

Dane County Rezone Petition

Application Date	Petition Number
11/19/2020	DCPREZ-2020-11646
Public Hearing Date	
01/26/2021	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME CAVILL 2012 IRREVOCABLE TR, MICHAEL J	PHONE (with Area Code) (608) 225-1770	AGENT NAME D'ONOFRIO KOTTKE & ASSOCIATES	PHONE (with Area Code) (608) 833-7530
BILLING ADDRESS (Number & Street) 4161 BARLOW RD		ADDRESS (Number & Street) 7530 WESTWARD WAY	
(City, State, Zip) CROSS PLAINS, WI 53528		(City, State, Zip) Madison, WI 53717	
E-MAIL ADDRESS		E-MAIL ADDRESS rklaas@donofrio.cc	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
4161 Barlow Road					
TOWNSHIP CROSS PLAINS	SECTION 17	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0707-174-8041-8		0707-171-9592-3, 0707-171-9600-2, 0707-171-9000-8			

REASON FOR REZONE

CREATING THREE RESIDENTIAL LOTS

FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RR-16 Rural Residential District	29
FP-35 Farmland Preservation District	RR-4 Rural Residential District	5.9
FP-35 Farmland Preservation District	RR-8 Rural Residential District	14

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent)
Applicant Initials _____	Applicant Initials _____	Applicant Initials _____		PRINT NAME:

COMMENTS: NOTE: TWO OF THE PROPOSED LOTS DO NOT MEET LAND DIVISION REQUIREMENTS FOR MINIMUM LOT FRONTAGE.

DATE:



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:	Michael J Cavill 2012 Irrevocable Trst	Agent Name:	D'Onofrio Kottke & Assoc. - Ron Klaas
Address (Number & Street):	4161 Barlow Road	Address (Number & Street):	7530 Westward Way
Address (City, State, Zip):	Cross Plains, WI 53528	Address (City, State, Zip):	Madison, WI 53717
Email Address:		Email Address:	rklaas@donofrio.cc
Phone#:	(608) 225-1770	Phone#:	(608) 833-7530

PROPERTY INFORMATION

Township:	Cross Plains	Parcel Number(s):	0707: 174-8041-8, 171-9592-3, 71-9600-2, 171-900-8
Section:	17	Property Address or Location:	4161 Barlow 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>
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The owner is proposing a new 3 Lot CSM, as well as rezoning portions of their property from FP-35 to RR-16 (Lot 1), RR-8 (Lot 2), and RR-4 (Lot 3).

Proposed Lots 1 and 3 will take access to Barlow Road over Lot 2, via a shared driveway easement. The Town of Cross Plains has recently revised their Land Use Plan to permit shared drives.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP-35	RR-16	29.0
FP-35	RR-4	5.9
FP-35	RR-8	14.0

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
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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 Ron Klaas Date 11/18/20

Roger and Brian,

After discussing options with land owner Mike Cavill and with Greg Hyer at the Town, we are submitting a rezoning application and preliminary CSM per the first 3 attachments. A check for \$495 for the rezoning fee has been mailed out.

The density study showed 2 splits for his land that was part of the old Nelson farm (see 4th attachment for ease of reference) and Mike would like to create both of those residential lots now. Both of those lots are situated on top of the hill within the original Nelson farm. Although these lands have a small amount of frontage on both Barlow Road and Garfoot Road, neither of those locations can provide access to the proposed lots due to the extreme slopes.

Because of these unique conditions, we are proposing a shared driveway easement that would be shared by his existing house and the 2 new lots. Per our previous discussion, this will require an exception to the frontage requirements of section 75, and we believe that all criteria is met for that. One of the most important elements of the exception is the Town's approval of the shared driveway. As you may be aware, the Town recently updated their Comprehensive Plan to allow for this under certain circumstances, and Greg has indicated Town support in this case due to the reasons outlined above.

The Town has been aware of Mike's intent for some time, and has reviewed and approved a new driveway location that provides access to the hilltop coming off the existing driveway, Dane County Land and Water approved the EC permit and construction of a stormwater basin for said driveway, and construction has been completed. This is the only feasible access to the hilltop.

We appreciate your review and consideration of this request. Please let us know if any other information is needed. The Town's Comp Plan update has not yet been adopted by the County, so if that process must be complete prior to processing this application, please let us know and we can work with you on the timing.

Thanks,

Ronald R. Klaas, P.E.

D'Onofrio Kottke and Associates | President

7530 Westward Way | Madison, WI 53717

Phone (608) 833-7530 | Cell (608) 220-7098

rklaas@donofrio.cc | www.donofrio.cc

ZONING DESCRIPTIONS

LOT 1 TO BE ZONED RR-16

Lands located in the NE1/4 of the SE1/4 of Section 17, T7N, R7E, Town of Cross Plains, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 corner of said Section 17; thence N89°57'28"W, 1339.26 feet along the North line of said SE1/4; thence S00°49'37"W, 45.00 feet to the point of beginning; thence S89°18'54"E, 723.20 feet; thence S60°30'57"E, 197.94 feet; thence N87°47'16"E, 50.00 feet; thence S03°03'18"E, 49.75 feet; thence S15°49'04"E, 426.71 feet; thence S04°43'19"W, 229.93 feet; thence S16°20'36"W, 502.52 feet; thence S89°51'08"W, 922.50 feet; thence N00°49'37"E, 1278.25 feet to the point of beginning. Containing 29.039 acres

LOT 2 TO BE ZONED RR-8

Part of Lot 3, Certified Survey Map No. 7349 and lands located in the SW1/4 of the NE1/4, SE1/4 of the NE1/4 and the NE1/4 of the SE1/4 of Section 17, T7N, R7E, Town of Cross Plains, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 corner of said Section 17; thence N89°57'28"W, 394.05 feet along the North line of said SE1/4 to the point of beginning; thence S06°03'35"W, 40.90 feet; thence S00°28'47"E, 41.86 feet; thence N87°47'13"E, 397.37 feet; thence S00°48'42"W, 66.09 feet; thence S87°47'16"W, 442.91 feet; thence N60°30'57"W, 197.94 feet; thence N89°18'54"W, 723.20 feet; thence N00°49'37"E, 45.00 feet; thence N89°57'28"W, 400.05 feet; thence N00°54'07"E, 861.66 feet; thence S89°05'53"E, 400.00 feet; thence S00°54'07"W, 415.00 feet; thence N90°00'00"E, 318.63 feet; thence S04°06'24"W, 369.87 feet; thence S89°18'54"E, 653.04 feet; thence S06°03'35"W, 64.94 feet to the point of beginning. Containing 13.985 acres.

LOT 3 TO BE ZONED RR-4

Lands located in the SE1/4 of the NE1/4 of Section 17, T7N, R7E, Town of Cross Plains, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 corner of said Section 17; thence N89°57'28"W, 394.05 feet along the South line of said NE1/4; thence N06°03'35"E, 64.94 feet; thence N89°18'54"W, 653.04 feet; thence N04°06'24"E, 369.87 feet to the point of beginning; thence S90°00'00"W, 318.63 feet; thence N00°54'07"E, 715.00 feet; thence S89°05'58"E, 418.62 feet; thence S11°23'17"W, 474.86 feet; thence S04°06'24"W, 243.44 feet to the point of beginning. Containing 5.858 acres.