

# Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
04/19/2016	DCPREZ-2016-10993
Public Hearing Date	C.U.P. Number
06/28/2016	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME RITA MAE KLUEVER	PHONE (with Area Code) (608) 835-3008	AGENT NAME ISTHMUS SURVEYING	PHONE (with Area Code) (608) 244-1090
BILLING ADDRESS (Number & Street) 5848 MADSEN CIR 5848 MADSEN CIR		ADDRESS (Number & Street) 450 N BALDWIN ST	
(City, State, Zip) OREGON, WI 53575		(City, State, Zip) MADISON, WI 53703	
E-MAIL ADDRESS		E-MAIL ADDRESS isthmussurveying@sbcglobal.net	

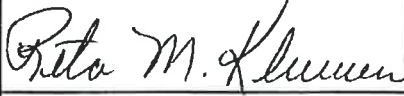
ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
WEST OF 5553 NETHERWOOD RD					
TOWNSHIP OREGON	SECTION 4	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0509-044-8020-0					

REASON FOR REZONE	CUP DESCRIPTION
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CREATING ONE RESIDENTIAL LOT	
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FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1Ex Exclusive Ag District	A-2 (4) Agriculture District	5.0		

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 type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS  SSA1	SIGNATURE:(Owner or Agent) 
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PRINT NAME:  
RITA M. KLUEVER

DATE:  
4/19/2016



DANE COUNTY  
**PLANNING DEVELOPMENT**

Zoning Division  
Room 116, City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, Wisconsin 53703-3342  
Phone: (608) 266-4266  
Fax: (608) 267-1540

**Zoning Change Application**

Items that must be submitted with your application:

- o **Written Legal Description of the proposed Zoning Boundaries**  
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- o **Scaled Drawing of the location of the proposed Zoning Boundaries**  
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name Rita Kuever Agent's Name Paul Spetz - Isthmus Surveying  
 Address 5848 Madsen Road Address 450 N. Baldwin St.  
 Phone Oregon WI Phone Madison WI 53703  
608-835-3008 608-244-1090  
 Email None Email isthmussurveying@sbcglobal.net

Town: Oregon Parcel numbers affected: 042/0509-044-8020-0  
west of 5553 Netherwood Rd  
 Section: 4 Property address or location: No parcel Address  
 Zoning District change: (To / From / # of acres) A-1 (EX) to A-2 (4)

Soil classifications of area (percentages) Class I soils: 0 % Class II soils: 82 % Other: 18 %

Narrative: (reason for change, intended land use, size of farm, time schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

Separate a 5 acre parcel from existing Ag lands  
to be sold as a rural lot. Existing lands will  
remain in A-1(ex)

I authorize that I am the owner or have permission to act on behalf of the owner of the property.  
 Submitted By: [Signature]

Date: April 15, 2016

**Kluever-Rezone:** From A-1(ex) to A-2(4)

Commencing at the East 1/4 Corner of said Section 4, T5N, R9E, thence S 89°48'27" W, along the East-West 1/4 Section line of said Section 5, 196.00 feet to the point of beginning of this description.

thence S 02°08'45" W, 1334.12 feet;  
thence S 89°48'27" W, 167.54 feet;  
thence N 02°08'45" E, 1334.12 feet;  
thence N 89°48'27" E, 167.54 feet to the point of beginning.

This Description contains 223,332 square feet, or 5.13 acres Excepting therefrom the Northerly 33 feet to be dedicated for the Right-of-way of Netherwood Road, 217,803 S.F. Net, or 5.00 Acres.



# Rezone Map

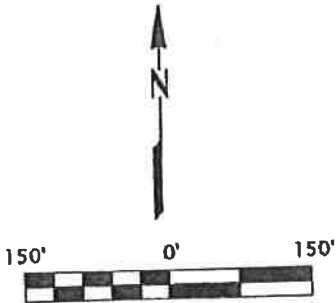
Located In:  
The NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 4, T5N, R9E in the Town of Oregon, Dane  
County, Wisconsin

## NETHERWOOD ROAD

east-west 1/4 Sec. line

N 89°48'27" E 167.54' S 89°48'27" W 198.00'

East 1/4 Corner  
Section 4, T5N, R9E  
Town of Oregon



33.03' 33.03'

