

Dane County Rezone Petition

Application Date	Petition Number
10/21/2022	DCPREZ-2022-11912
Public Hearing Date	
12/13/2022	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DOROTHY M JOHNSON	PHONE (with Area Code) (608) 423-3254	AGENT NAME RUMPF LAW OFFICE, S.C.	PHONE (with Area Code) (608) 423-3254
BILLING ADDRESS (Number & Street) 1343 STARR SCHOOL RD		ADDRESS (Number & Street) 152 W. MAIN STREET	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip) Cambridge, WI 53523	
E-MAIL ADDRESS		E-MAIL ADDRESS mrumpf@rumpflaw.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
South of 1403 Starr School Road					
TOWNSHIP RUTLAND	SECTION 2	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-024-9550-0		0510-024-8002-0			

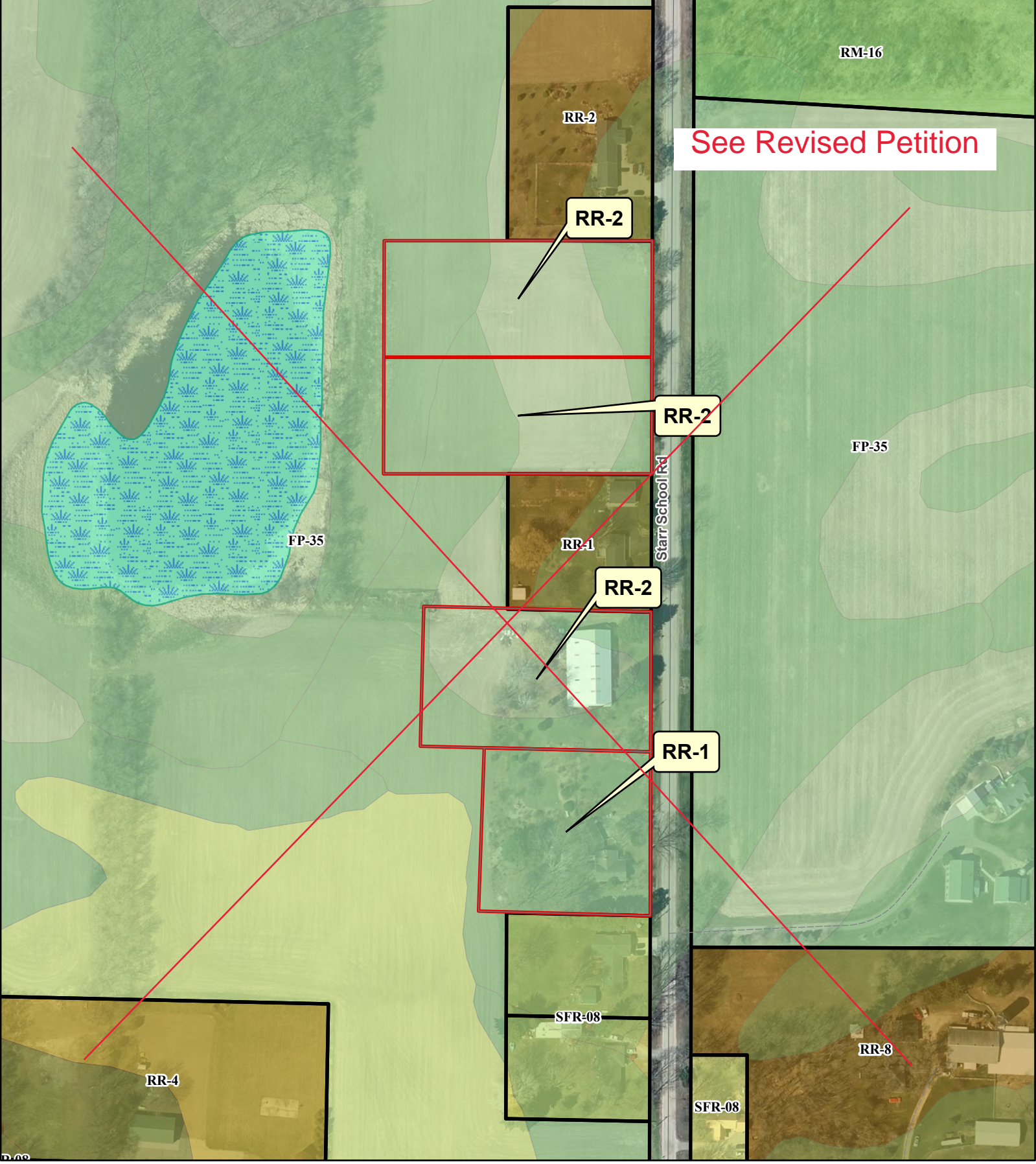
REASON FOR REZONE

SEPARATE EXISTING FARMSTEAD FROM FARM AND CREATE 2 ADDITIONAL RESIDENTIAL LOTS

FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RR-1 Rural Residential District	5.7

