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

RESOLUTION OF THE COMMON COUNCIL

Approving an extra-territorial jurisdictional (ETJ) land division (CSM) request by Dale Beske for property located at 1357 Tower Drive, Town of Dunkirk, Dane County, Wisconsin.

Committee Action: Plan Commission recommends Council approval 7 - 0

Fiscal Impact: None

File Number:	R-7- 2021	**Date Introduced:**	January 26, 2021

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

WHEREAS, this land division request is proposed to add approximately 0.5 acres including a shed to the existing 0.5 acre residential parcel for a total of approximately 1 acre in the Town of Dunkirk; 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 complies with the maximum 2.5-acre requirement of the City land division ordinance; and

WHEREAS, on January 11, 2021 the Stoughton Plan Commission reviewed the CSM request and recommend 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 Dale Beske for property located at 1357 Tower Drive, Town of Dunkirk, is hereby approved as presented contingent on Town of Dunkirk and Dane County approval.

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

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

_____

Tim Swadley, Mayor Date

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

S:\MPS-Shared\Resolutions\Beske - 1357 Tower Drive ETJ CSM.doc

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: December 30, 2020

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 January 11, 2021 Plan Commission Meeting and January 26, 2021 Common Council Meeting.

Request by Dale Beske for an extra-territorial jurisdictional land division approval (CSM) for property located at 1357 Tower Drive, Town of Dunkirk.
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 add 0.5 acres to an existing residential lot to bring the total acres to approximately 1 acre.

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

Dane County Rezone Petition

Application Date	Petition Number
12/17/2020	DCPREZ-2020-11655
Public Hearing Date	
02/23/2021	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME POSSIN LIVING TR, ORIS & ELAINE A	PHONE (with Area Code) (608) 335-4658	AGENT NAME DALE BESKE	PHONE (with Area Code) (608) 335-4658
BILLING ADDRESS (Number & Street) 6422 SHADY BEND RD		ADDRESS (Number & Street) 6422 SHADY BEND ROAD	
(City, State, Zip) VERONA, WI 53593		(City, State, Zip) Verona, WI 53593	
E-MAIL ADDRESS		E-MAIL ADDRESS debeske@wisc.edu	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		**ADDRESS OR LOCATION OF REZONE**		**ADDRESS OR LOCATION OF REZONE**	
1357 Tower Drive					
TOWNSHIP DUNKIRK	SECTION 2	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		**PARCEL NUMBERS INVOLVED**		**PARCEL NUMBERS INVOLVED**	
0511-024-9502-0		0511-024-9940-4			

REASON FOR REZONE

EXPANDING THE SIZE OF AN EXISTING RESIDENTIAL LOT

FROM DISTRICT:	TO DISTRICT:	ACRES
SFR-08 Single Family Residential District	RR-1 Rural Residential District	0.46
FP-35 Farmland Preservation District	RR-1 Rural Residential District	0.68
FP-35 Farmland Preservation District	FP-1 Farmland Preservation District	33.4

C.S.M REQUIRED?	PLAT REQUIRED?	DEED RESTRICTION REQUIRED?	INSPECTOR'S INITIALS
☑ Yes ☐ No	☐ Yes ☑ No	☐ Yes ☑ No	RWL1
Applicant Initials_____	Applicant Initials_____	Applicant Initials_____	

COMMENTS: NOTE: A 2-LOT CERTIFIED SURVEY MAP WILL BE REQUIRED.

SIGNATURE:(Owner or Agent)

PRINT NAME:

DATE:

Form Version 04.00.00

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

- 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:	Oris and Elaine A Possin Living Trust	Agent Name:	Dale Beske, Trustee
Address (Number & Street):	6422 Shady Bend Rd	Address (Number & Street):	same
Address (City, State, Zip):	Verona, WI 53593	Address (City, State, Zip):	
Email Address:	debeske@wisc.edu	Email Address:	same
Phone#:	608 335-4658	Phone#:	same

PROPERTY INFORMATION

Township:	Dunkirk	Parcel Number(s):	026/0511-024-9502-0 and 026/0511-024-9940-4
Section:	Section 2	Property Address or Location:	1357 Tower Drive

REZONE DESCRIPTION

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.

Is this application being submitted to correct a violation? Yes ☐ No ☒

Detach approximately 1/2 acre land, including shed and residential driveway, from farm parcel (owned by Oris and Elaine A Possin Living Trust) and attach to residential parcel owned by Ronald J Pieper.

