

RH-4 Rural Homes District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning 10.093

Permitted Uses 10.093(1)

- o Single family homes – one per parcel
- o Agricultural uses
- o Utility services
- o Home occupations
- o Incidental uses and accessory buildings
- o Community living arrangements for less than 9 people
- o Foster homes for less than 5 children

Conditional Uses 10.093(2)

- o Daycare centers
- o Community living arrangements for 9 or more people
- o Bed & Breakfasts
- o Governmental uses
- o Religious uses
- o Dependency living arrangements
- o Schools

Setbacks and Height Requirements for Structures 10.093(3),(5)

Front setback for all structures from highway centerline / right-of-way line (whichever is greater)

State or Federal Highway: 100/42 feet minimum

County Highway: 75/42 feet minimum

Town Road: 63/30 feet minimum

Subdivision streets platted prior to ordinance: 20 feet minimum

All other streets: 30 feet minimum from right-of-way

Maximum Height: For homes and accessory buildings:

Two and one-half stories or 35 feet (mean of roof)

Side yard:

25 feet total, with no single side less than 10 feet minimum

Rear yard for homes: 50 feet minimum

For uncovered decks/porches: 38 feet minimum

Side yard and Rear yard for accessory buildings:

10 feet minimum with no livestock

50 feet minimum when housing livestock OR

100 feet minimum when housing livestock and within 100 feet of an abutting R-Residence district

Minimum Requirement for Lot Width & Area

Minimum width: 150 feet at location of structure

Minimum Area: 16 acres

Maximum Lot Coverage: All buildings and structures

Maximum building coverage of lot: 10% of lot area

Accessory Buildings Requirements 10.04(1); 10.16(6)

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- o A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- o Sanitary fixtures are prohibited in accessory buildings.
- o No living spaces are allowed in accessory buildings.
- o Reduced setbacks may be used for accessory buildings. The building must be located in the rear yard and must be at least 10 feet away from the principal building.
 - o Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
 - o Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width

NOTE: A Zoning Permit is required for every building larger than 120 square feet in size. Zoning Permits are not required for accessory buildings equal to or less than 120 square feet on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

Livestock 10.093(1)

- o The number of livestock kept is limited to one (1) animal unit for each full acre.
- o An animal unit is defined as the equivalent of 1 cow; 4 hogs; 10 sheep or goats; 100 poultry or rabbits; 1 horse, pony, or mule; or an equivalent combination thereof.
- o All structures housing livestock must be located 50 feet from each side and rear lot line, EXCEPT they must be 100 feet from a lot line abutting an R-Residence Zoning District (in most cases).

2. Floor Plans and Elevations: Professionally-prepared plans and elevations are not required, but the plans submitted must be drawn to a standard and easily readable scale, must show each story of the building or structure, and must include all parts of existing and proposed structures, including any balconies, porches, decks, stoops, fireplaces and chimneys. Exterior dimensions must be included. Show all exit door locations, including sliding doors, and any windows or other features that are pertinent to your appeal. The plans may be a preliminary version, but are expected to represent your actual proposal for the use of your lot.

Please consult with the Assistant Zoning Administrator regarding required plans for non-conventional structures such as signs, construction cranes, etc.

3. Town Acknowledgment: Obtain a signed, dated memo or letter from the Town Clerk or Administrator of the Town where the variance is needed, acknowledging that you have informed them of your intention to apply for the variance(s). You probably will need to appear before the Town Board and/or Plan Commission, which will provide advisory input requested by the Board of Adjustment.

APPLICANT SIGNATURE:

The undersigned hereby attests that all information provided is true and accurate, and further gives permission to Planning & Development staff and Board of Adjustment members to view the premises, in relation to the Appeal request made herein, during reasonable daylight hours.

Signature Required: _____ Date: _____

Print Name: _____

Specify Owner or Agent: _____

Agent must provide written permission from the property owner

STAFF INFORMATION:

Date Zoning Division Refused Permit (if different from filing date)

Filing Date

Filing Materials Required:

Site Plan

Floor Plans

Elevations

Fee _____ Receipt No. _____

Town Acknowledgement Date

Notices Mailed Date

Class II Notices Published Dates

Site Visit Date

Town Action Received Date:

Public Hearing Date

Action by B.O.A. _____

Approved by: _____ Date: _____

Director, Division of Planning Operations, Department of Planning and Development



Dane County Planning & Development Zoning Division

October 31, 2017

Daniel Duren
Duren Custom Builders
3027 Castleton Crossing
Sun Prairie WI 53590

RE: Zoning Permit Application, SFR Section 20, Town of Oregon
Parcel: 0509-201-8601-0

Dear Mr. Duren,

After a review of your application for a single family residence within the RH-4 Rural Homes District, this letter serves to inform you that the application has been denied based on the proposed development exceeding the building height limit and exceeding the maximum number of stories allowed in the Rural Homes District.

Dane County Code of Ordinances section 10.093(3) states that residential buildings in the RH-4 Rural Homes district shall not exceed two and one-half (2 ½) stories or 35 feet.