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS RUH1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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COMMENTS: DENSITY STUDY ALREADY COMPLETED. LAND IS SUBJECT TO CITY OF STOUGHTON EXTRATERRITORIAL JURISDICTION.



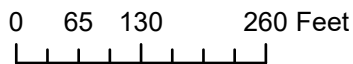
See Revised Petition

Legend

- Floodplain
- Wetland

Significant Soils
Class

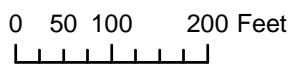
- Class 1
- Class 2





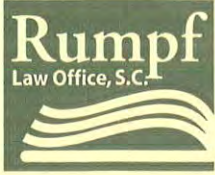
Petition 11912
DOROTHY M JOHNSON



REZONE 11912 DOROTHY M JOHNSON



-  Wetland
-  Floodplain



152 W. Main Street | P.O. Box 1 | Cambridge, WI 53523
608.423.3254 | fax 608.423.4570

Michael D. Rumpf
mrumpf@rumpfllaw.com

February 4, 2023

TO: Dawn George, Clerk clerk@town.rutland.us.us
Kim Sim, Clerk of Plan Commission kimsime62@gmail.com
Travis Leeser, Chair of Plan Commission pchair@town.rutland.wi.us
Rachel Holloway, Dane County Zoning Holloway.Rachel@countyofdane.com

FROM: Michael D. Rumpf

RE: Estate of Dorothy Johnson
Petition Number DCPREZ-2022-11912

I have amended the Rezone Application again reverting back to a three-lot division, proposed Lot 1 was to separate the farmstead and Proposed Lots 2 and 3 were to create two additional lots. See a copy of the original Rezone Application attached.

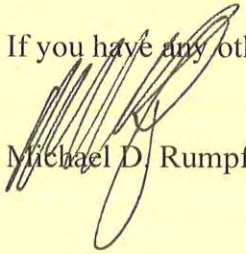
We discussed proposed Lot 2 and the uses currently in existence and how to draft language to satisfy the existing and future uses. To repeat, currently Randy Johnson, son of Dorothy Johnson, is an independent long-haul trucker and parks his tractor/trailer at proposed Lot 2 when he is home and off the road. He parks along the northerly park of the proposed parcel and has not received any complaints from the neighbors. Randy plans to the construct a residence on proposed Lot 2 although no building permit has been applied for at this time. Randy has discussed installing a new driveway extending southwesterly from the current entrance to allow access to his proposed residential site and for parking his trailer southerly of the northerly property line.

I still desire to transfer a development right but that will be dealt with at a later date.

Please place me back on the appropriate plan commission and Dane county scheduled.

I will be out of the country from February 13 through March 7, 2023.

If you have any other questions or desire additional information, please contact me.


Michael D. Rumpf



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:	Est. of Dorothy Johnson	Agent Name:	Michael D. Rumpf, Per. Rep.
Address (Number & Street):	152 W. Main St., PO Box 1	Address (Number & Street):	152 W. Main St., PO Box 1
Address (City, State, Zip):	Cambridge, WI 53523	Address (City, State, Zip):	Cambridge, WI 53523
Email Address:	mrumpf@rumpflaw.com	Email Address:	mrumpf@rumpflaw.com
Phone#:	608-423-3254	Phone#:	608-423-3254

PROPERTY INFORMATION	
Township: Rutland	Parcel Number(s): 0510-024-9550-0 and 0510-0240-8002-0
Section: 10	Property Address or Location: 1343 Starr School Road

