CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
207 S. Forrest Street, Stoughton, WI. 53589

(608) 873-6619 www.ci.stoughton.wi.us

RODNEY J. SCHEEL
DIRECTOR

Date: September 7, 2021

To: Plan Commissioners and Common Council

From: Rodney J. Scheel
Director of Planning & Development

Michael P. Stacey
Zoning Administrator/Assistant Planner

Subject: Agenda Item for the September 13, 2021 Plan Commission Meeting and September 28, 2021 Common Council Meeting.

Request by Paul Kojo for an extra-territorial jurisdictional land division approval (CSM) for property located at 1442 Lake Kegonsa Road, Town of Rutland.
This property is within the City of Stoughton's 1.5 mile extra-territorial jurisdiction but well beyond the City's Long-Term Urban Growth area as identified on the Comprehensive Plan Future Land Use Map. This request is to split the residential land from the agricultural land. A waiver is necessary and is outlined in the resolution since the property is over the required maximum of 2.5 acres.

We see no reason not to approve the land division contingent on Town of Rutland and Dane County approval. The resolution, CSM and related materials are provided. A recommendation to Council is necessary.

CITY OF STOUGHTON, 207 S. FORREST STREET, STOUGHTON, WISCONSIN

RESOLUTION OF THE COMMON COUNCIL

Approving an extra-territorial jurisdictional (ETJ) land division request by Paul Kojo for property located at 1442 Lake Kegonsa Road, Town of Rutland, Dane County, Wisconsin.

Committee Action: Plan Commission recommends Council approval - 0

Fiscal Impact: None

File Number:	R - - 2021	**Date Introduced:**

The City of Stoughton, Wisconsin, Common Council does proclaim as follows:

WHEREAS, this land division request is proposed to split off 5.25 acres of residential land from the agricultural land in the Town of Rutland; and

WHEREAS, the City Comprehensive Plan is used as a guide for the general pattern of development as determined by the Plan Commission and Common Council. This property is within the City's Extraterritorial Jurisdiction (ETJ) but is beyond the City's long range planning area; and

WHEREAS, the proposed lot does **not** comply with the maximum 2.5-acre requirement of the City land division ordinance; and

WHEREAS, where the plan commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or that the purposes of these regulations may be served to a greater extent by an alternative proposal such as a traditional neighborhood development, it may approve exceptions and waivers of conditions to these regulations so that substantial justice may be done and the public interest secured. The exception or waiver shall not have the effect of nullifying the intent and purpose of these regulations. Exceptions or waivers to preliminary plat submittal requirements may be approved by the city. The city shall not approve exceptions or waivers unless it shall make findings based upon the evidence presented to it in each specific case that all of the following conditions are met by the applicant:

(1) The granting of the exception or waiver conditions will not be detrimental to the public safety, health, or welfare or injurious to other property;

(2) The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property except as allowed through planned unit development, cluster development or traditional neighborhood development;

(3) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

(4) The relief sought will not in any manner vary the provisions of the comprehensive plan, zoning ordinance, or official map, except that those documents may be amended in the manner prescribed by law;

(5) In approving exceptions or waivers of conditions, the plan commission may require such conditions so as to carry out the purpose and intent of this chapter described in section 66-102.

WHEREAS, on September 13, 2021 the Stoughton Plan Commission reviewed the land division request and recommends Common Council approval as presented; now therefore

BE IT RESOLVED, by the City of Stoughton Common Council that the extra-territorial jurisdictional land division request by Paul Kojo for property located on 1442 Lake Kegonsa Road, Town of Rutland, is hereby approved with a waiver as presented contingent on Town of Rutland and Dane County approval.

Council Action: ☐ **Adopted** ☐ **Failed** **Vote** _____

Mayoral Action: ☐ **Accept** ☐ **Veto**

_____

Tim Swadley, Mayor Date

Council Action: _____ ☐ **Override** **Vote** _____

Dane County Planning & Development
Land Division Review

Attention to whom it may concern:

Re: Certified Survey Map application # 10545

Dane County Planning & Development is in receipt of a proposed certified survey map application. Attached with this letter is a copy of the survey map.

Please review the proposal and comment at your earlier convenience such that the Dane County staff will recognize your position and concerns in acting in this matter.