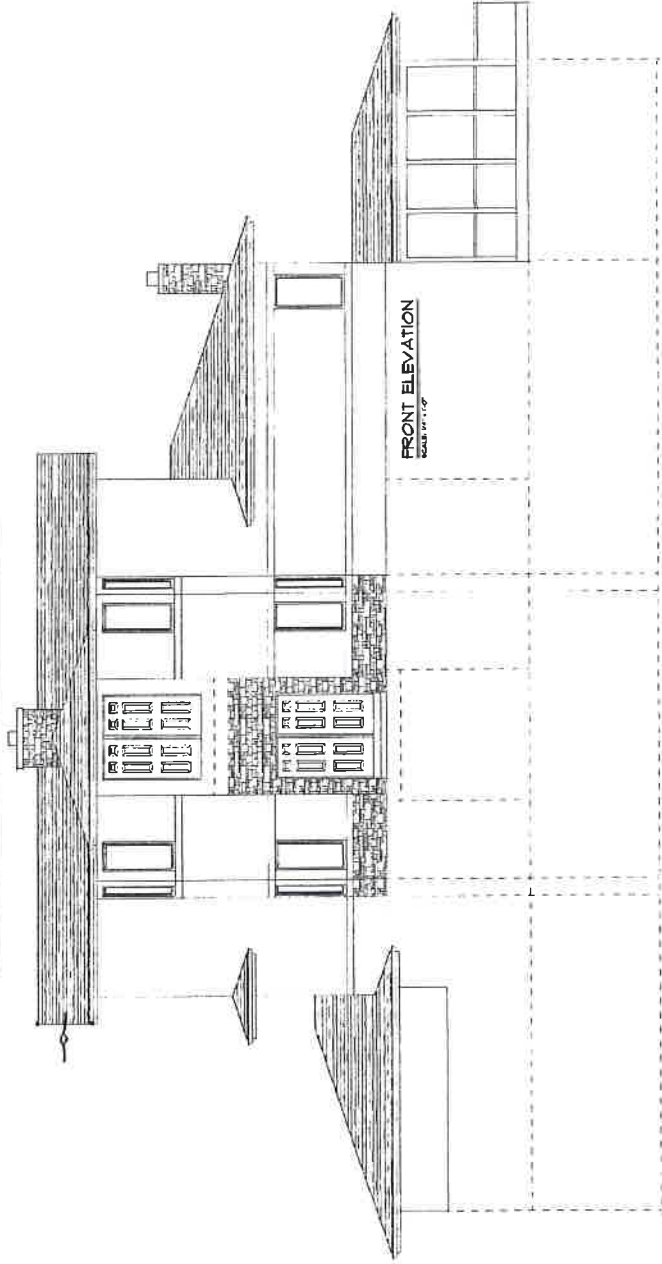
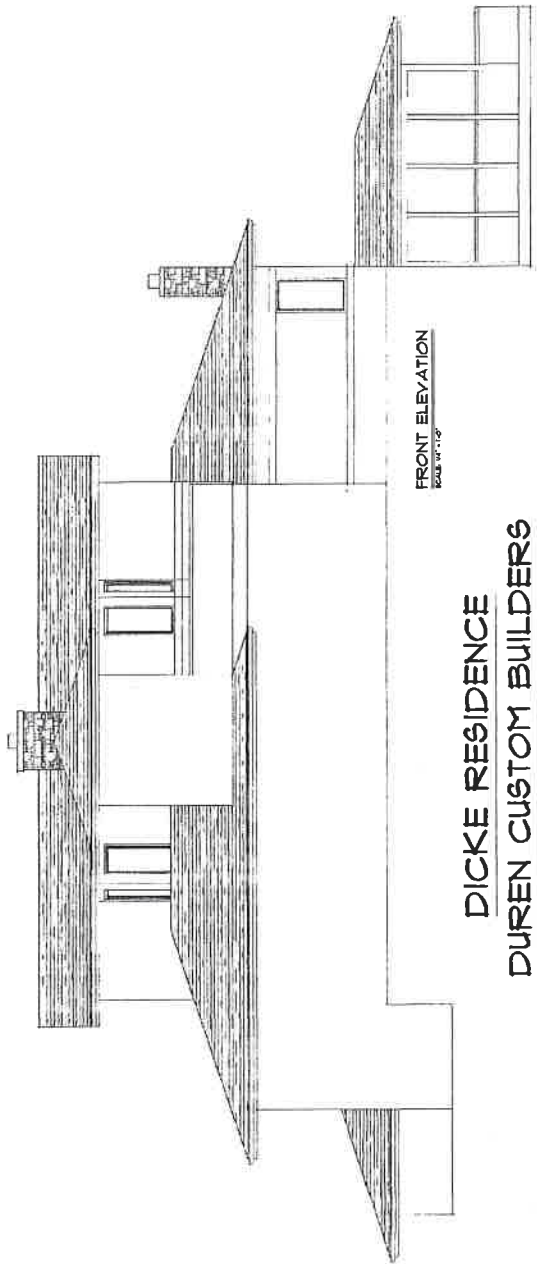
Per 10.01(8) building height is the vertical distance, measured from the mean elevation of the finished grade along the front of the building to the mean height level between the highest ridge and its associated eave for gable and hip roofs. The front of the building shall be the side directly facing the public or private thoroughfare which affords primary means of access to the property, excluding the driveway.

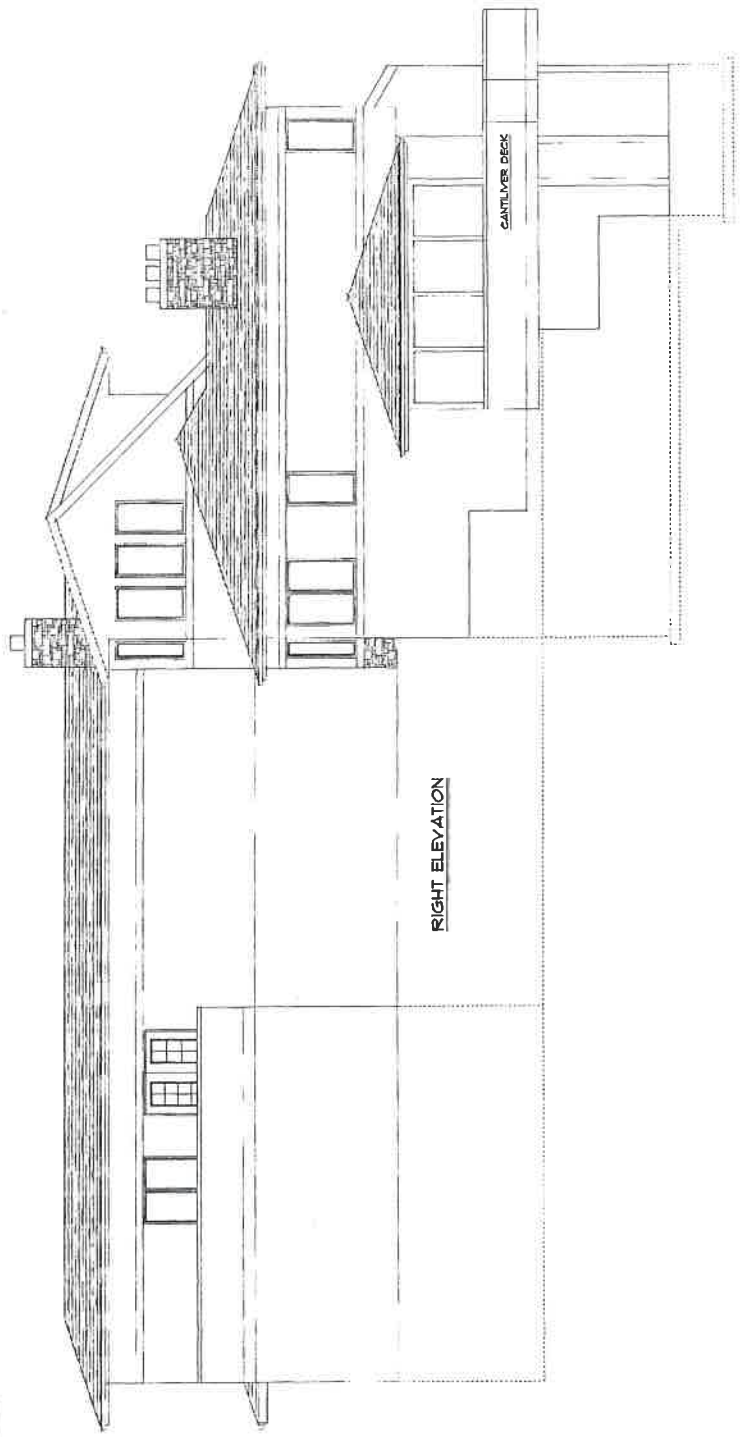
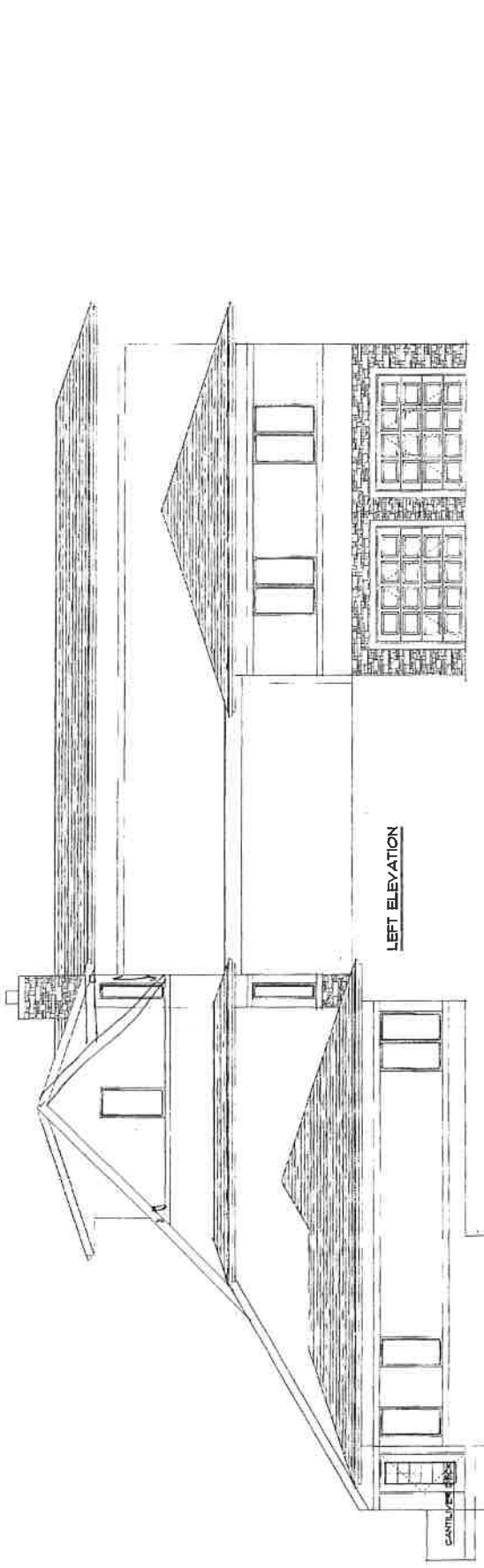
The proposed development is afforded primary means of access from County Highway A and therefore the southern elevation is the front of the building. The vertical distance from the mean elevation of the finished grade is 43.5 feet to the highest ridge and 39 feet to the associated eave for a mean building height of 41.25 feet, or 6.25 feet in excess of the maximum height allowed.

