CITY OF STOUGHTON, 381 E. MAIN STREET, STOUGHTON, WISCONSIN

RESOLUTION OF THE COMMON COUNCIL

Approving an extra-territorial jurisdictional (ETJ) CSM request by Tim Thorson for property located at and adjacent to 3318 Quam Drive, Town of Dunn, Dane County, Wisconsin.

Committee Action: Planning Commission recommend Council approval 6 - 0 with the Mayor voting

Fiscal Impact: None

File Number:	R-89-2018	**Date Introduced:**	April 24, 2018

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

WHEREAS, the CSM request is proposed to combine 2 existing residential parcels for residential single family development at 3318 Quam Drive with a lot size of 0.18 acres, Town of Dunn; and

WHEREAS, the City Comprehensive Plan is used as a guide for the general pattern of development as determined by the Planning Commission and Common Council. This property is contained in the City's Extraterritorial Jurisdiction (ETJ), but beyond the City's Long-Term Urban Growth area as identified in City planning area, though the property is expected to remain single family residential; and

WHEREAS, City Ordinance 66-602 (3) provides for a 1 acre minimum lot size and a 2.5 acre maximum lot size in the ETJ area. A smaller lot size may be approved if also approved by the respective Town Board.; and

WHEREAS, City Ordinance 66-1301 provides for exceptions and waivers on a case by case basis if all of the following conditions are met:

(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; and

WHEREAS, on April 9, 2018 the Stoughton Planning Commission finds the conditions necessary to grant a waiver are met; now therefore

BE IT RESOLVED, by the City of Stoughton Common Council that the extra-territorial jurisdictional land division request by Tim Thorson to combine the parcels located at 3318 Quam Drive, Town of Dunn, Dane County, Wisconsin is hereby approved as presented contingent on Town of Dunn and Dane County approval.

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

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

_____

Mayor Date

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

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CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
381 East Main Street, Stoughton, WI. 53589

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

RODNEY J. SCHEEL
DIRECTOR

Date: March 22, 2018

To: Planning Commissioners and Common Council

From: Rodney J. Scheel
Director of Planning & Development

Michael P. Stacey
Zoning Administrator/Assistant Planner

Subject: Agenda Item for the April 9, 2018 Planning Commission Meeting and April 24, 2018 Common Council Meeting.

Tim Thorson, Royal Oak Engineering requests an extra-territorial certified survey map (CSM) approval to combine 2 residential parcels at 3318 Quam Drive, Town of Dunn. This property is within the City of Stoughton's 1.5 mile extra-territorial jurisdiction but beyond the City's Long-Term Urban Growth area as identified on the Future Land Use Map. This request is to combine 2 residential properties to create a larger lot for single family residential development. The new residential parcel is proposed to be 0.18 acres while the land division ordinance requires a minimum lot size of 1 acre. An exception will need to be approved by the Common Council to allow a smaller size residential parcel. The resolution, CSM and related materials are provided. Due to the location of the property, Staff recommends approval of an exception as presented. A recommendation to Council is necessary.

Royal Oak & Associates, Inc.

Land Surveyors & Site Designs

3678 Kinsman Blvd, Madison, WI 53704
Phone (608) 274-0500 Fax (608) 274-4530
www.royaloakengineering.com

March 20, 2018

Rodney Scheel
Director of Planning and Development
381 East Main Street
Stoughton, WI 53589

Subject: Extraterritorial Jurisdiction Certified Survey Map – Section 25, Town of Dunn.

Dear Rodney,

Please find the land division application, fees, and 20 copies of the proposed certified survey map for Tony Agate for a proposed certified survey map located at 3318 Quam Drive in Section 25 in the Town of Dunn.