Reviewing Agency:

- **Town of Rutland**
- **City of Stoughton** *(extraterritorial jurisdiction)*
- **Public Health – John Hausbeck**
- **Dane County Surveyor – Dan Frick**

If you have any comments regarding this proposal please forward them to me in a timely manner.

Sincerely,

Dan Everson
Assistant Zoning Administrator
608.267.1541

CITY OF STOUGHTON
DEPARTMENT OF PLANNING & DEVELOPMENT
CERTIFIED SURVEY MAP/PLAT APPLICATION

Date of Application 8-25-21

Applicant Name Paul Kojo **Phone** 608-577-2116

Applicant Email PaulKojo211615@gmail.com

Owners Name (if different than applicant) LaVon Hofland P.O.A Ronda Kojo **Phone** 608-577-2117

Subject Property Address 1442 Lake Kegonsa Rd Stoughton, WI

Application for: CSM X **PRELIMINARY PLAT** _____ **FINAL PLAT** _____

CURRENT FEES

CERTIFIED SURVEY MAP:	**$165 AND $40/LOT***
PRELIMINARY PLAT FEE:	**$425 AND $40/LOT***
FINAL PLAT FEE:	**$255 AND $40/LOT***

Number of Lots: 1.

Fee Amount: $ 205.

Owner/Applicant Signature Paul K Date 8-25-21

ANY QUESTIONS, CALL THE DEPT. OF PLANNING & DEVELOPMENT AT 608-646-0421.

***ANY ADDITIONAL COST INCURRED OVER THE PERMIT FEE AMOUNT WILL BE BILLED TO THE PROPERTY OWNER AND/OR RESPONSIBLE PARTY. DWELLING UNITS INCLUDE EXISTING AND PROPOSED DWELLINGS.**

CERTIFIED SURVEY MAP

LOCATED IN:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, T5N, R10E, Town of Rutland, Dane County, Wisconsin

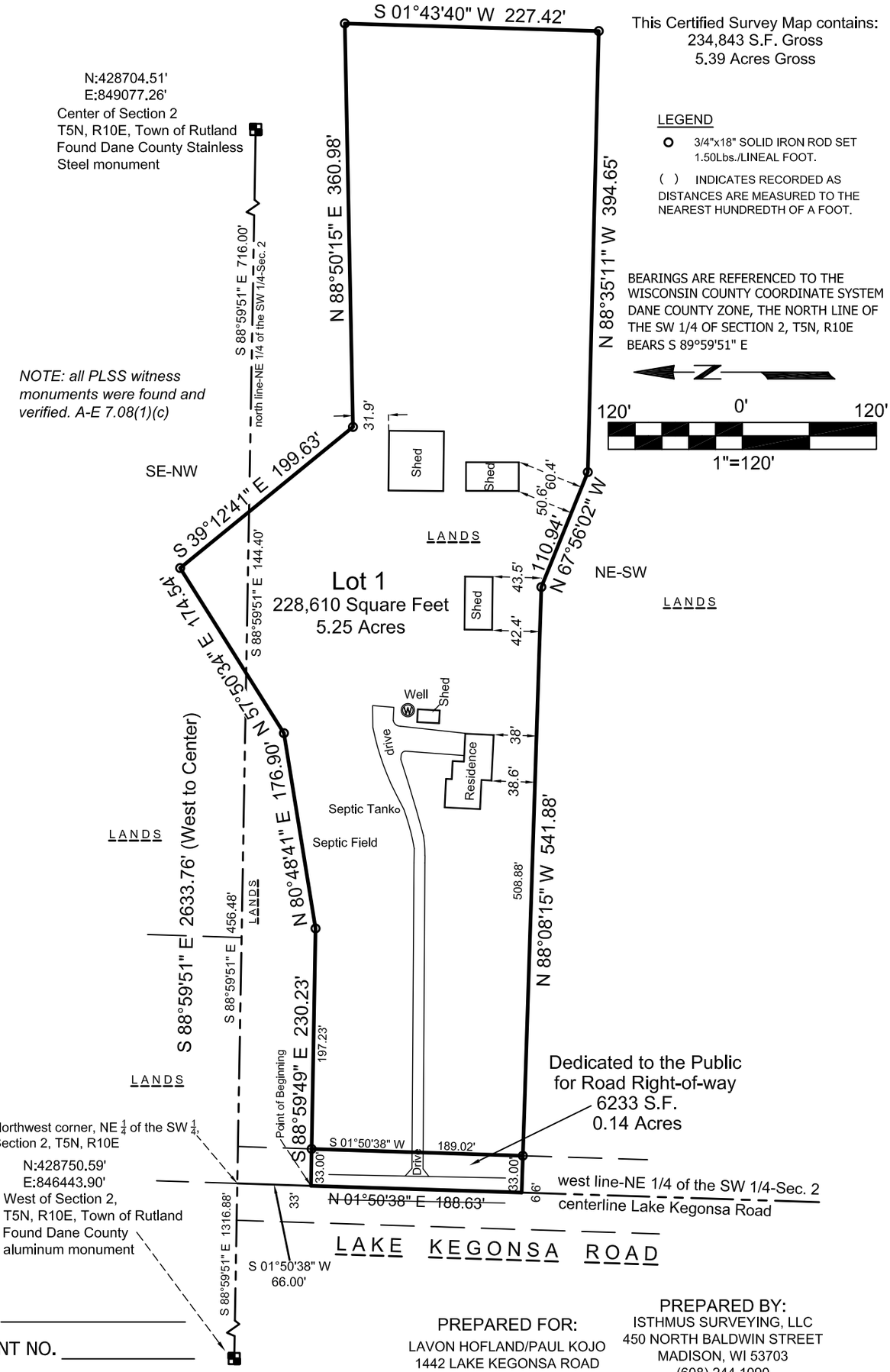
This Certified Survey Map contains:
234,843 S.F. Gross
5.39 Acres Gross