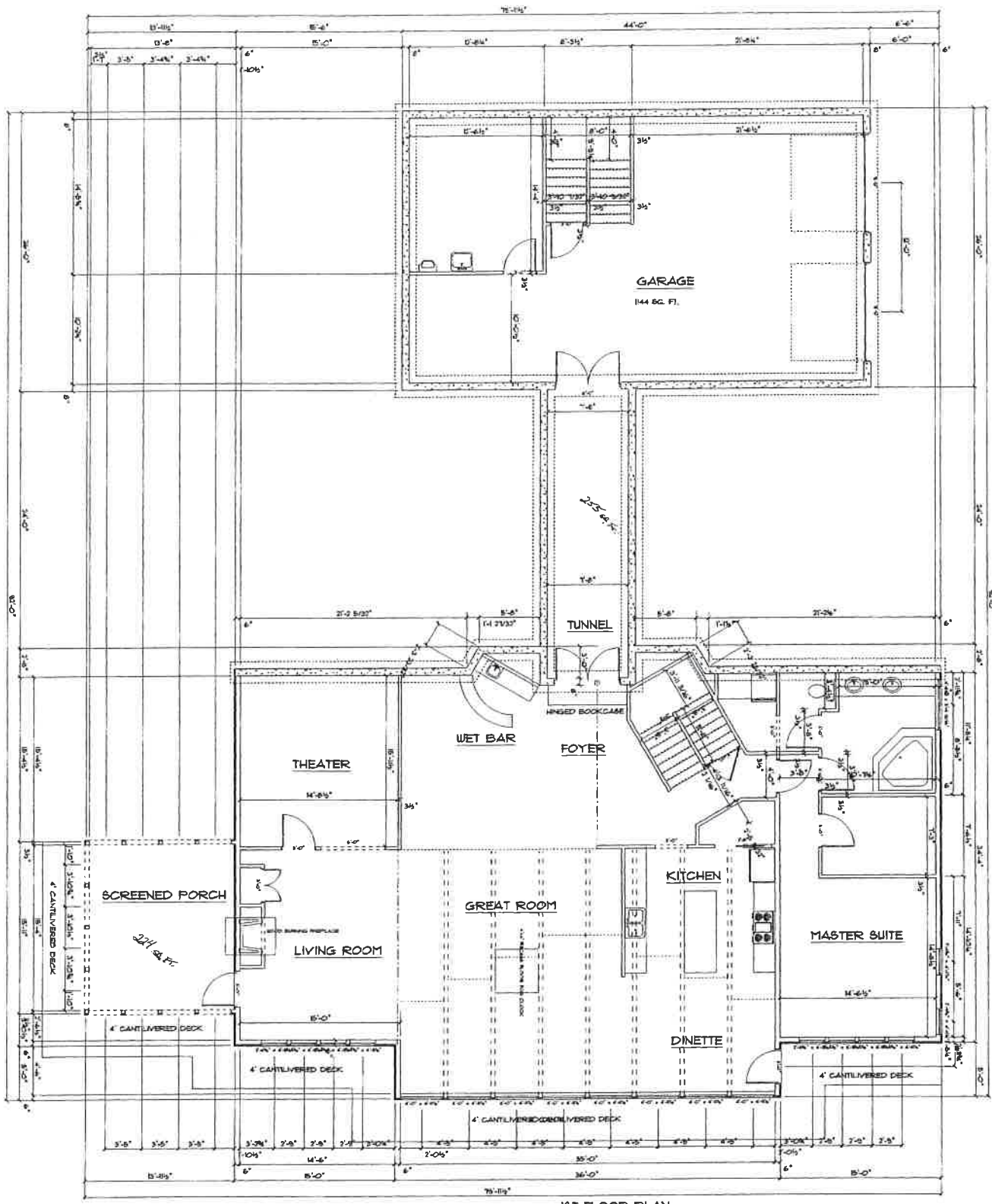
Furthermore, 10.01(69) defines a story as the vertical distance of a building included between the surface of any floor and the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling, provided that a basement shall not be considered a story. Basements are not defined within the zoning code, however, per 10.01, the definition of a basement is defined elsewhere in the ordinance. Under Chapter 17, a basement is defined as any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides. If the level labeled lower floor plan has its floor sub-grade on all sides it is the basement. The 1st floor plan is then the 1st story, and the main floor plan is the 2nd story, leaving only a half-story available for the observatory. A half story, as defined in 10.01(70) is a story under a gable, hip or mansard roof, the wall plates of which on at least two (2) sides are not more than two (2) feet above the floor of that story. The wall plates on all sides of the observatory story appear to be at least 8 feet above the floor, and therefore in excess of the allowed half-story.

Based on this review, the proposed development does not conform to the zoning requirements and your application is denied. If you would like to proceed with residential development, please revise your plans to conform to the requirements of the Dane County Zoning Ordinance including a maximum building height of 35 feet and no more than two and one-half stories.

If you are aggrieved by this decision you may make an appeal to the Dane County Board of Adjustment within 30 days of the date of this letter.