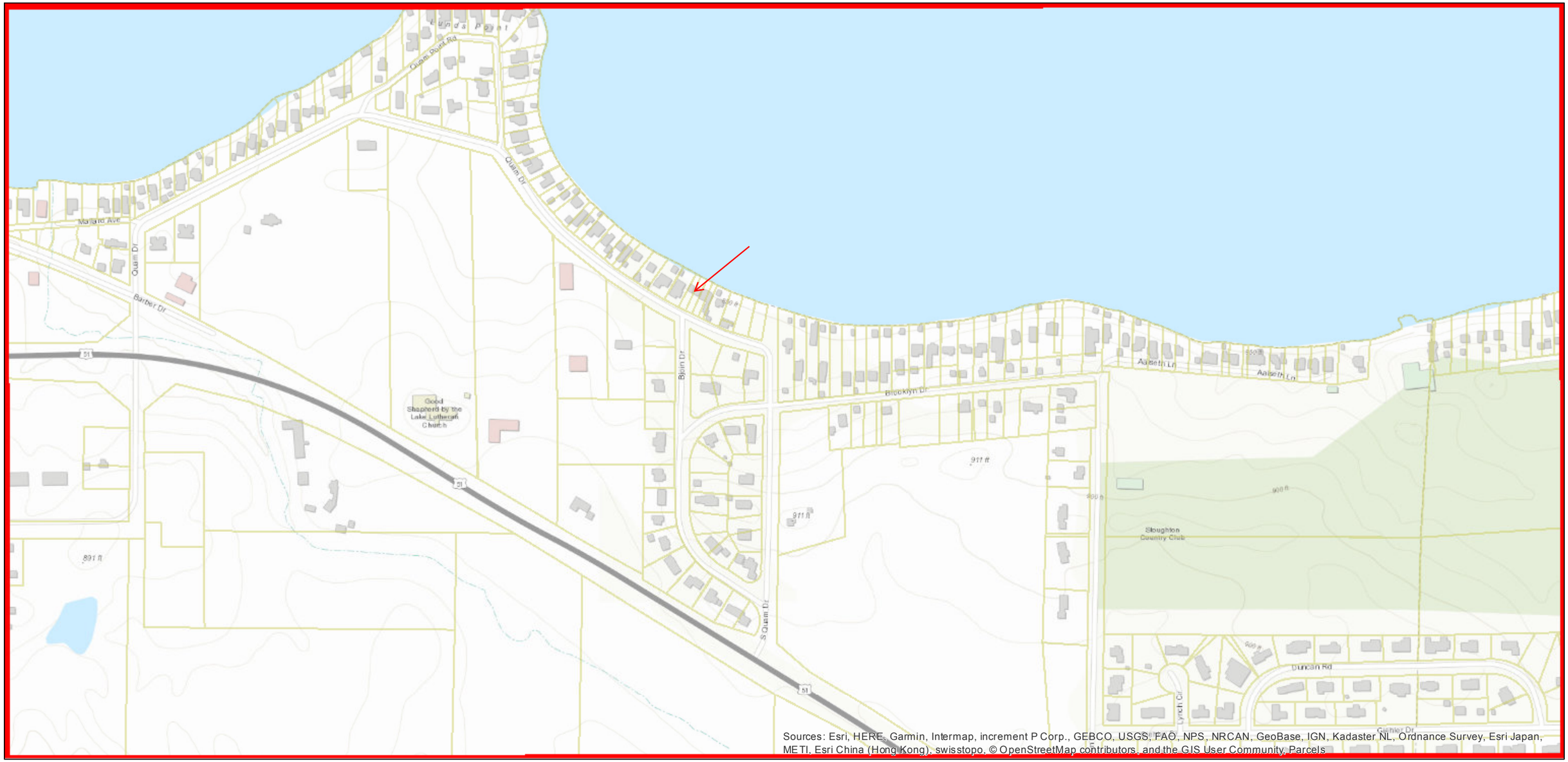
This certified survey is being done to combine two parcels into one parcel. The two existing houses and the boat house will be razed and one new house is proposed to be built. No zoning change request was done. The zoning on these two parcels are R-3 and will remain with that zoning.

Please review and let us know if you have any questions or comments

Sincerely,

Tim Thorson
Royal Oak & Associates, Inc

3318-3320 Quam Drive CSM



April 2, 2018

Tax Parcels

1 inch = 400 feet

0 250 500 1,000 Feet

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

Date of Application MARCH 20, 2018

Applicant Name ROYAL OAK ASSOCIATES - TIM THORSON **Phone** (608) 274-0500 EXT 8

Applicant Email TTHORSON@ROYALOAKENGINEERING.COM

Owners Name (if different than applicant) TONY AGATE **Phone** (608) 333-5534

Subject Property Address 3318 QUAM DRIVE

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

CURRENT FEES

CERTIFIED SURVEY MAP: **$160 AND $40/LOT***
PRELIMINARY PLAT FEE: **$415 AND $40/LOT***
FINAL PLAT FEE: **$250 AND $40/LOT***

Number of Lots: 1.