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>	
<p>i am amending the rezone application to include proposed Lots 1, 2, and 3 to separate the existing farmstead and create two additional lots. The amendment is a result of the Town of Rutland is still in the process to determine the town policy on transfer of density units.</p> <p>Randy Johnson, one of the heirs and beneficiaries in the Estate of Dorothy Johnson, intends to construct a residence on proposed Lot 2. His intention is to construct a residence southwest of the existing shed or in the alternative connect the residence to the shed.</p>		
Existing Zoning District(s)	Proposed Zoning District(s)	Acres
All in FP-35	Lot 1 to RR-1	1.8
	lot 2 to RR-1	2
	Lot 3 to RR-1	2

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 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 _____

Date 2/4/2023

**Preliminary
Certified Survey Map**

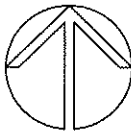
Parts of the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4, all in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin

NE 1/4 - SE 1/4

1/4 - 1/4 line

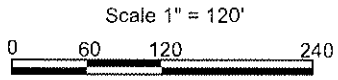
Prepared for the Dorothy M. Johnson estate

SE 1/4 - SE 1/4

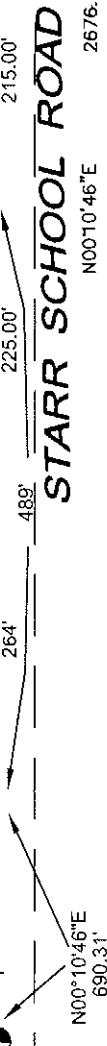
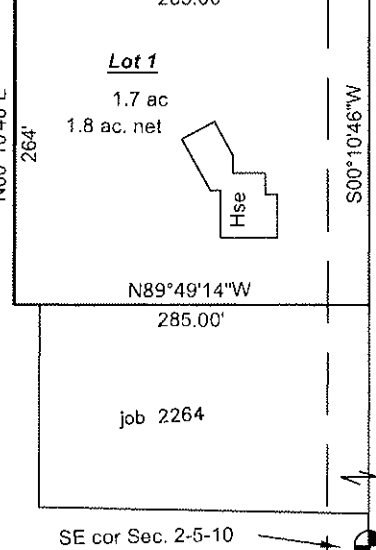
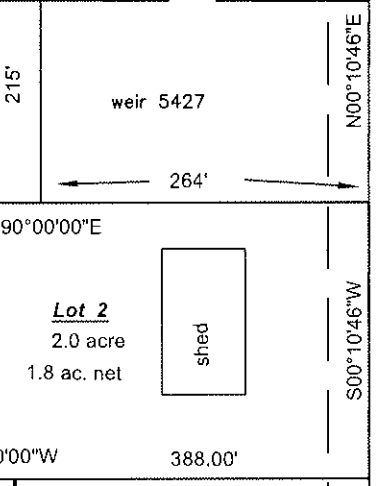
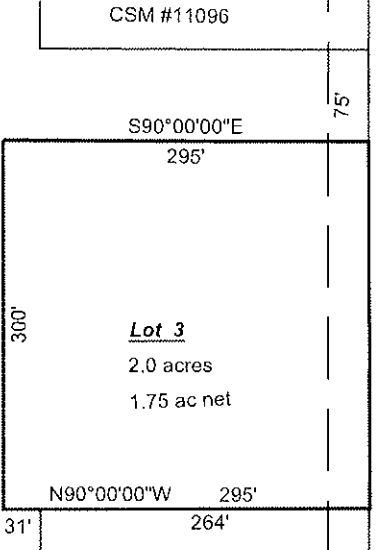


Parts of the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4, all in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, described as follows:

Commencing at the Southeast corner of Section 2; thence N00°10'46"E along the East line of the SE 1/4, 690.31 feet to the point of beginning; thence N89°49'14"W, 285 feet; thence N00°10'46"E, 264 feet; thence West, 103 feet; thence North, 225 feet; thence East, 103 feet; thence North, 215 feet; thence West, 31 feet; thence N0°10'46"E, 300 feet; thence East, 295 feet; thence S00°10'46"W, 300 feet; thence West, 264 feet; thence South, 215 feet; thence East, 264 feet to the East line of the SE 1/4; thence S00°10'46"W, 489 feet to the point of beginning. Containing 5.7 acres, being subject to a right of way for Starr School Road across the Easterly 33 feet.