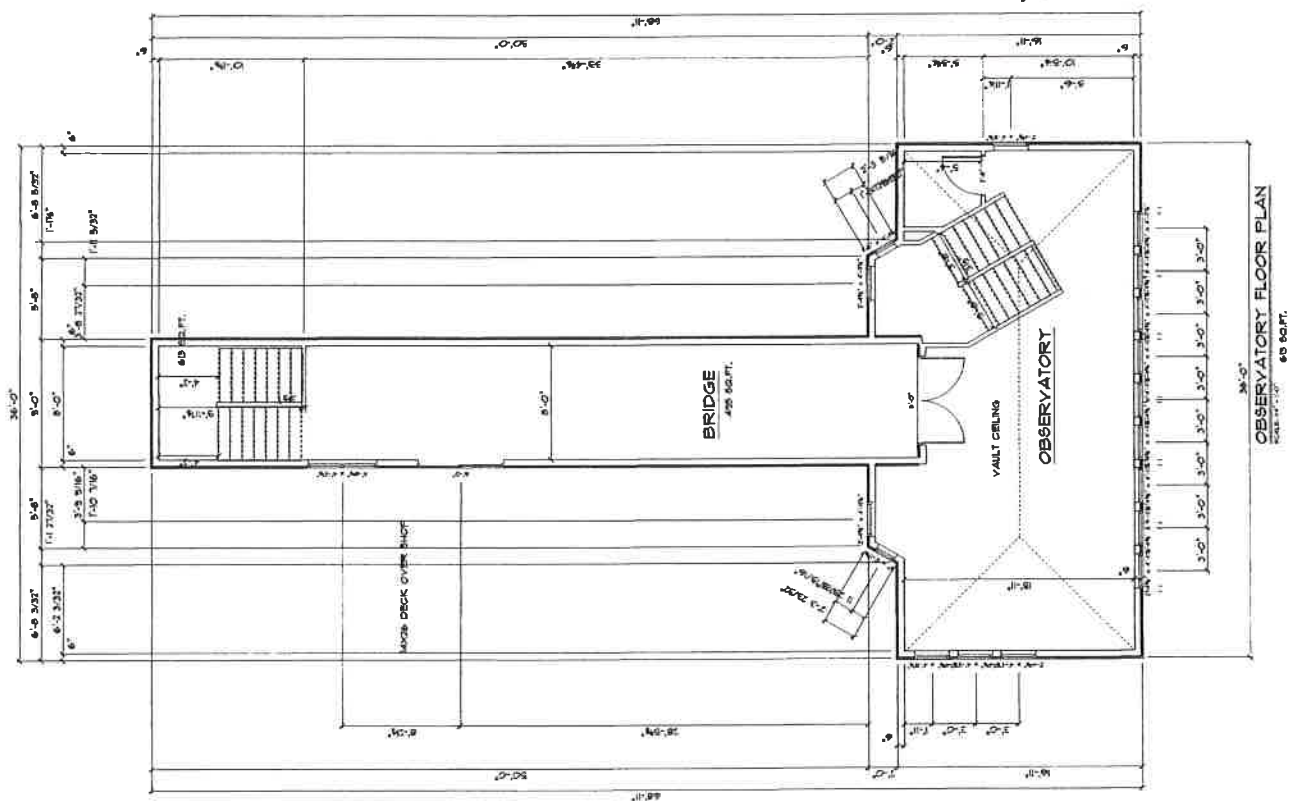
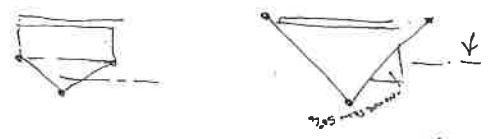




1ST FLOOR PLAN
 3491 SQ. FT.