Fee Amount: $ 200.

Owner/Applicant Signature _____ Date 3-20-18

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.**

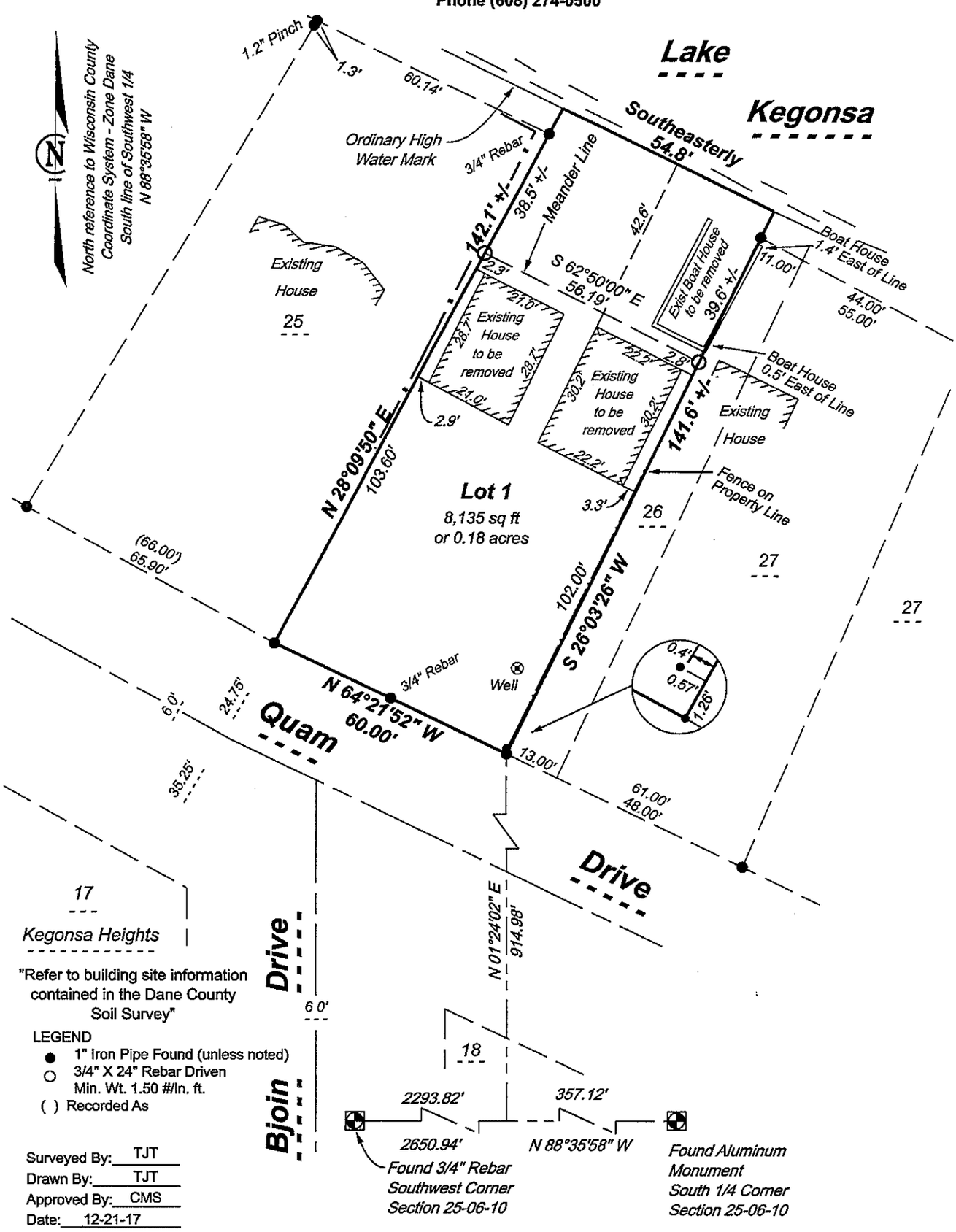
Certified Survey Map

Part of Lot 26, Ole J Quam's Park lying in the SE 1/4
of the SW 1/4 of Section 25, T06N, R10E, Town of Dunn,
Dane County, Wisconsin