TrB

223,332 S.F. Gross  
5.13 Acres  
217,803 S.F. Net  
5.00 Acres

**Soils Information:**      Classification/Type

- BbB - Batavia Silt Loam      Ile-1
- BoD2 - Boyer Sandy Loam      Ive-7
- KdC2 - Kidder Loam      IIle-1
- TrB - Troxel Silt Loam      Ile-5

LOT 9

Section 3

C.S.M. 7550

NE-SE

N 02°08'45" E 1334.12'

1301.08'

KdC2

BbB

S 02°08'45" W 1334.12'

1301.08'

BoD2

KdC2

BoD2

N 90°00'00" W 167.54'

SE-SE

**PREPARED FOR:**

RITA KLUEVER  
5584 NETHERWOOD ROAD  
OREGON, WI 53575

**PREPARED BY:**

ISTHMUS SURVEYING, LLC  
450 NORTH BALDWIN STREET  
MADISON, WI 53703  
(608) 244.1090  
www.isthmussurveying.com



# TOWN OF OREGON

## APPLICATION FOR LAND USE CHANGE

Submittal Fee: \$100.00 each submittal plus \$20.00 per additional petition.\*

### 1. NAMES — Owner

Name RITA M. KLUEVER  
Street 5848 MADSEN CIR.  
City, State, Zip OREGON WI 53575  
Phone: Days 835-3008 Cell \_\_\_\_\_

Applicant (if other than Owner)

Name \_\_\_\_\_  
Street \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Phone: Days \_\_\_\_\_ Cell \_\_\_\_\_

### 2. PROPERTY LOCATION WEST OF 5553 W NETHERWOOD RD. OREGON, WI.

Section: 04 Property size: 5 Property zoning: A-2 Parcel No(s): 0509044 8020-0  
Property Address: 5584 WEST NETHERWOOD RD OREGON WI 53575

3. REQUEST: Applicant must review town ordinance requirements for submittal. Applicant is also responsible for filing necessary paperwork with the County.

Nonresidential Site Plan Review (Ordinance 10.1.9)

1. Required for any construction, expansion or conversion of structures other than single family residences, agricultural structures or agricultural accessory buildings.
2. Submit 13 sets of site plans.
3. Submit the Site Plan Review Application.
4. Site Plan Review for \_\_\_\_\_

Land Division or Certified Survey Map (CSM) (Ordinance 10.10.4)

1. Required for any land division that creates 2, but not more than 4 lots.
2. Has a Density Study Report by Dane County been completed?
3. Submit 12 copies Proposed & Final Certified Survey Map (CSM).
4. Submit the Town of Oregon Land Division Application.
5. Submit a copy of the completed Dane County Land Division Application.
6. If applicable, may require approval from the Village of Oregon.
7. Reason for land division SEPARATE 5 ACRE PARCEL FROM EXISTING AG LAND TO BE SOLD AS A RURAL LOT.

Plat or Subdivision (Ordinance 10.10.4)

1. Required for any land division that creates 5 or more lots or a subdivision.
2. Has a Density Study Report by Dane County been completed?
3. Submit 12 copies of Preliminary & Final Plat.
4. Submit the Town of Oregon Land Division Application.
5. Submit a copy of the completed Dane County Land Division Application
6. If applicable, may require approval from the Village of Oregon.
7. Reason for plat or subdivision \_\_\_\_\_

Zoning Amendment

1. Required for any change in zoning district.
2. Zoning change from \_\_\_\_\_ District to \_\_\_\_\_ District for \_\_\_\_\_ acres
3. Submit a copy of the completed Dane County Zoning Change Application.
4. Reason for change \_\_\_\_\_

Conditional Use Permit (CUP)

1. Required for any change in the use of property that requires a conditional use in the zoning district.
2. Submit a written statement of the intended use of the property.
3. Submit a copy of the completed Dane County Application for a Conditional Use Permit (CUP).
4. Conditional Use Permit for \_\_\_\_\_

Variance

1. Required for any request for variance from the County Zoning Code.
2. Submit a copy of the completed Dane County Variance Application
3. The Applicant will receive a letter from the Town acknowledging that they informed the Town of their intent to apply for a Variance. \*Required by Dane County.
4. Variance for \_\_\_\_\_

### 4. SIGNATURE

Rita M. Kluever 4/21/2016  
Owner (signature is mandatory) Date Applicant (if other than Owner) Date

\* Pre-Application Consultation with Plan Commission is recommended before submitting any application or payment of fees. There is no charge for consultation.