DELL
 11/20
 207
 234
 252
 255

1613
4/5
1/08

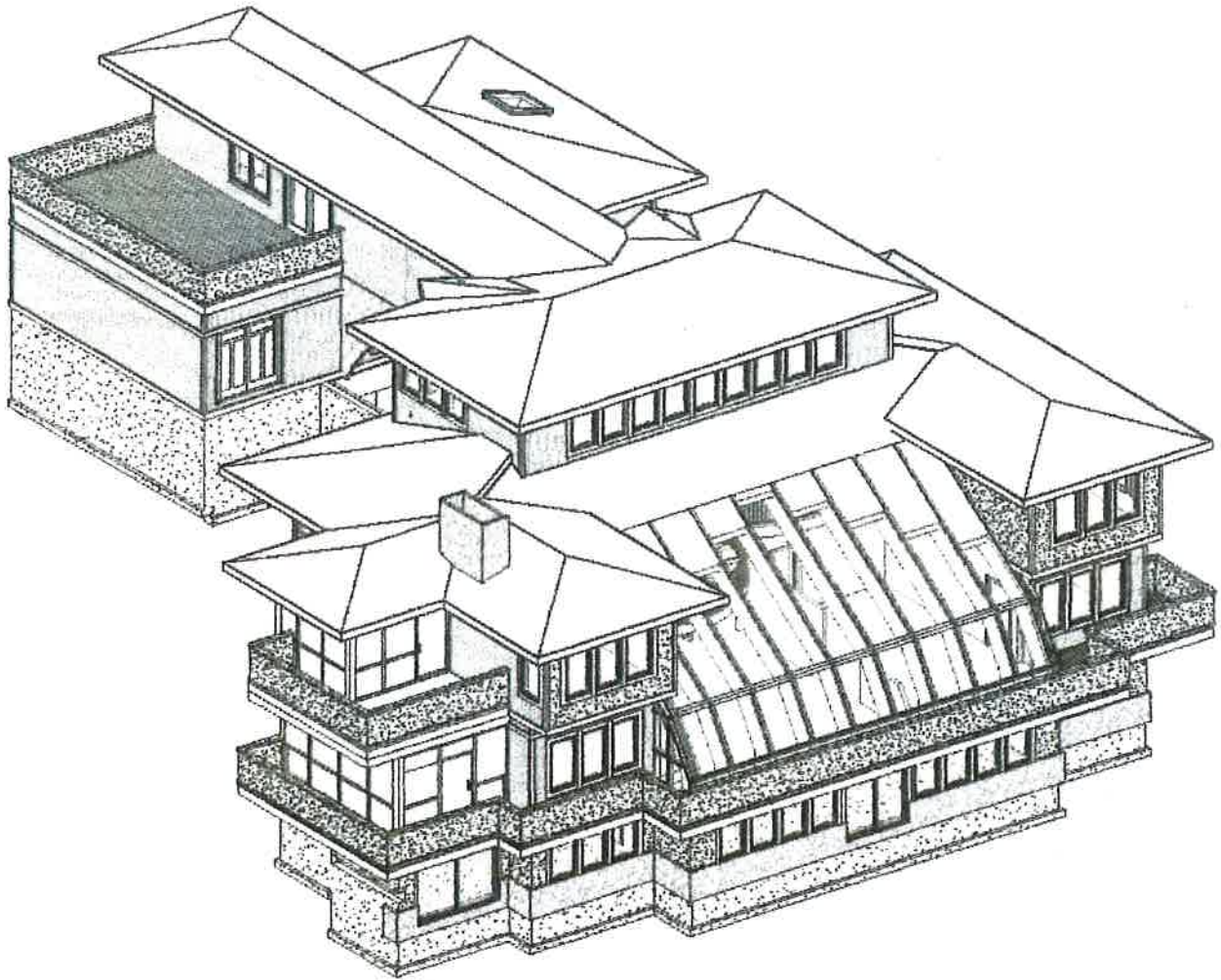


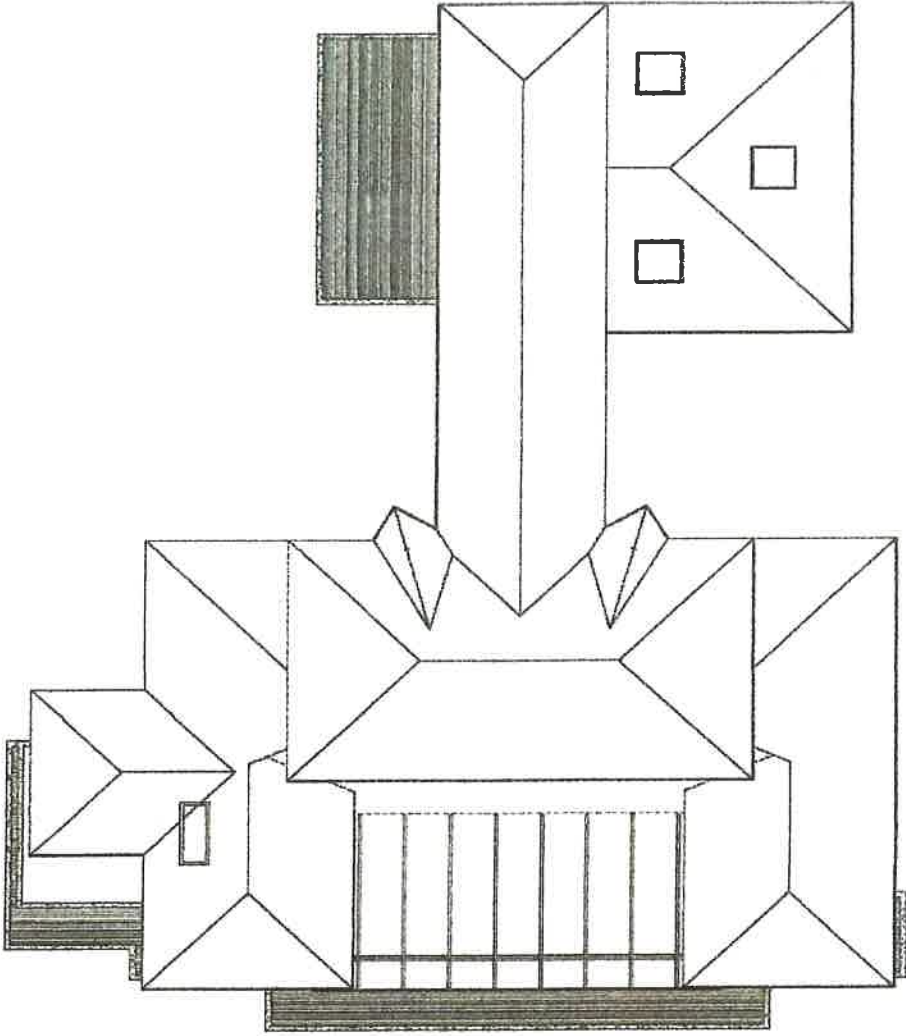


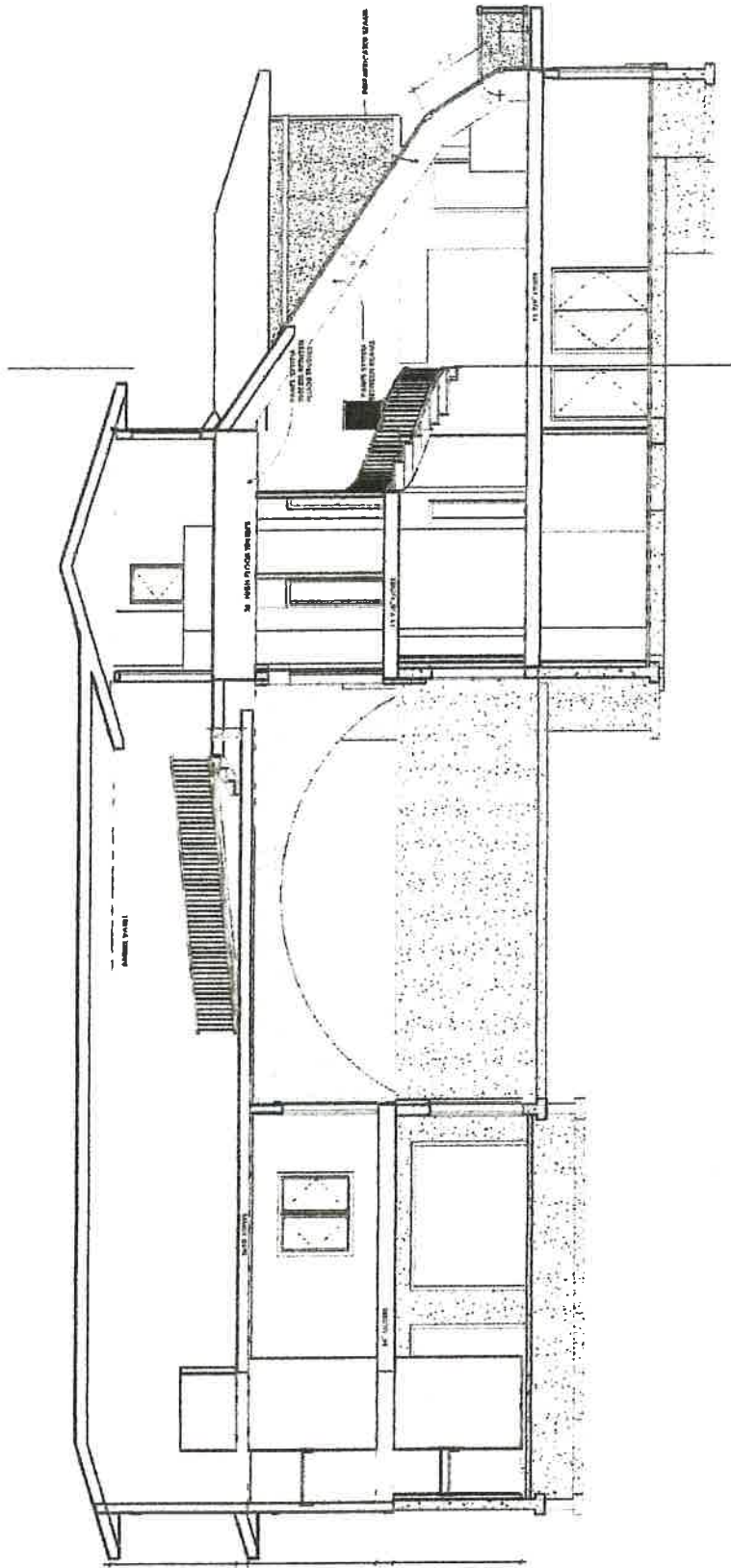
Imagery ©2017 Google, Map data ©2017 Google 100 ft