0 15 30 60
Scale 1" = 30'

Surveyed By:
Royal Oak & Associates, Inc.
3678 Kinsman Blvd
Madison, WI 53704
Phone (608) 274-0500

Surveyed For:
Tony Agate
208 Thompson Lane
Oregon WI 53575



"Refer to building site information contained in the Dane County Soil Survey"

LEGEND
- ● 1" Iron Pipe Found (unless noted)
- ○ 3/4" X 24" Rebar Driven Min. Wt. 1.50 #/ln. ft.
- ( ) Recorded As

Surveyed By: TJT
Drawn By: TJT
Approved By: CMS
Date: 12-21-17

Office Map No: 16412
Sheet 1 of 3 Sheets

Doc No: _____
CSM No. _____, Volume _____, Page _____

Surveyor Certificate
I, Carl M Sandsnes, hereby certify that this survey is in compliance with Chapter 236.34 of Wisconsin Statutes, Dane County Code of Ordinances, and Town of Dunn Land Division Ordinance, by the direction of Anthony Agate, certify that I have surveyed, divided and mapped the lands described hereon, and that this map is a correct representation of all exterior boundaries in accordance with the information furnished.

_____
Carl M. Sandsnes, Professional Land Surveyor S-1819

Description
Part of Lot 26, Ole J Quam's Park lying in the SE 1/4 of the SW 1/4 of Section 25, T06N, R10E, Town of Dunn, Dane County, Wisconsin, more fully described as follows;
Commencing at the South 1/4 Corner of said Section 25; Thence N 88°35'58" W, 357.12 feet along the south line of the Southwest 1/4; Thence N 01°24'20" E, 914.98 feet to the northerly right of way of Quam Drive and the point of beginning of this description; Thence N 64°21'52" W, 60.00 feet along said northerly right of way to the southeasterly corner of Lot 25, Ole J. Park; Thence N 28°09'50" E, 103.60 feet along the easterly line of said Lot 25 to a meander line, said point being S 28°09'50" W, 38.5 feet more of less from the ordinary high water mark of Lake Kegonsa; Thence S 62°50'00" E, 56.19 feet along said meander line, said point being S 26°03'26" W, 39.6 feet more or less from the ordinary high water mark of Lake Kegonsa; Thence S 26°03'26" W, 102.00 feet to the point of beginning of this description. Said parcel contains 8,135 square feet or 0.18 acres more or less. Said parcel includes all lands between meander line and the westerly and easterly lines extended to the ordinary high water mark of Lake Kegonsa.

OWNER'S CERTIFICATE OF DEDICATION
We, Anthony Agate, Brant Graham, and Tina Graham, as owners do hereby certify that we caused the lands described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this Certified Survey Map.

Anthony Agate, Brant Graham, and Tina Graham does 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 approval or objection

IN WITNESS WHEREOF, the said Anthony Agate, Brant Graham, and Tina Graham as owners has caused these presents to be executed this _____ day of _____ , 2018.

Anthony Agate, Owner	Brant Graham, Owner	Tina Graham, Owner

STATE OF WISCONSIN)
COUNTY OF DANE) ss.
Personally came before me this _____ day of _____, 2018, Anthony Agate, Brant Graham, and Tina Graham, as owners, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____
Notary Public, Dane County, Wisconsin

My Commission _____

Dane County Zoning and Land Regulation Committee Certificate
Approved for recording per Dane County Zoning and Land Regulation Committee action dated this _____ day of _____, 2018.

_____
Daniel Everson, Agent

Office Map No. 16412 Document No. _____
Sheet 2 of 3 Sheet(s) CSM No._____, Volume_____, Page_____

Consent of Mortgage Holder
As mortgage holder of the hereon described land, (bank)_____,
Of (city)_____ Wisconsin, does hereby consent to the surveying, dividing, and mapping of the lands described on this certified survey map, and to the certificate of Anthony Agate, Brant Graham, and Tina Graham, as owners.