LEGEND

O 3/4"x18" SOLID IRON ROD SET 1.50Lbs./LINEAL FOOT.

( ) INDICATES RECORDED AS DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM DANE COUNTY ZONE, THE NORTH LINE OF THE SW 1/4 OF SECTION 2, T5N, R10E BEARS S 89°59'51" E



MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____

PREPARED FOR:
LAVON HOFLAND/PAUL KOJO
1442 LAKE KEGONSA ROAD
STOUGHTON, WI 53589

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

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CERTIFIED SURVEY MAP

LOCATED IN:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, T5N, R10E, Town of Rutland, Dane County, Wisconsin

SURVEYORS CERTIFICATE:

I, Paul A. Spetz, Registered Land Surveyor for Isthmus Surveying LLC, hereby certify: that under the direction of LaVon M. Hofland, owner of said land, I have surveyed, divided and mapped the following parcel of land:

A parcel of land to be rezoned located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, T5N, R10E, Town of Rutland, Dane County, Wisconsin, more particularly described as follows.

Commencing at the West $\frac{1}{4}$ of Section 2, T5N, R10E, thence S 88°59'51" E, along the North line of the SW $\frac{1}{4}$ of said Section 2, 1316.88 feet to a point being the Northwest corner of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2;
thence S 01°50'38" W, along the westerly line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, and Centerline of Lake Kegonsa Road, 66.00 feet to the point of beginning of this description;

thence S 88°59'49" E, 230.23 feet;
thence N 80°48'41" E, 176.90 feet;
thence N 57°50'34" E, 174.54 feet;
thence S 39°12'41" E, 199.63 feet;
thence N 88°50'15" E, 360.98 feet;
thence S 01°43'40" W, 227.42 feet;
thence N 88°35'11" W, 394.65 feet;
thence N 67°56'02" W, 110.94 feet;
thence N 88°08'15" W, 541.88 feet to a point on said westerly line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, and Centerline of Lake Kegonsa Road;
thence N 01°50'38" E, along said westerly line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2 and centerline of Lake Kegonsa Road, 188.63 feet to the point of beginning.

This description contains an area of 234,843 Square Feet 5.39 Acres gross.

I further certify that the map on sheet one (1) is a correct representation of the exterior boundaries of the land surveyed and that I have fully complied with A–E 7, A–E 7.05 (8), the provisions of Chapter 236.34 of the State Statutes, A-E7 and the Land Division Ordinance of Dane County and the Town of Madison in surveying, dividing, and mapping the same.