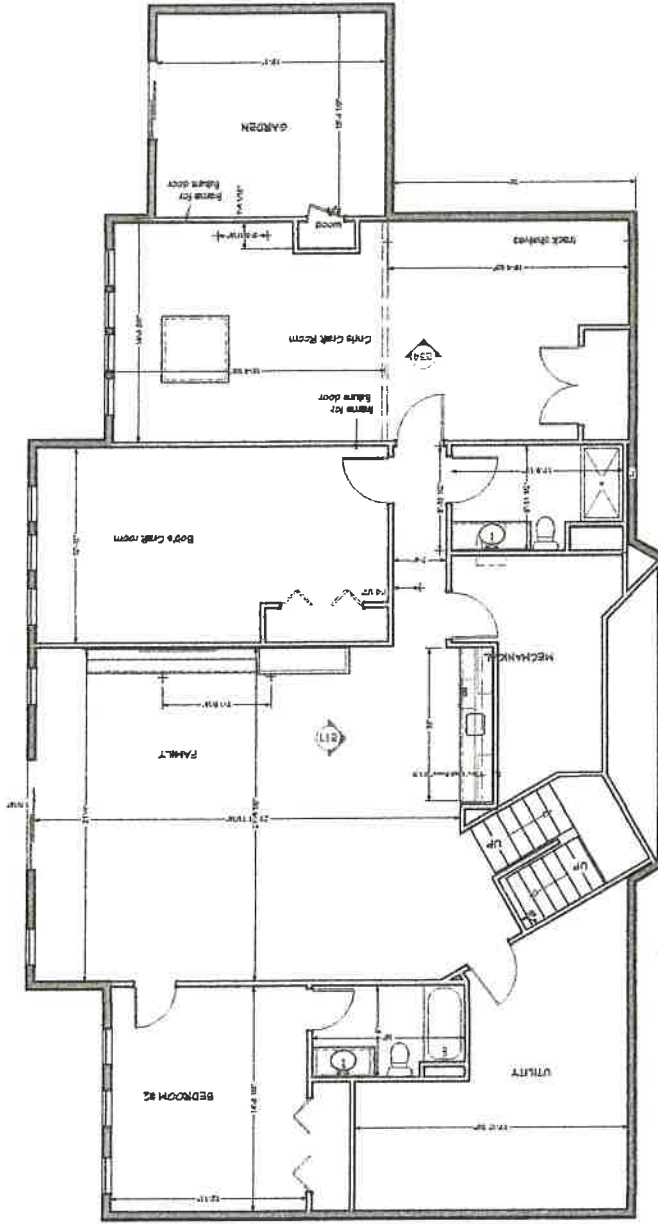
— Approx Property Line
1" = 178'

Measure distance
Total distance: 679.86 ft (207.22 m)









DATE: 9/13/2017

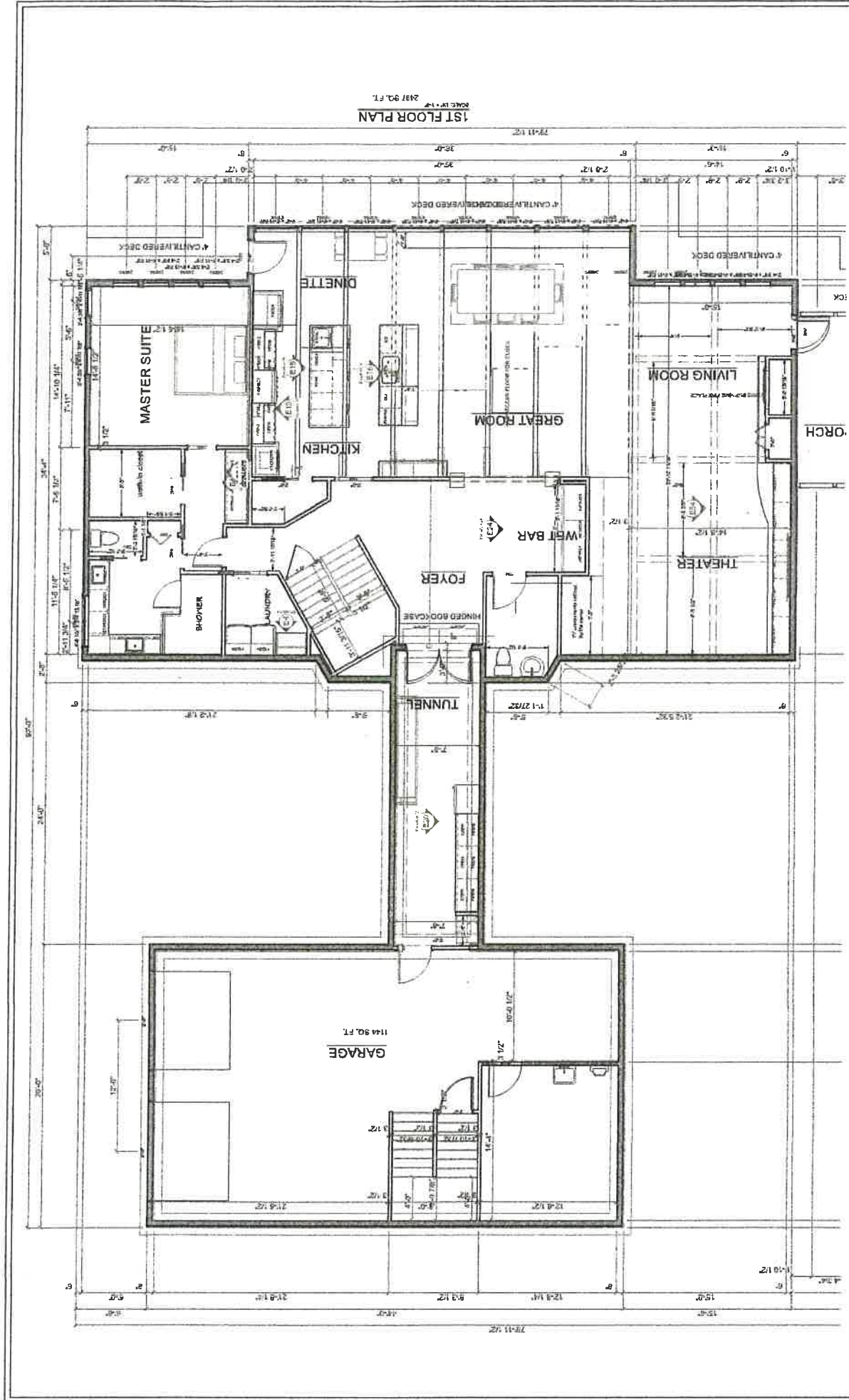
SCALE:

NO.	DESCRIPTION	IN.	FOOT

SHEET TITLE:

