 499.16 feet along the West line of said SW $\frac{1}{4}$ -SW $\frac{1}{4}$ to the Northwest corner of said SW $\frac{1}{4}$ -SW $\frac{1}{4}$; thence N $89^{\circ}47'03''$ E, 654.35 feet along the North line of said SW $\frac{1}{4}$ -SW $\frac{1}{4}$; thence S $13^{\circ}00'08''$ W, 629.94 feet; thence S $57^{\circ}59'00''$ W, 300.05 feet; thence N $53^{\circ}00'00''$ W, 261.00 feet to a point on the Easterly r/w line of Fesenfeld Road; thence Northwesterly, 127.83 feet along the arc of a curve to the left having a central angle of $26^{\circ}49'40''$ and a radius of 273.00 feet, said arc also being the Easterly r/w line of Fesenfeld Road, the long chord of which bears N $25^{\circ}38'04''$ W, 126.66 feet to the point of beginning, containing 9.01 acres, more or less.

LOT 2 LEGAL

A parcel of land located in the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 28, Town 8 North, Range 6 East, Town of Black Earth, Dane County, Wisconsin, more particularly described as follows:

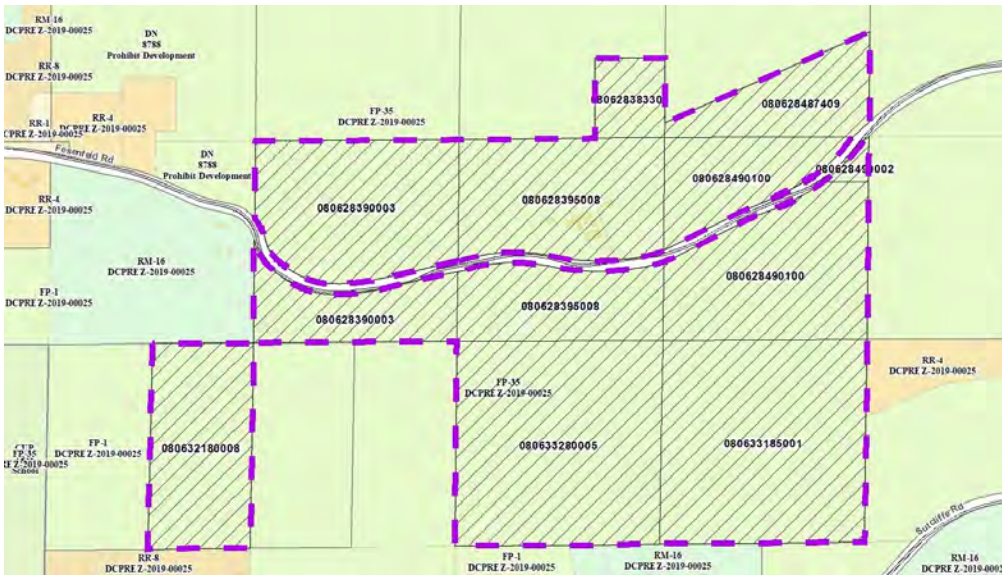
Commencing at the Southwest corner of said Section 28; thence N $00^{\circ}34'43''$ E, 819.42 feet along the West line of the SW $\frac{1}{4}$ -SW $\frac{1}{4}$ of said Section 28 to a point on the Northerly r/w line of Fesenfeld Road; thence S $25^{\circ}38'04''$ E, 126.66 feet to the point of beginning; thence S $53^{\circ}00'00''$ E, 261.00 feet; thence N $57^{\circ}59'00''$ E, 300.05 feet; thence N $13^{\circ}00'08''$ E, 629.94 feet; thence N $89^{\circ}47'03''$ E, 675.24 feet along the North line of the SW $\frac{1}{4}$ -SW $\frac{1}{4}$ of said Section 28 to the Northeast corner of said SW $\frac{1}{4}$ -SW $\frac{1}{4}$; thence S $00^{\circ}32'36''$ W, 791.03 feet along the East line of said SW $\frac{1}{4}$ -SW $\frac{1}{4}$ to a point in the Northerly r/w line of Fesenfeld Road; thence S $82^{\circ}08'50''$ W, 58.56 feet along said Northerly r/w line of Fesenfeld Road; thence Southwesterly, 172.87 feet along the arc of a curve to the left having a central angle of $18^{\circ}35'00''$ and a radius of 533.00 feet, said arc also being the Northerly r/w line of Fesenfeld Road, the long chord of which bears S $72^{\circ}51'19.5''$ W, 172.12 feet; thence S $63^{\circ}33'50''$ W, 55.90 feet along the Northerly r/w line of Fesenfeld Road; thence Southwesterly, 181.35 feet along the arc of a curve to the right having a central angle of $22^{\circ}15'00''$ and a radius of 467.00 feet, said arc also being the Northerly r/w line of Fesenfeld Road, the long chord of which bears S $74^{\circ}41'20''$ W, 180.22 feet; thence S $85^{\circ}48'50''$ W, 156.51 feet along the Northerly r/w line of Fesenfeld Road; thence S $81^{\circ}23'50''$ W, 109.87 feet along the Northerly r/w line of Fesenfeld Road; thence Northwesterly, 372.42 feet along the arc of a curve to the right having a central angle of $37^{\circ}38'00''$ and a radius of 567.00 feet, said arc also being the Northerly r/w line of Fesenfeld Road, the long chord of which bears N $79^{\circ}47'10''$ W, 365.76 feet; thence N $60^{\circ}58'10''$ W, 76.87 feet along the Northerly r/w line of Fesenfeld Road; thence Northwesterly, 205.90 feet along the arc of a curve to the right having a central angle of $48^{\circ}44'56''$ and a radius of 242.00 feet, said arc also being the Northeasterly r/w line of Fesenfeld Road, the long chord of which bears N $36^{\circ}35'42''$ W, 199.75 feet; thence N $12^{\circ}13'14''$ W, 70.80 feet along the Northeasterly r/w line of Fesenfeld Road to the point of beginning, containing 17.55 acres, more or less.

DRAFT: FOR DISCUSSION PURPOSES ONLY

IMPORTANT NOTE: ACREAGE VALUES AND OWNERSHIP HEREIN ARE DERIVED FROM HISTORICAL AND CURRENT RECORDS LOCATED AT THE DANE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT (EG. GIS, PLAT BOOKS, ZONING PERMIT DATA, CSM'S, ETC). DENSITY POLICIES VARY AMONG TOWNS AND MAY REQUIRE INTERPRETATION.

Applicant: David Lucey

Town	Black Earth	A-1EX Adoption	8/15/1981	Orig Farm Owner	Noreen George Lucey
Section:	28, 32, 33	Density Number	35	Original Farm Acres	230.84
Density Study Date	4/21/2022	Original Splits	6.6	Available Density Unit(s)	7



Reasons/Notes:

[7] Original Splits - None taken to date
 Per ROD DOC 3200052 [6] splits go with
 080628390003 and
 080632180008

Note: Parcels included in the density study reflect farm ownership and acreage as of the date of town plan adoption, or other date specified. Density study is based on the original farm acreage, NOT acreage currently owned.

Parcel #	Acres	Owner Name	CSM
080633280005	40.44	MARK LUCEY	
080633185001	39.95	MARK LUCEY	
080628490100	36.71	MARK LUCEY	
080628490002	0.93	MARK LUCEY	
080628487409	11.66	MARK LUCEY	
080628395008	38.2	MARK LUCEY	
080628383306	5.38	MARK LUCEY	
080632180008	20.14	PORK-N-PINES DAIRY INC	
080628390003	37.43	PORK-N-PINES DAIRY INC	