# Land Division/CSM Application

## 1) Preliminary Parcel Division Inquiry

Has the Applicant attended a pre-consultation with the Plan Commission? **YES**

Is this a Plat or Certified Survey Map (CSM) Land Division? **CERTIFIED SURVEY MAP**

Has a Dane County Density Study been completed? **YES**

## 2) Land Division Record

Total Acres Owned: 53.04

Total # of Splits Allowed? 2

Size of Parcels Created:

Parcel 1) 5 acres Parcel 2) — acres Parcel 3) — acres Parcel 4) — acres

\*Only 4 lots can be created using Certified Survey Map. Additional lots will require a plat.

## 3) Submittal Requirements

**Requirements for Plat or Subdivision:** See Ordinance 10.10.4-2(a)(2).

- A) Preliminary Layout of Public Improvements.
- B) Preliminary Street and Drainageway Plans and Profiles.
- C) Soil Testing.
- D) Use Statement.
- E) Zoning Changes.
- F) Area-Wide Information.
- G) Erosion Control and Stormwater Management Plan.
- H) Development Report.
- I) Affidavit.

**Requirements for Land Division or Certified Survey Map (CSM):** See Ordinance 10.10.4.

- A) Property Boundaries
- B) Woodlands & Lanscape (existing & planned)
- C) Utility & Other Easement Locations (existing & planned)
- D) Slopes over 12% highlighted
- E) Topography: flat, rolling, steep
- F) Existing Structures
- G) Driveways (existing & planned)
- H) Wetlands, streams, rivers, ponds, drainage
- I) Livestock Confinement Areas
- J) Soil Type
- K) Use Statement

4) Agreement for Services

AGREEMENT OF SERVICES  
REIMBURSABLE BY PETITIONER/APPLICANT

The Town may retain the services of professional consultants (including planner, engineers, architect, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the Town's review of proposal coming before the Plan Commission and Town Board. The submittal of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional services applicable to the proposal. The Town may apply the charges for these services to the Petitioner. The Town may delay acceptance of the application of petition as complete, or may delay final approval of the proposal, until such fees are paid by the Petitioner. Review fees which are applied to a Petitioner, but which are not paid, may be assigned by the Town as a special assessment to the subject property. The Petitioner shall be required to provide the Town with an executed copy of the following form as a prerequisite to the processing of the development application:

AGREEMENT AS TO COSTS WITH THE TOWN OF OREGON

RITA M. KLUEVER, the applicant/petitioner for LAND USE CHANGE,  
(Nature of application/petition)  
dated April 21, 2016 agrees, in addition to those normal costs payable by an applicant /petitioner (e.g. filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the Town of Oregon, in the judgement of its staff, to obtain additional professional services(e.g. engineering , surveying, planning, legal) than normal would be routinely available "in house" to enable the Town to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the Town for the costs thereof.

Date this 21 day of APRIL, 2016.

Rita M. Kluever  
Signature & Title of Applicant/Petitioner

5) Submittal Form Letter

Please submit a letter explaining the reason for the land division application.

6) **Compliance:** The Applicant must comply with all the General Provision outlined in Ordinance 10.10.1-2. No building permits will be issued until the applicant has complied with all requirements.

APRIL 21, 2016

I WISH TO CREATE A <sup>(ONE)</sup> 5 ACRE  
PARCEL FROM THE EXISTING AG.  
LAND. THE REMAINING AG. LAND WILL  
CONTINUE AS A/EX.

Rita M. Kinner





# DANE COUNTY PLANNING & DEVELOPMENT

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

March 29, 2016

Rita M. Kluever  
5848 Madsen Circle  
Oregon, WI 53575

Dear Ms, Kluever:

Attached is the Density Study Report and supporting information you requested for your property in Section 4 of the Town of Oregon.

Based on the policies of the *Town of Oregon / Dane County Comprehensive Plan*, this property would have the potential for up to two (2) additional homesites.

I hope this information is helpful. If you have any other questions or comments, please don't hesitate to contact me at (608) 267-4115 or via email at [standing@countyofdane.com](mailto:standing@countyofdane.com).