PROJECT DESCRIPTION:
Dicke revised 8-8-17

DRAWING PROVIDED BY:
SILVER LEAF INTERIORS



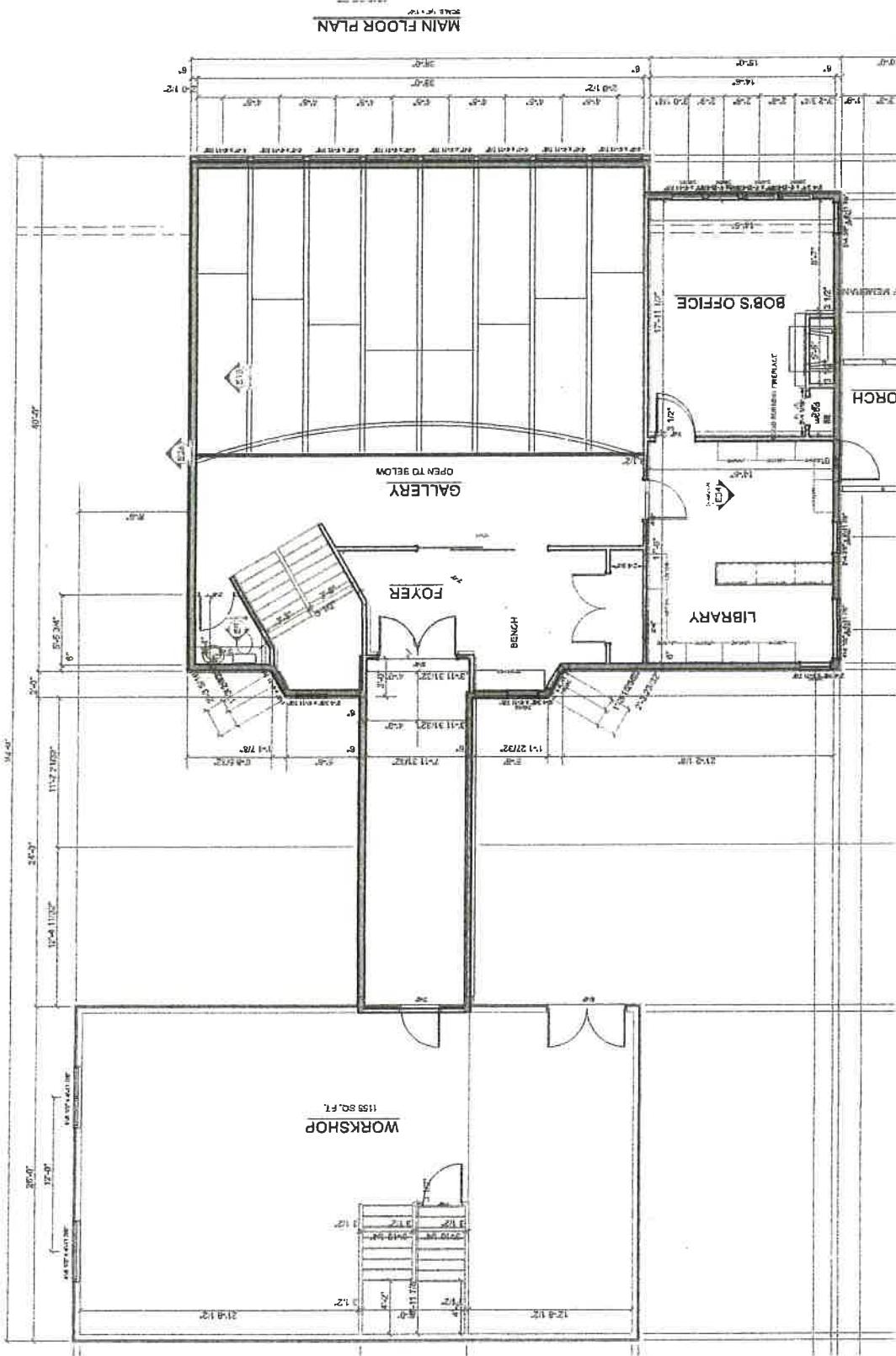
1ST FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 2437 SQ. FT.

DRAWING PROVIDED BY: SILVER LEAF INTERIORS	PROJECT DESCRIPTION: Dicke revised 8-8-17	SHEET TITLE:	NO. DESCRIPTION	DATE

DATE: 9/13/2017

SCALE: 1/8" = 1'-0"

1



DATE: 9/13/2017

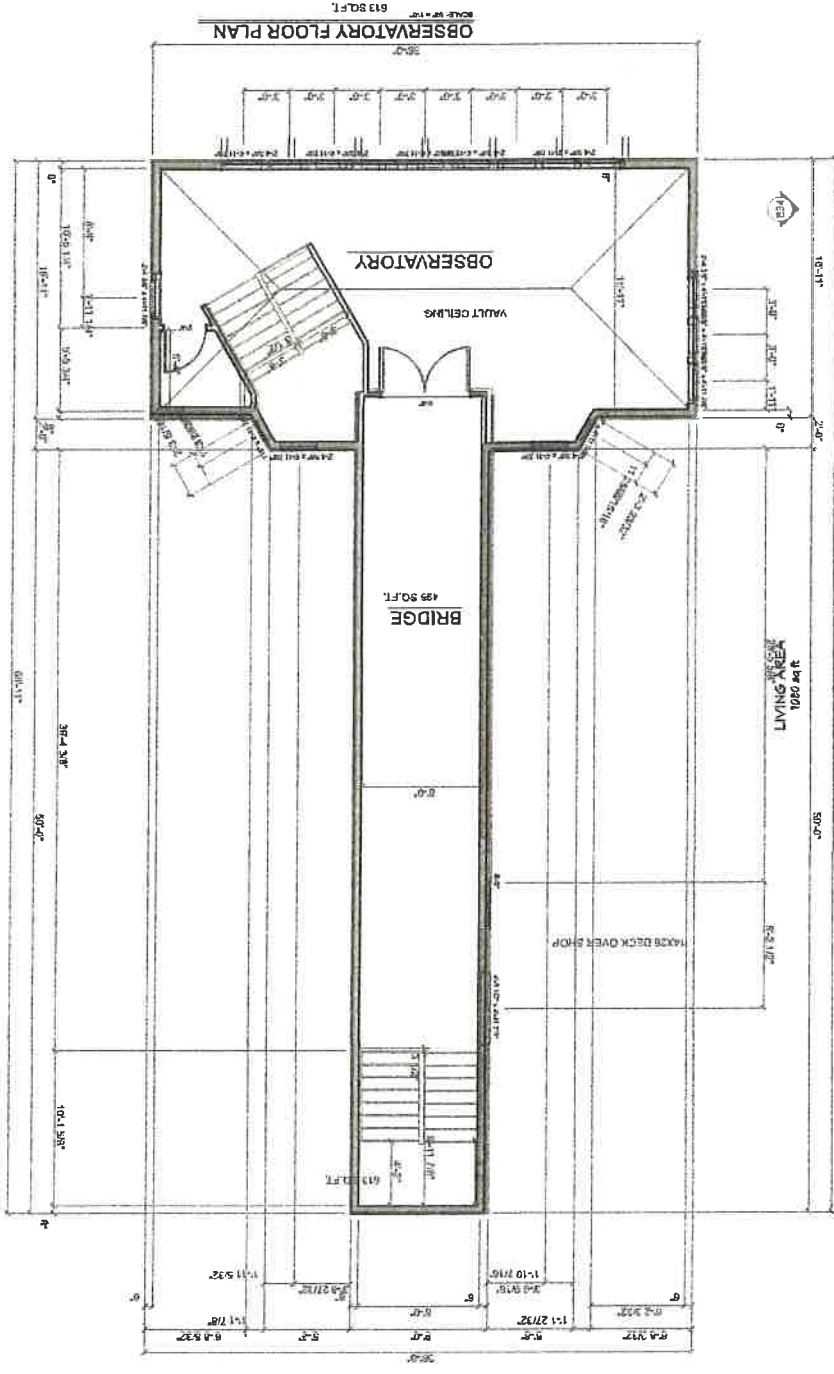
SCALE:

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

PROJECT DESCRIPTION:
Dicke revised 8-8-17

DRAWINGS PROVIDED BY:
SILVER LEAF INTERIORS



OBSERVATORY FLOOR PLAN
SCALE: 1/8\"/>

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SILVER LEAF INTERIORS

PROJECT DESCRIPTION:
Dicke revised 8-8-17

SHEET TITLE:

NO.	DESCRIPTION	REV.	DATE

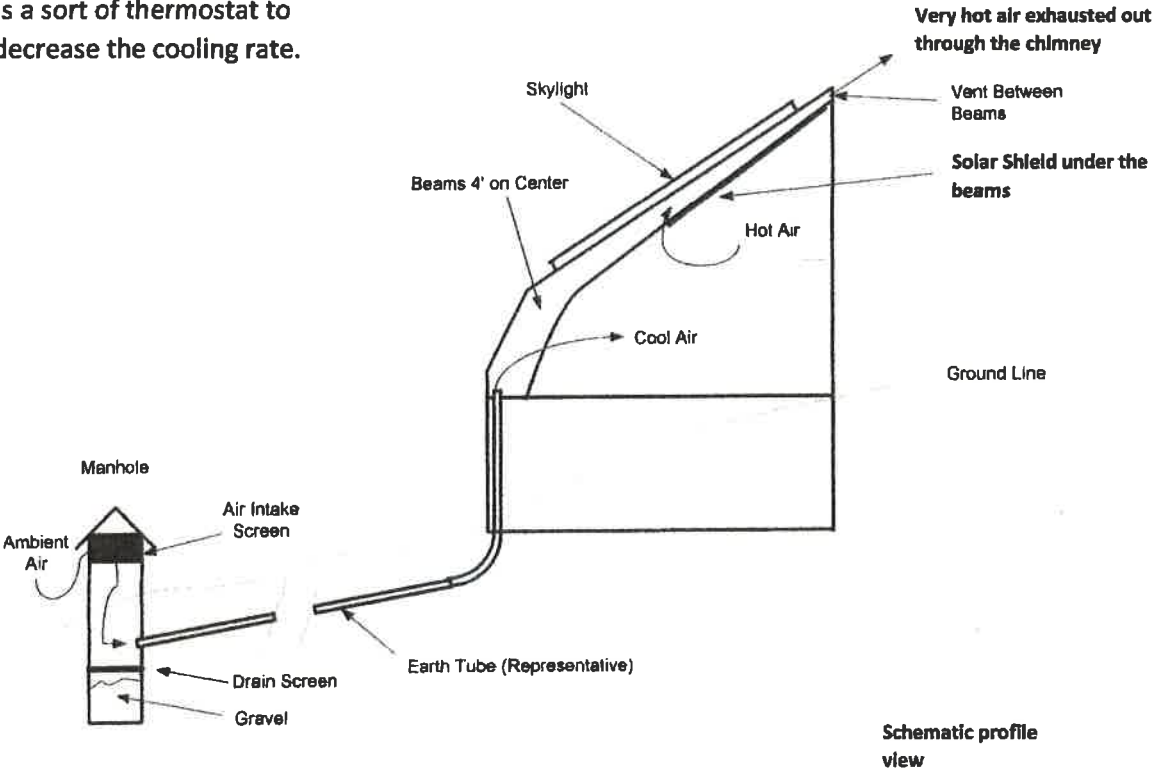
SCALE:

DATE:

9/13/2017

Convection Cooling
 Air heated between the glass and Solar Shield rises up the cavity and out the chimney causing a partial vacuum in the building. This brings in earth cooled air through the Earth Tubes and into the home

As the Solar Shield, is pulled down along the bottom of the beams, more hot air will be generated between it and the glass. This will increase the rate of convection cooling. Thus the Solar Shield acts as a sort of thermostat to increase or decrease the cooling rate.



Schematic profile view

A. WRITTEN STATEMENT

1. **Name and address of applicant:** Robert T and Christine M DICKE 6205 Knollwood Drive, Oregon WI 53575
2. **Property:** 5886 Hwy A Brooklyn WI 53521. **On Highway A between Tipperary Road and the Cemetery. Tax Parcel Number: 042/0509-201-8601-0 Property Description:** SEC 20-5-9 PRT NW1/4NE1/4 & PRT NE1/4NE1/4...
3. **Project:** Our new home in and on the hill approximately 700' north of Highway A and 1,000' west of Tipperary Road. Our home will be earth sheltered and Earth Tube cooled with the lower two levels cut into the hill. The home's entrance is on the north side at hilltop level where there will be another two levels. The lowest level is an exposed basement. Level 2 is the main living area with a two story atrium. Level 3 is the main entrance on to a balcony overlooking Level 2. Level 4 is an Observatory, overlooking views to the east, south, and west. There is an attached garage and woodworking shop behind the home and connected to the main home with a tunnel at level 2 from the garage and a bridge from level 4. The entrance to the home is under the bridge
4. **Complete property description:** SEC 20-5-9 PRT NW1/4NE1/4 & PRT NE1/4NE1/4
COM SEC N1/4 COR TH S00DEG01'32"E 376.50 FT ALG N-S 1/4 LN TH
S88DEG01'35"E 1165.79 FT TO POB TH S88DEG01'35"E 127.11 FT TH
S03DEG56'23"E 90.46 FT TH S87DEG52'06"E 373.88 FT TO A PT ON W LN LOT 4
CSM 4635 TH S02DEG12'38"W 311.60 FT ALG W LN SD LOT 4 TH
S80DEG11'34"E 943.96 FT ALG SLY LN SD LOT 4 TO E LN OF NE1/4NE1/4 SD
SEC 20 TH S01DEG06'56"E 381.35 FT ALG E LN SD SEC 20 TO SE COR
NE1/4NE1/4 SD SEC TH N88DEG59'49"W 1226.02 FT ALG S LN NE1/4NE1/4 TO
ELY LN OF CEMETERY TH N00DEG44'09"E 19.47 FT ALG SD ELY LN TO NLY
LN OF CTH A TH N00DEG44'09"E 171.23 FT ALG SD ELY LN TO NE COR SD
CEMETERY TH N84DEG45'24"W 218.82 FT ALG NLY LN SD CEMETERY TO NW
COR THF TH N00DEG41'39"E 729.87 FT TO POB SUBJ TO CTH A & TIPPERARY
RD EXC COM AT NE COR OF SD SEC 20 TH S1DEG41'57"E 1330.10 FT TH
N87DEG20'52"E 1202.46 FT TO POB OF THIS EXC TH N0DEG46'55"E 195.30 FT
TH N85DEG46'52"W 244.01 FT TH S00DEG40'11"W 25.08 FT TH S84DEG46'52"E
218.89 FT TH S00DEG46'55"W 171.35 FT TH S87DEG20'52"E 25.01 FT TO POB
OF THIS EXC TOG W/ACCESS ESMT IN DOC #4433579