Signed _____ this _____ day of _____, 2021.

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____

CERTIFIED SURVEY MAP

LOCATED IN:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, T5N, R10E, Town of Rutland, Dane County, Wisconsin

OWNERS CERTIFICATE:

I, LaVon M. Hofland, owner of the above described land, hereby certify that I have caused the land described on this Certified Survey Map to be surveyed, divided mapped, and dedicated as represented on the Map hereon. I further certify that this Certified Survey Map is required by S.75.17(1) (a) Dane County Code of Ordinances to be submitted to the Dane County Zoning and Land Regulation Committee and Town of Rutland for approval.

Witness the hand and seal of said owner this _____ day of _____, 2021.

Print Name: _____,
Power of Attorney for LaVon M. Hofland

Signed By: _____,
Power of Attorney for LaVon M. Hofland

State of Wisconsin)
)ss
County of Dane)

Personally came before me this _____ day of _____, 2021, the above named _____, power of attorney for LaVon M. Hofland, _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

My Commission expires: _____;

_____
Notary Public, State of Wisconsin

TOWN BOARD APPROVAL, TOWN OF RUTLANDD, DANE COUNTY, WISCONSIN:

Approved by the Town Board of the Town of Rutland, this _____ day of _____, 2021.

_____,
Dawn George, Town Clerk, Town of Rutland

DANE COUNTY PLANNING AGENCY APPROVAL

This Certified Survey Map is hereby approved by the Dane County Zoning and Land Regulation Committee
this _____ day of _____ , 2021.

_____
Daniel Everson, Authorized Representative

REGISTER OF DEEDS CERTIFICATE

Received for recording on this _____ day of _____, 2021,
at _____ o'clock _____. m. and recorded in recorded in Volume _____ of
Certified Survey Maps on pages _____ as Document Number _____.

_____
Kristi Chlebowski, Dane County Register of Deeds

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____

Application ID#:

Process Date:

OFFICE USE ONLY

Dane County Planning & Development

Division of Zoning

Land Division Application

In order for applications to be processed, all information, survey drawings, application signatures and fees required must be submitted at time of application. Please check the appropriate box below for the type of application being submitted:

- ☐ Preliminary Certified Survey Map
- ☒ Certified Survey Map-$265/LOT
- ☐ Subdivision Preliminary Plat*-$600
- ☐ Subdivision Final Plat-$265/LOT

***As per DCCO Ch. 75 - Prior to filing an application for approval of a preliminary plat, the subdivider shall consult with staff of the committee for advice, assistance and for the purpose of reviewing the procedures and requirements of Chapter 75 and other ordinances, plans or data which may affect the proposed development.**

Property Owner Information		Surveyor Information
Name	Lavon Hofland	Isthmus Surveying LLC
Address	1442 Lake Kegonsa Road Stoughton WI 53589	450 N. Baldwin St. Madison WI 53703
Phone Number	608-577-2116	608-209-0302
E-Mail Address	paulkojo211615@gmail.com	isthmussurveying@sbcglobal.net