WITNESS the hand and seal of (bank)_____, (city)_____,
Wisconsin has caused these presents to be executed by (name)_____,
(title)_____, and (name)_____,
(title)_____, and the Corporate Seal of said Corporation to be affixed this____
_____day of _____, 2018.

By:_____ Attest:_____
(name) (name)
(title) (title)

State of Wisconsin)
County of Dane) ss.
Personally came before me this _____day of _____ ,2018,
(name) _____, and (name)_____of
the above named corporation, to me known to be such (title)_____
and (title)_____of said Corporation, and acknowledge that they executed the foregoing instrument as such officers as the deed of said Corporation, by its authority, for the purposes therein contained.

_____
Notary Public, Dane County, Wisconsin
My Commission _____

Town Board Resolution
Town of Dunn Wisconsin
"Resolved that this certified survey map, being part of the SW 1/4 of Section 25, Township 06 North, Range 10 East, Town of Dunn, Dane County, Wisconsin, having been approved by the Town Board, be and the same, is hereby approved.

I, Cathy Hasslinger, do hereby certify that I am the duly appointed, qualified and acting Town Clerk of the Town of Dunn, and that this certified survey map was approved by the Town Board of the Town of Dunn, Dane County, Wisconsin and further certify that the conditions of said approval were fulfilled on the _____, day of _____,2018.

_____
Cathy Hasslinger, Town of Dunn Clerk

COMMON COUNCIL APPROVAL
CITY OF STOUGHTON, WISCONSIN
I, Lana Kropf do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Stoughton, and that this Certified Survey Map was approved by the City Council of the City of Stoughton, Dane County, Wisconsin on the _____, day of_____, 2018.

_____
Lana Kropf, City of Stoughton Clerk

Certificate of Register of Deeds
Received for record the _____ day of _____, 2018 at _____ o'clock _____.m.
and recorded in Volume _____ of Certified Survey Maps on Pages _____.

_____
Kristi Chlebowski, Dane County Register of Deeds

Office Map No.__16412_____ Document No._____
Sheet __3__ of __3__ Sheet(s) CSM No._____, Volume_____, Page_____

Planning Commission Meeting Minutes
Monday, April 9, 2018 at 6:00 pm
Public Safety Building, Council Chambers, Second Floor, 321 S. Fourth Street, Stoughton, WI.

Members Present: Mayor Donna Olson; Scott Truehl, Vice-Chair; Todd Barman; Matt Bartlett; Michael Engelberger, and Matt Hanna
Members Absent: Todd Krcma
Staff: Rodney Scheel, Director of Planning & Development
Press: None
Guests: Craig Slager, Joe Birkland, Emily Bahr

1. **Call to order.** Mayor Olson called the meeting to order at 6:00 pm.

2. **Consider approval of the Planning Commission meeting minutes of February 12, 2018.**
   Motion by **Bartlett** to approve the minutes as presented, 2nd by **Hanna**. Motion carried 5-0.

3. **Council Representative Report.**
   Truehl provided an update on Council action items. He reported the Common Council had approved the compost facility for the Public Works Facility and an ETJ request. Common Council will act on the Berry Street GDP amendment request on April 10th.

4. **Status of Current Developments.**
   Scheel gave an update on several projects and reported Pancake Café has opened and work has resumed on the Dunkin Donuts project. The City has received building permit information for the McFarland State Bank project in Kettle Park West and expects construction to start soon.

5. **Craig Slager, Paul Davis Restoration requests approval of a second story rear addition at 617 W. Main Street.**
   Scheel gave a brief overview of the project and turned it over to Mr. Craig Slager. Barman inquired about the windows on the rear of the building. Slager reported the internal stairway defined the location of the windows on the south side of the building. He also reported the owner will be having the entire building resided as part of the project. Engelberger arrived. Motion by **Hanna**, seconded by **Truehl** to approve the approval resolution as presented. Motion carried 6-0.

6. **Tim Thorson, Royal Oak Engineering requests approval of an extra-territorial certified survey map (CSM) request to combine properties at 3318 Quam Drive, Town of Dunn.**
   Scheel gave an overview of the request. Motion by **Truehl**, seconded by **Engelberger** to approve the approval resolution as presented. Motion carried 6-0.

7. **Future agenda items.**
   Scheel indicated work will continue on the draft ordinance amendments once the new Planning Commission is in place.