Remainder of farm parcel will be about 33 acres, but there are two adjacent parcels owned by the Living Trust which are each close to 40 acres (two quarter quarter sections, minus road ROW), so it should still qualify for FP-35.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP-35, SFR-08	FP-35, RR-1	~33 acres, 1.14 acres

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.

☒ Scaled drawing of proposed property boundaries	☒ Legal description of zoning boundaries	☐ Information for commercial development (if applicable)	☒ Pre-application consultation with town and department staff	☒ Application fee (**non-refundable**), payable to the Dane County Treasurer

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 Dale Beske Date 12/16/2020

December 15, 2020

Addendum to Zoning Petition for 1357 Tower Drive, Stoughton, Town of Dunkirk Section 02

The pole building on the parcel being created will be used for storage purposes (as opposed to the housing of animals).

The old milking parlor and milkhouse in the eastern portion of the rezone area are no longer useable; they have been demolished, along with the other old ag buildings and silos just to the south of the rezone area.

This petition is being filed by Dale Beske, Trustee, Oris and Elaine A Possin Living Trust, owner of parcel 026/0511-024-9502-0, with the consent of Ronald J Pieper, owner of Parcel 026/0511-024-9940-4 at 1357 Tower Drive.

12/16/2020

Dale Beske
6422 Shady Bend Rd
Verona, WI 53593
608 335-4658
debeske@wisc.edu

12/16/2020

Ronald J Pieper
1357 Tower Drive
Stoughton, WI 53589
608 332-1942
pieper.mary@yahoo.com

PRELIMINARY CERTIFIED SURVEY

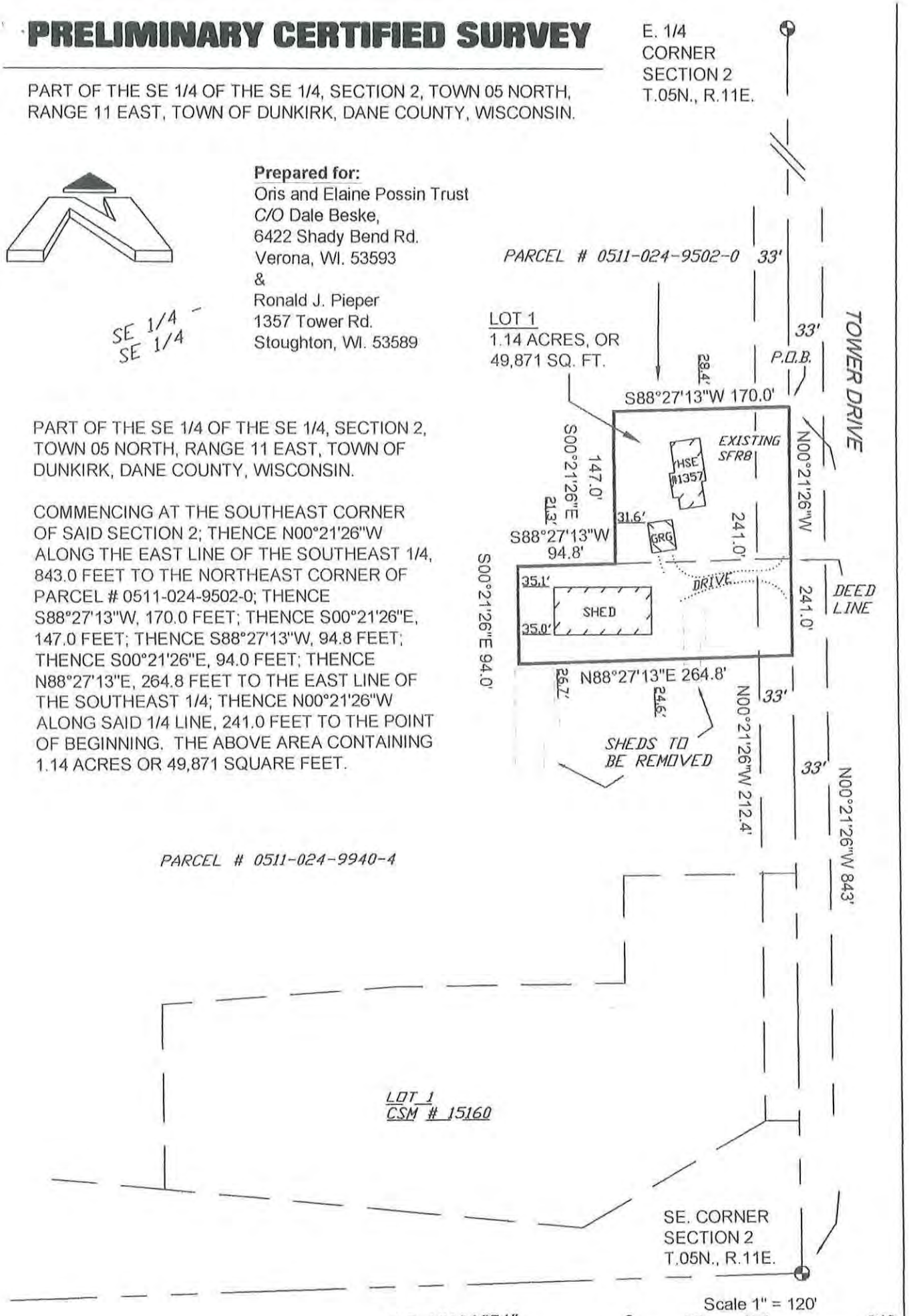
PART OF THE SE 1/4 OF THE SE 1/4, SECTION 2, TOWN 05 NORTH, RANGE 11 EAST, TOWN OF DUNKIRK, DANE COUNTY, WISCONSIN.