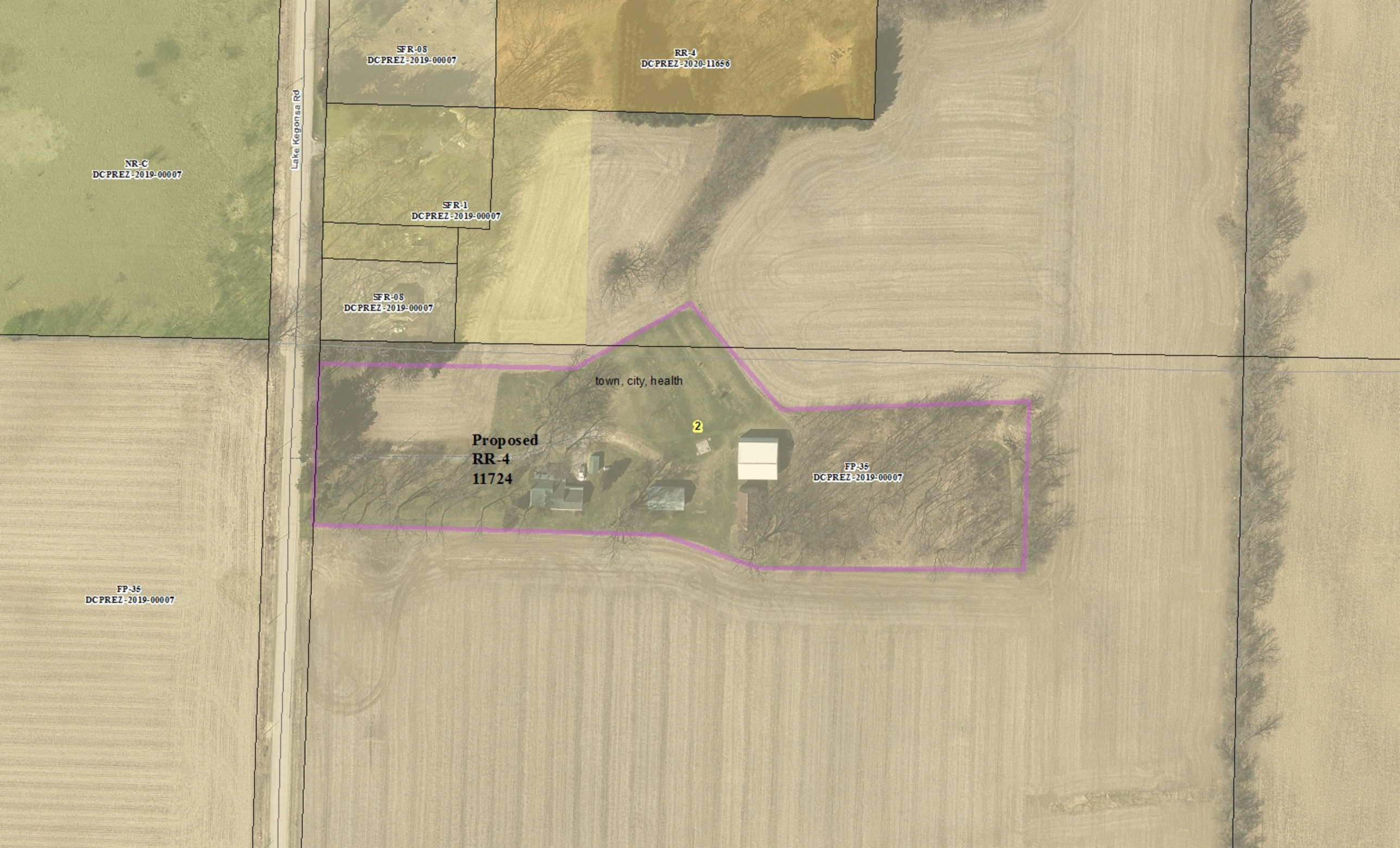
Property/Location Information (accessdane.co.dane.wi.us)			
Township: Rutland	Section: 2	¼ NW SW ¼ ¼ SE NE	Acreage: 5.39
Parcel Number(s): 052/0510-022-9800-7; 0510-023-8000-6			
Current Zoning: FP-35		Proposed Zoning: RR-4	
CSM	Lot	Subdivision	Block/Lot

1. **Is proposed land division associated with a rezone petition?**
   Yes ☒ **No** ☐ **ETZ** ☐ **If Yes, Petition #** 11724
2. **Does the property abut or adjoin a County or State Trunk Highway?**
   Yes ☐ **No** ☒ **If Yes, Highway Name:** _____
3. **Will public sewer serve the land division? Yes** ☐ **No** ☒
4. **Does the subdivision have significant features like shoreland, wetland and/or floodplain? Yes** ☐ **No** ☒
   If Yes, describe features : _____