SE cor Sec. 2-5-10



Wisconsin Mapping, LLC
** surveying and mapping services*
 306 West Quarry Street, Deerfield, Wisconsin 53531
 (608) 764-5602

Dwg. No. 5978-22 Date 9/13/2022
 Sheet _____ of _____ rev legal 10/24/22
 Document No. _____ rev 4 lots, 11/7/22
 C.S.M. No. _____ V. _____ P

Parts of the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4 in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin

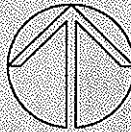
**Preliminary
Certified Survey Map**

NE 1/4 - SE 1/4

1/4 - 1/4 line

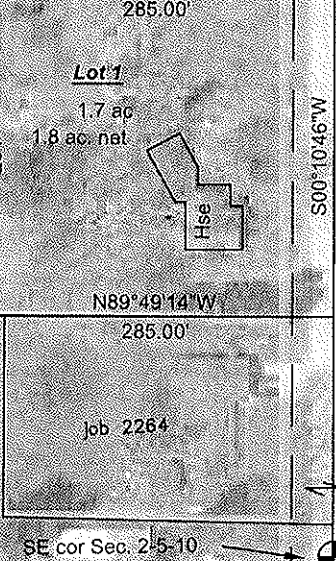
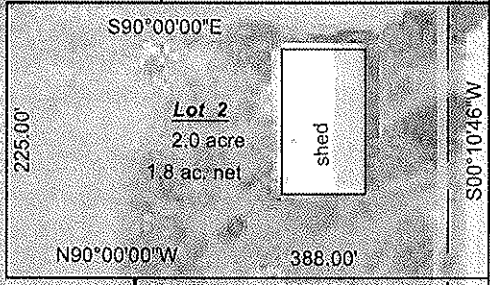
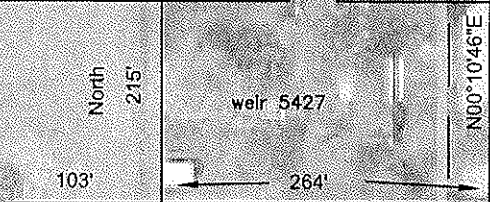
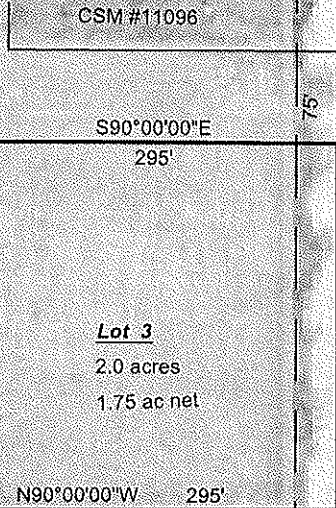
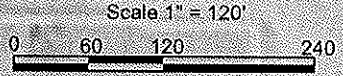
Prepared for the Dorothy M. Johnson estate

SE 1/4 - SE 1/4



Parts of the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4, all in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, described as follows:

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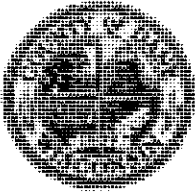
Wisconsin Mapping, LLC
surveying and mapping services
 306 West Quarry Street, Deerfield, Wisconsin 53531
 (608) 764-5602

Dwg. No.	597B-22	Date	9/13/2022
Sheet	_____ of _____	rev legal	10/24/22
Document No.	_____	rev 4 lots	11/7/22
C.S.M. No.	_____	V	P

FP-35 to RR-1

Parts of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, described as follows:

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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!! 	

See Revised Petition

Amended
REZONE APPLICATION

APPLICANT INFORMATION			
Property Owner Name:	Est. of Dorothy Johnson	Agent Name:	Michael D. Rumpf, Per. Representative
Address (Number & Street):	152 W. Main St., PO Box 1	Address (Number & Street):	152 W. Main St., PO Box 1
Address (City, State, Zip):	Cambridge, WI 53523	Address (City, State, Zip):	Cambridge, WI 53523
Email Address:	mrumpf@rumpflaw.com	Email Address:	mrumpf@rumpflaw.com
Phone#:	608-423-3254	Phone#:	608-423-3254

PROPERTY INFORMATION	
Township:	Rutland
Section:	10
Parcel Number(s):	0510-024-9550-0 and 0510-0240-8002-0
Property Address or Location:	1343 Starr School Road

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 <input type="checkbox"/> No <input checked="" type="checkbox"/>

I am amending the rezone application to include proposed Lots 1, 2, 3, and 4 to separate the existing farmstead from the farm and create 2 additional lots and to create a 3rd lot in order to transfer a density unit (development right/split). I have communicated with the Town of Rutland regarding the transfer of a density unit from parcel number 0510-153-8500-4 to proposed Lot 4 as set forth in the attached preliminary certified survey map.