Prepared for:
Oris and Elaine Possin Trust
C/O Dale Beske,
6422 Shady Bend Rd.
Verona, WI. 53593
&
Ronald J. Pieper
1357 Tower Rd.
Stoughton, WI. 53589

SE 1/4 -
SE 1/4

PART OF THE SE 1/4 OF THE SE 1/4, SECTION 2, TOWN 05 NORTH, RANGE 11 EAST, TOWN OF DUNKIRK, DANE COUNTY, WISCONSIN.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE N00°21'26"W ALONG THE EAST LINE OF THE SOUTHEAST 1/4, 843.0 FEET TO THE NORTHEAST CORNER OF PARCEL # 0511-024-9502-0; THENCE S88°27'13"W, 170.0 FEET; THENCE S00°21'26"E, 147.0 FEET; THENCE S88°27'13"W, 94.8 FEET; THENCE S00°21'26"E, 94.0 FEET; THENCE N88°27'13"E, 264.8 FEET TO THE EAST LINE OF THE SOUTHEAST 1/4; THENCE N00°21'26"W ALONG SAID 1/4 LINE, 241.0 FEET TO THE POINT OF BEGINNING. THE ABOVE AREA CONTAINING 1.14 ACRES OR 49,871 SQUARE FEET.



Dane County Map

0 50 100 200 Feet

July 27, 2019

Parcels

N

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

Date of Application _____

Applicant Name DALE BESKE **Phone** 608 335-4658

Applicant Email debeske@wisc.edu

Owners Name (if different than applicant) ORIS AND ELAINE A POSSIN LIVING TRUST **Phone** —

Subject Property Address 1357 TOWER DRIVE, DUNKIRK

Application for: CSM ✓ **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—.