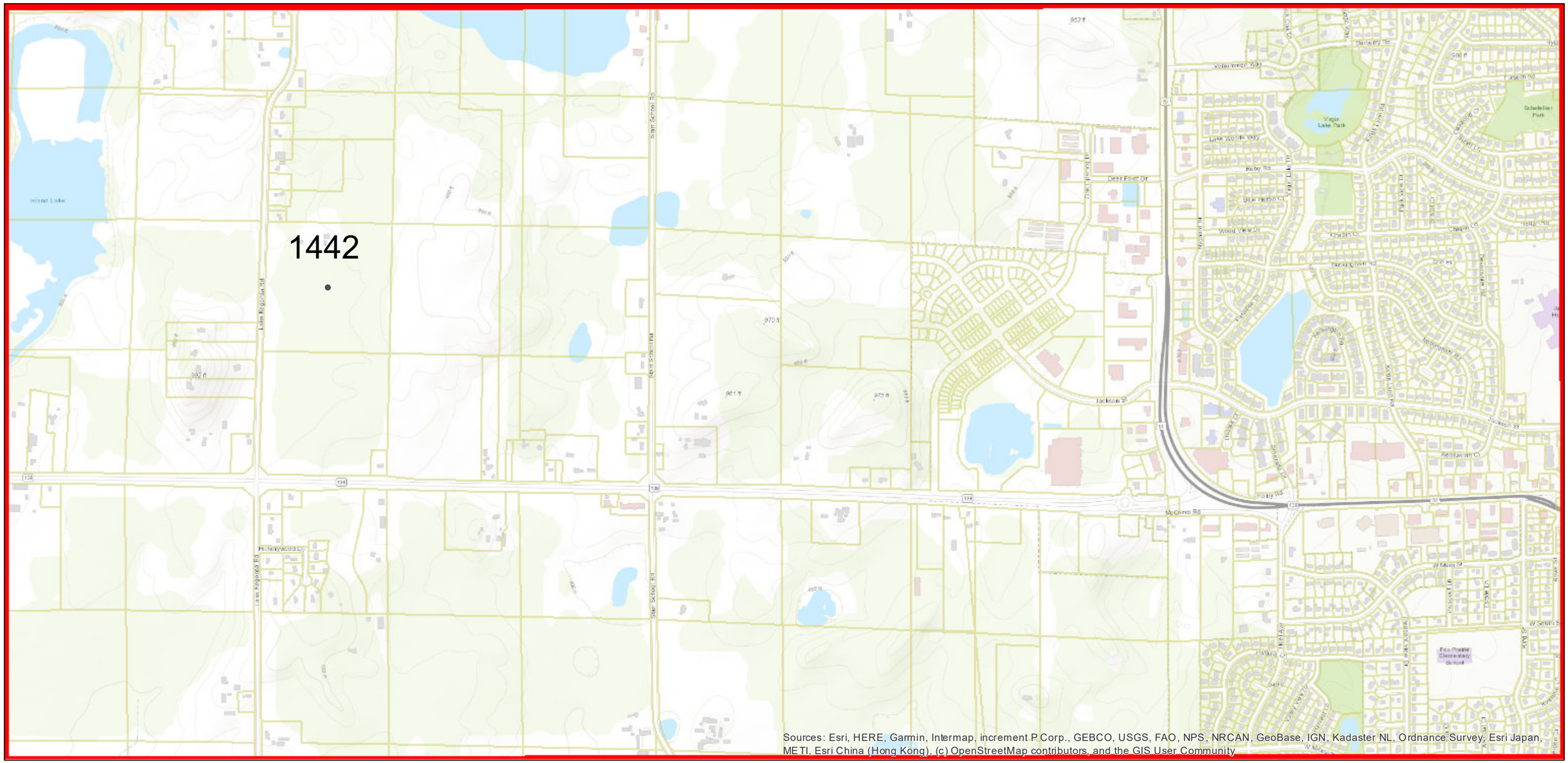
Print Name: Paul Spetz **Date:** 8-24-2021

Signature: _____

REV 01/01/2019


SFR-08
DCPREZ-2019-00007
RR-4
DCPREZ-2020-11656
NR-C
DCPREZ-2019-00007
Lake Kegonsa Rd
SFR-1
DCPREZ-2019-00007
SFR-08
DCPREZ-2019-00007
town, city, health
2
Proposed
RR-4
11724
FP-35
DCPREZ-2019-00007
FP-35
DCPREZ-2019-00007

1442 Lake Kegonsa Road



September 2, 2021

Dane County Mask

- Dane County Mask
- Parcels

0 625 1,250 2,500 Feet

N