



DANE COUNTY PLANNING & DEVELOPMENT

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

MEMORANDUM

TO: Town of Cross Plains Plan Commission

FROM: Brian Standing, Senior Planner

DATE: October 11, 2018

RE: Proposed Zoning for Hidden Valley Development

CC: Roger Lane, Zoning Administrator
Dan Everson, Assistant Zoning Administrator

I have received a request for a density study / parcel status determination as well as a request to review the proposed zoning under the new county zoning ordinance, for Parcel Number 0707-161-9550-5 (17 acres, currently owned by Baylis Trust). This parcel is part of the Hidden Valley development, created in the early 1980s. Due to the unusual history of this development, I am having difficulty determining the original property boundaries as of December 26, 1981 for some of the Hidden Valley parcels. Consequently, I cannot determine the development potential under the *Town of Cross Plains / Dane County Comprehensive Plan*. I am requesting assistance from the Town of Cross Plains Plan Commission to help determine appropriate zoning for this area.

Relevant policies:

1. Sections 10.123(11)(a) and 10.16(3)(a) of the current *Dane County Zoning Ordinance* (attached) allow “...any lot or parcel shown in a preliminary subdivision plat or a certified survey map which was received for review by the agency prior to the effective date of A-1 Exclusive Agriculture zoning...” to “...be used as a building site...” Such parcels are commonly referred to as “legal, nonconforming” or “substandard” A-1 (exclusive) parcels.
2. The Hidden Valley development is within an Agricultural Preservation area in the *Town of Cross Plains Comprehensive Plan*. Land Use Policy II.D.1.(j.) [Ch. 8, pp. 10-11] allow “substandard parcels” between 4 and 35 acres in size to be redivided and rezoned to create no more than a total of two building sites.

Timeline for the Hidden Valley Development

1. As of the publication date of the *1981 Rockford Plat Book* for the Town of Cross Plains (likely early 1981, see attached), the area that is now the Hidden Valley development was a 239-acre farm owned by Edward Thornton and C.H.Marten.
2. By 12/23/1981, several pieces of the Thornton-Marten farm had been sold through either recorded land contracts or recorded Certified Survey Maps, leaving a remnant of approximately 77 acres (including the current Baylis Trust parcel). (See map in packet.)
3. On December 26, 1981, exclusive agricultural [A-1(ex)] zoning became effective in the Town of Cross Plains.
4. On January 28, 1982, the Town of Cross Plains Board of Supervisors held a meeting on the Hidden Valley development. A court reporter transcribed the meeting. At the meeting, former Dane County Plat Review Officer Norb Scribner stated that “...*somewhere between 15 and 19 parcels in total were filed with Dane County prior to the effective date of exclusive agricultural zoning* [in the town of Cross Plains].” Scribner did not identify which parcels were filed, what date they were received, nor whether they were Certified Survey Map applications or simply documents recorded with the Register of Deeds.. A review of records in the Dane County Department of Planning and Development indicate that the land division application files for that area from that period of time no longer exist.
5. Between 1982 and 1985, a total of 16 lots, all smaller than 35 acres, were created in this area by Certified Survey Maps recorded with the Register of Deeds (see map). None of these parcels were rezoned from the A-1(exclusive) zoning district, as should have happened under the zoning regulations in effect at that time.

Based on this information, please advise as to how the Town of Cross Plains would like to see this area zoned under the new zoning ordinance (see draft zoning map, attached). I'd be happy to answer any further questions, or to attend a future meeting of the Town of Cross Plains Plan Commission and/or Town Board as needed. Please feel free to contact me at (608) 267-4115 or standing@countyofdane.com at any time.