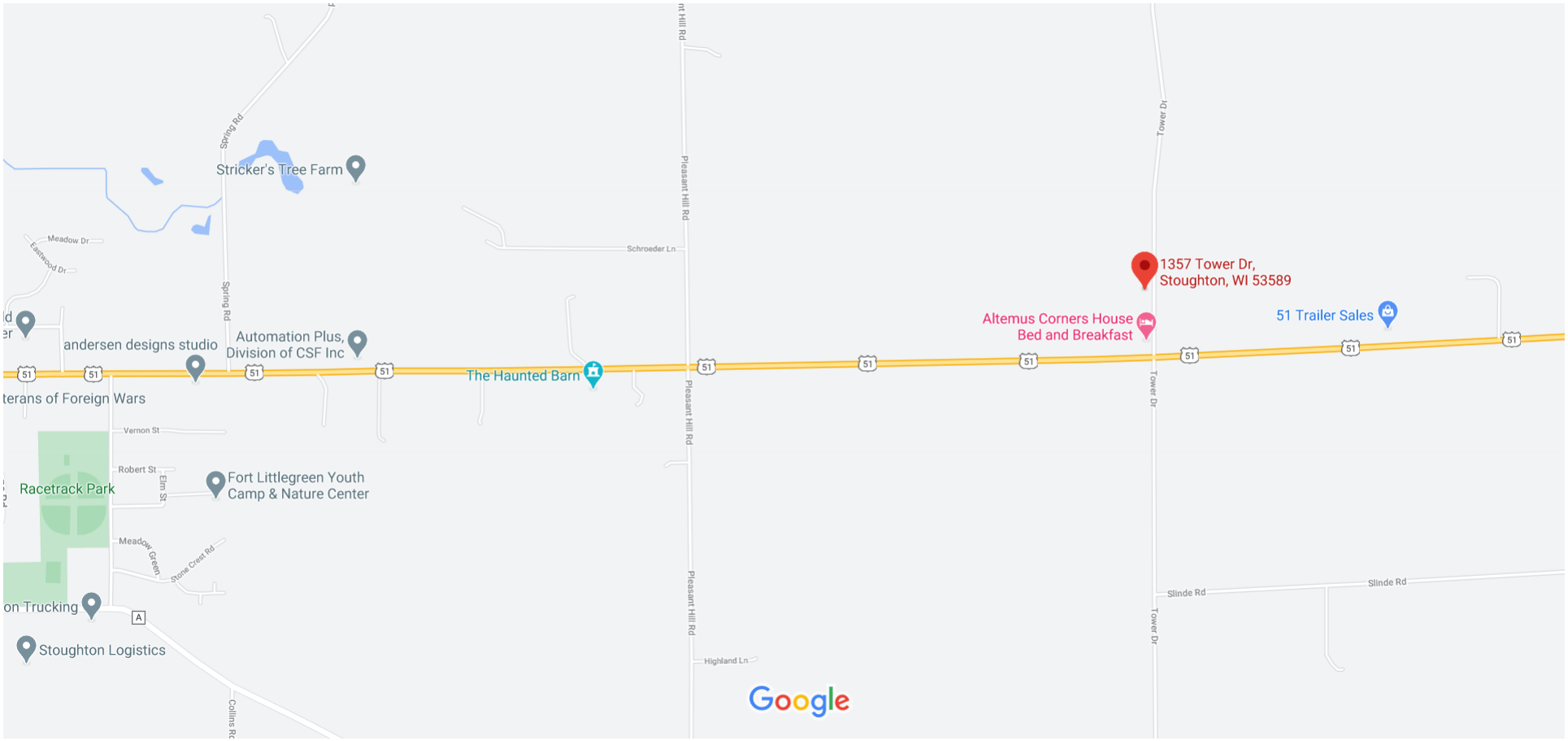
This new CSM is being done to add ~1/2 acre to the ~1/2 acre residential parcel at 1357 Tower Dr owned by Ronald J Pieper, including a shed. Resulting parcel will be a little over 1 acre, zoned RR-1.

Owner/Applicant Signature Dale Beske Date 12/16/2020

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.**

1357 Tower Dr



Map data ©2021 Google 1000 ft

8. **Request by Dale Beske for extra-territorial jurisdictional land division approval (CSM) for property located at 1357 Tower Drive, Town of Dunkirk.**
   Scheel introduced the request. Dale Beske explained the request.

   Motion by **Selsor** to recommend the Common Council approve the resolution as presented, 2nd by **Caravello**. Motion carried unanimously.

9. **Request by Andrew Walker for extra-territorial jurisdictional land division approval (CSM) for property located at 2967 Shadyside Drive, Town of Pleasant Springs.**
   Scheel explained the request.

   Motion by **Schumacher** to recommend the Common Council approve the resolution as presented, 2nd by **Selsor**. Motion carried unanimously.

10. **Request by Phil Harrison to amend the zoning code to allow flags and banners for commercial signage.**
    Scheel gave an overview of the request.

    Mayor Swadley opened the public hearing.

    Selsor questioned if a setback is required from the side lot line. Scheel stated setback is not typically an issue.

    Phil Harrison stated he appreciates the reasonable accomodation for changes to the ordinance.

    Stacey stated there is no current required setback for any signage.

    Barman questioned if there is a better place in the ordinance for setback requirements instead of setting a precedence for feather flags.

    Scheel stated we plan to rewrite the sign ordinance and setback will be part of that process.

    There was mutual agreement to require a 3-foot setback from side lot lines for feather flags.

    Mayor Swadley closed the public hearing.

    Motion by **Selsor** to recommend the Common Council approve the ordinance contingent on requiring a 3-foot setback from side lot lines for the feather flags, 2nd by **Schumacher**. Motion carried 6-0 (Barman abstained).

11. **Proposed amendments to the zoning code to allow mobile food vending on private property and clarify general outdoor sales regulations.**
    Rachel Snyder gave an overview of the proposed ordinance and stated another attorney review is in the works.