Randy Johnson, one of the heirs in the estate of Dorothy Johnson, intends to construct a residence on proposed Lot 2. His intention is to construct a residence southwest of the existing shed or in the alternative connect the residence to the shed.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
All in FP-35	Lot 1 to RR-1	1.7
	Lot 2 to RR-2	2
	Lot 3 and 4 to RR-2	each 2 acres

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.

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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 *Michael D. Rumpf, Per. Rep of Estate*

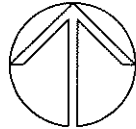
Date 11/14/2022

Parts of the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4, all in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin

**Preliminary
Certified Survey Map**

NE 1/4 - SE 1/4

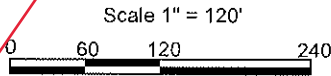
SE 1/4 - SE 1/4



Prepared for the Dorothy M. Johnson estate

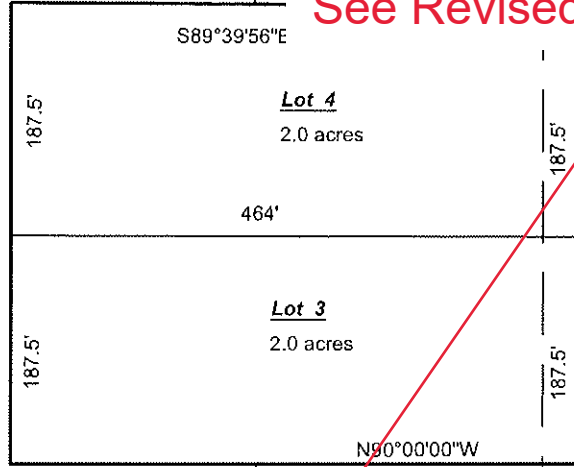
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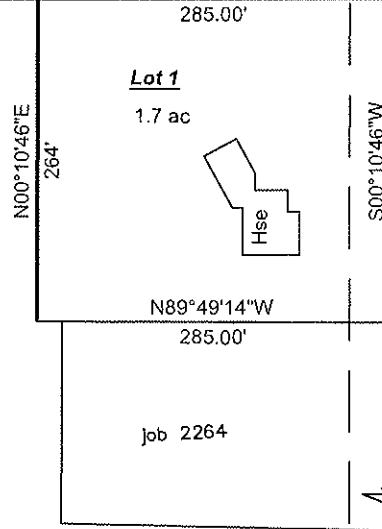
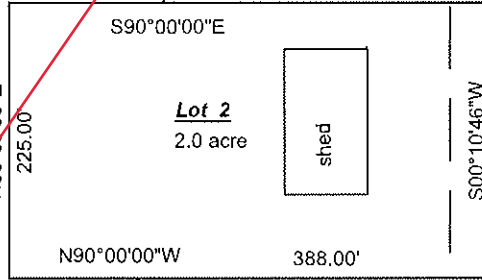
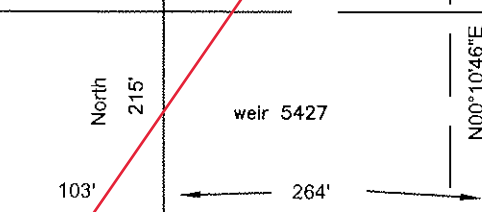


CSM #11096

See Revised Petition



1/4 - 1/4 line



STARR SCHOOL ROAD

N00°10'46"E 2676.52'

N00°10'46"E 690.31'

Wisconsin Mapping, LLC
** surveying and mapping services*
 306 West Quarry Street, Deerfield, Wisconsin 53531
 (608) 764-5602

Dwg. No.	5978-22	Date	9/13/2022
Sheet	_____ of _____	rev legal	10/24/22
Document No.	_____	rev 4	lots, 11/7/22
C.S.M. No.	V.	P.	