Sincerely,

Brian Standing  
Senior Planner

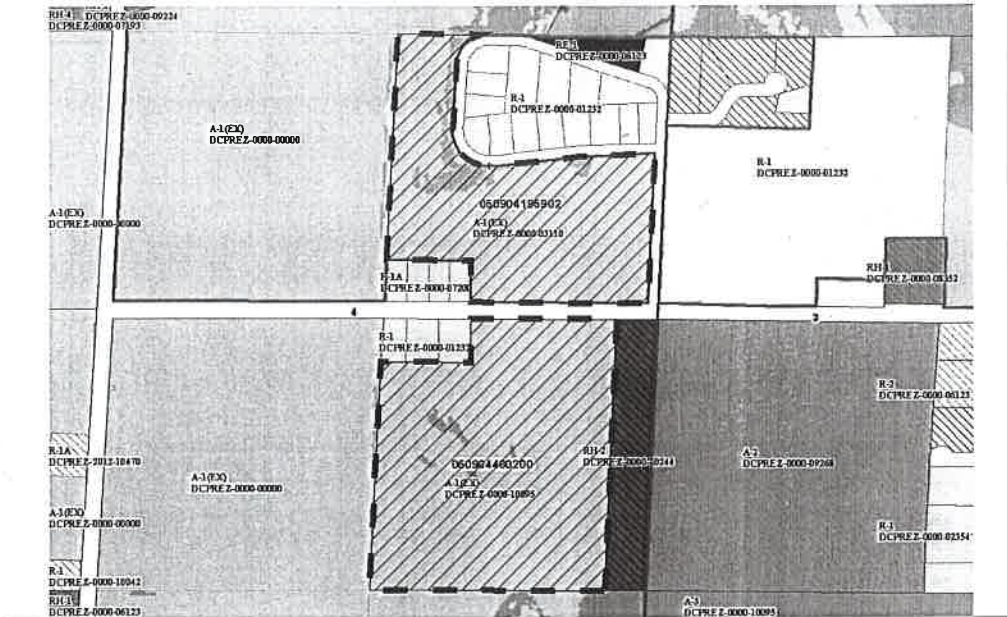
*Enclosures.*

cc: *Jennifer Hanson, Town of Oregon Plan Commission Secretary*

# 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.

<b>Applicant:</b> Town of Oregon					
<b>Town</b>	Oregon	<b>A-1EX Adoption</b>	1/5/1995	<b>Orig Farm Owner</b>	FE Madsen
<b>Section:</b>	04	<b>Density Number</b>	35	<b>Original Farm Acres</b>	53.04
<b>Density Study Date</b>	3/29/2016	<b>Original Splits</b>	1.52	<b>Available Density Unit(s)</b>	2



Reasons/Notes:

Homesites created to date:  
NONE

Town plan allows rounding up of fractional splits.

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.

<u>Parcel #</u>	<u>Acres</u>	<u>Owner Name</u>	<u>CSM</u>
050904480200	31.18	RITA MAE KLUEVER	
050904195902	21.86	RITA MAE KLUEVER	



Dane County Department of Planning & Development  
Application for Density Study Report

RECEIVED

MAR 21 2016

Date: MARCH 23, 2016

DANE COUNTY PLANNING & DEVELOPMENT

Landowner information:

Name: RITA M. KLUEVER  
Address: 5848 MADSEN CIR City: OREGON Zip Code: 53575  
Daytime phone: 608 835 3008  
Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Applicant information (if different from landowner):

Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Daytime phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Relationship to landowner: \_\_\_\_\_  
Are you submitting this application as an authorized agent for the landowner? Yes  No

Property information:

Property address: 5584 W NETHERWOOD RD OREGON WI 53575  
Parcel ID #: 0509-044-8020-0

Legal description of property:

~~NE~~ NE 1/4 of SE 1/4, Section 4-5-9, Town of OREGON

OR  
Certified Survey Map ID: \_\_\_\_\_ Lot \_\_\_\_\_

Sketch map provided? Yes  No

Additional information (optional):

Name of owner of original farm (if known): FE MADSEN-MADSEN & KLUEVER

Are there any recorded agreements, liens, deed restrictions, easements or other legally binding documents that would affect the number or distribution of potential building sites on the property?

Yes  No  Don't know   
Reg. of Deeds Doc. No. (if known) \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please allow 3-6 weeks to process your request. A copy of the report will be mailed to the landowner, the applicant (if different from the landowner) and the town clerk.