Dane County Planning and Development Department

Room 116, City-County Building, Madison, Wisconsin 53703

Fax (608) 267-1540

Planning

(608)266-4251, Rm. 116

Records & Support

(608)266-4251, Rm. 116

Zoning

(608)266-4266, Rm. 116

August 4, 2022

Mike Rumpf
152 W. Main St. P.O. Box 1
Cambridge, WI 53532
Delivered via email

Dear Mike,

Attached is a density study report you requested for property owned by the estate of Dorothy Johnson in section 2 of the Town of Rutland. The property is located in an Agricultural Preservation Area, where the density of new development is limited to 1 "buildable parcel" (also known as "density unit", "development right", or "split") per 35 acres of contiguous land owned as of June 7, 1978. Any nonfarm development occurring after that date counts toward the density limitation. The property was owned by the Johnson family and totaled approximately 140 acres as of June 1978.

Under the town policy, the farm was eligible for 4 density units, in addition to the existing residence at 1343 Starr School Road (tax parcel #0510-024-9550-0). As indicated on the attached density study report, 2 prior density units have been used per the residential parcels created by Certified Survey Maps #9973 and #11096. Two density units / splits remain available to the Johnson Estate.

Please note that this density analysis does not guarantee town or county approval of a particular land division, rezone, or development proposal. The Town of Rutland Plan Commission and Board of Supervisors review all development proposals, and apply the goals, objectives, and policies of the town comprehensive plan to guide their decisions. The plan contains standards and criteria for new development, which include consideration of site characteristics such as soil type, environmental features, proposed length / location of driveways and utility extensions, compatibility with neighboring uses, and proposed lot size and location. In addition, all development proposals are subject to Town Board, County Board, and, in the case of rezonings, County Executive approval. A copy of this density analysis is being forwarded to the Town of Rutland Clerk, Dawn George.

If you have any questions, I can be reached at 608-720-0167 or allan@countyofdane.com.

Sincerely,

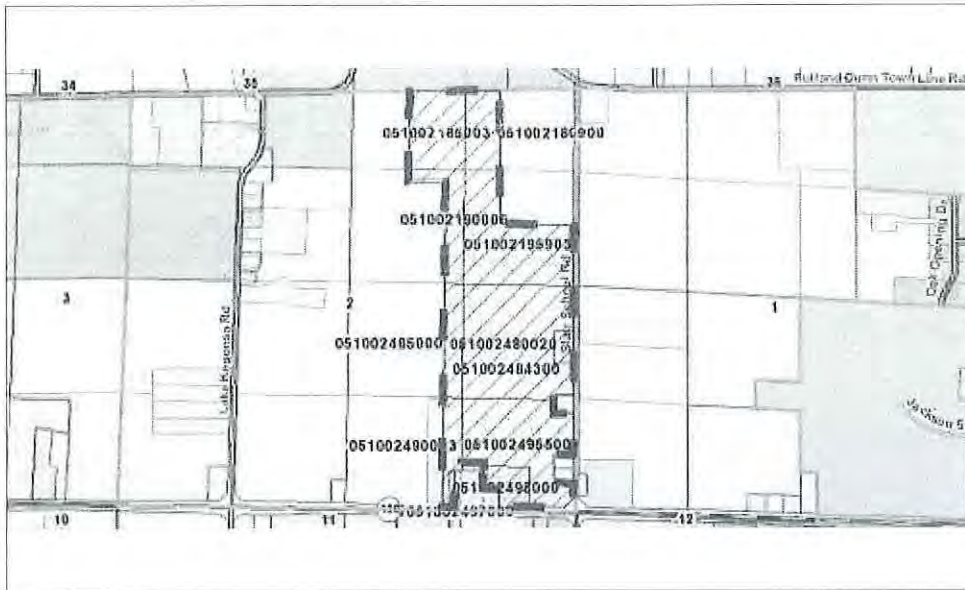
Majid Allan, Senior Planner

cc: Dawn George

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: Mike Rumpf			
Town	Rutland	A-1EX Adoption	6/7/1978	Orig Farm Owner	Johnson
Section:	02	Density Number	35	Original Farm Acres	142.73
Density Study Date	8/3/2022	Original Splits	4.08	Available Density Unit(s)	2



Reasons/Notes:

The original 1978 farm unit is eligible for a total of 4 density units ("splits") in addition to the existing farm residence. Two prior splits per CSM 9973 and 11096. Two possible density units remain available.

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
051002497300	0.61	DOROTHY M JOHNSON	
051002495500	26.85	DOROTHY M JOHNSON	
051002490003	5.19	DOROTHY M JOHNSON	
051002485000	6.79	DOROTHY M JOHNSON	
051002480020	37.79	DOROTHY M JOHNSON	
051002195903	27.28	DOROTHY M JOHNSON	
051002190006	8.47	DOROTHY M JOHNSON	
051002185003	13.93	DOROTHY M JOHNSON	
051002180900	8.83	DOROTHY M JOHNSON	
051002484300	2.01	ROCHELLE JOHNSON	11096

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.

051002498000

5

RONALDO MARTINS

09973



Dane County Planning and Development Department

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

September 23, 2022

Mike Rumpf
152 W. Main St. P.O. Box 1
Cambridge, WI 53532
Delivered via email

**See Revised Petition #11912
(TDR not applicable)**

Dear Mike,

Attached is a density study report you requested for property owned by the estate of Dorothy Johnson in section 15 of the Town of Rutland. The property is located in an Agricultural Preservation Area, where the density of new development is limited to 1 “buildable parcel” (also known as “density unit”, “development right”, or “split”) per 35 acres of contiguous land owned as of June 7, 1978. Any nonfarm development occurring after that date counts toward the density limitation. The property was owned by the Johnson family and totaled approximately 19 acres as of June 1978.

Because the property is under 35 acres, it is considered a “substandard” parcel. Such lots may rezoned to be used as a building site, and in some cases, can be divided to create a second building site. Because the property does not have direct road access, division of the property would not be possible. Perhaps most importantly, the majority of the property is within the floodplain of Badfish Creek, with mapped wetlands and hydric soils also present. Given the lack of access and impact of other applicable ordinances, development of the property appears impractical. I’ve attached an aerial image showing the environmental features, below.

Please note that this density analysis does not guarantee town or county approval of a particular land division, rezone, or development proposal. The Town of Rutland Plan Commission and Board of Supervisors review all development proposals, and apply the goals, objectives, and policies of the [town comprehensive plan](#) to guide their decisions. The plan contains standards and criteria for new development, which include consideration of site characteristics such as soil type, environmental features, proposed length / location of driveways and utility extensions, compatibility with neighboring uses, and proposed lot size and location. In addition, all development proposals are subject to Town Board, County Board, and, in the case of rezonings, County Executive approval. A copy of this density analysis is being forwarded to the Town of Rutland Clerk, Dawn George.

If you have any questions, I can be reached at 608-720-0167 or allan@countyofdane.com.

Sincerely,

A handwritten signature in black ink that reads "Majid Allan".

Majid Allan, Senior Planner

cc: Dawn George

See Revised Petition #11912
(TDR not applicable)



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: Michael Rumpf			
Town	Rutland	A-1EX Adoption	6/7/1978	Orig Farm Owner	G.B. Johnson
Section:	15	Density Number	35	Original Farm Acres	18.88
Density Study Date	9/22/2022	Original Splits	0.54	Available Density Unit(s)	1



Reasons/Notes:

The property appears to have been a legal, substandard lot as of 6/7/1978. Lack of direct road access and the presence of mapped resource protection corridors would make development difficult. See attached letter for additional info.

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
051015385004	18.88	DOROTHY M JOHNSON	

See Revised Petition #11912
(TDR not applicable)

See Revised Petition

FP-35 to RR-1 and RR-2

Parts of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, described as follows:

Commencing at the Southeast corner of Section 2; thence N00°10'46"E along the East line of the SE $\frac{1}{4}$, 690.31 feet to the point of beginning; thence N89°49'14"W, 285 feet; thence N00°10'46"E, 264 feet; thence West, 103 feet; thence North, 225 feet; thence East, 103 feet; thence North, 215 feet; thence West, 200 feet; thence N0°10'46"E, 375 feet; thence S89°39'56"E, 464 feet; thence S00°10'46"W, 375 feet; thence West, 264 feet; thence South, 215 feet; thence East, 264 feet to the East line of the SE $\frac{1}{4}$; thence S00°10'46"W, 489 feet to the point of beginning. Containing 7.7 acres, being subject to a right of way for Starr School Road across the Easterly 33 feet.