CITY OF STOUGHTON, 207 S. Forrest Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL			
An ordinance amending the zoning classification at 2124 Hoel Circle in the City of Stoughton, WI.			
Committee Action:	Plan Commission recommends Council approval 6 – 0		
Fiscal Impact:			
File Number:	O - 21 - 2021	**Date Introduced:**	First Reading: September 28, 2021 Second Reading: October 12, 2021

RECITALS

1. Randy Rozema (the "Applicant") has applied to change the zoning classification of the property at 2124 Hoel Circle from SR-4 Single Family Residential to SR-5 Single Family Residential.

2. The applicant proposes changing the zoning classification of this parcel to allow more relaxed setbacks for a proposed 3 season room addition.

3. The proposed single family use at this property is consistent with adjacent uses. The Comprehensive Plan states the following, "Proposed zoning map amendments (rezoning's) should be consistent with the recommendations in this *Plan*. Specifically, the Future Land Use map, in combination with the policies behind it, should be used to guide the application of the general pattern of permanent zoning.

4. On September 13, 2021, the City of Stoughton Plan Commission held a public hearing regarding the Applicant's proposed zoning change. The public hearing was preceded by the publication of a class 2 notice, and other notice required by law.

5. The Plan Commission found that the proposed zoning change is consistent with the City of Stoughton Comprehensive Plan, and recommend that the zoning change be approved as presented.

6. The Common Council has considered the proposed zoning change, the Plan Commission's recommendation and finds that the proposed zoning change is consistent with the City of Stoughton Comprehensive Plan.

ORDINANCE

The Common Council of the City of Stoughton, Dane County, Wisconsin do ordain as follows:

Section 1. The recitals set forth above are material to and are incorporated in this ordinance as if set forth in full.

Section 2. Subject to the conditions set forth in section 3 below, the zoning classification of the property at 2124 Hoel Circle shall be changed from SR-4 Single Family Residential to SR-5 Single Family Residential.

Section 3. This ordinance shall take effect upon publication pursuant to law as presented.

Dates:

Council Adopted: _____

Mayor Approved: _____ _____
Tim Swadley, Mayor

Published: _____

Attest: _____ _____
Candee Christen, City Clerk

S:\MPS-Shared\Ordinances\Rezonings\2124 Hoel Circle Rezoning Ordinance.doc

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: August 6, 2021

To: Plan Commission 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 Common Council meetings of September 28 and October 12, 2021

Request by Randy Rozema to rezone the property at 2124 Hoel Circle from SR-4 Single Family Residential to SR-5 Single Family Residential.
The applicant has requested a change of zoning for the property he owns at 2124 Hoel Circle which is surrounded by single-family zoned property. We believe the request meets the intent of the comprehensive plan and requirements of the zoning code. The request is to provide some flexibility with required setbacks to allow a 3-season room addition to the rear of the home. The minimum required rear setback for SR-4 is 30 feet while the SR-5 requires a minimum 25 feet rear setback. The application, ordinance and related materials are provided. A public hearing and recommendation to Council is necessary by the Plan Commission.

PUBLIC HEARING NOTICE

The City of Stoughton Plan Commission will hold a **Virtual** Public Hearing on Monday September 13, 2021 at 6:00 o'clock p.m., or as soon after as the matter may be heard, to consider a proposed rezoning of the property at 2124 Hoel Circle, City of Stoughton, Wisconsin, owned by Randy Rozema. The property is proposed to be rezoned from SR-4 Single Family Residential to SR-5 – Single Family Residential.

The property is currently more fully described below:
Parcel number: 281/0511-072-4594-2
Legal Description: WESTVIEW RIDGE LOT 64 SUBJ TO PUBL PED WALKWAY ESMT
*This property description is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.

See additional information including location map at: http://stoughtoncitydocs.com/planning-commission/

You can join the meeting via Zoom or Phone below:
https://zoom.us/j/99947070566?pwd=a1hqU1pkWGdCWjNUUzRyUmFjN2dLZz09

Meeting ID: 999 4707 0566
Passcode: 497893

Phone in access: +1 312 626 6799 US (Chicago)
Meeting ID: 999 4707 0566
Passcode: 497893

If you wish to call in and speak at the meeting, please register at: http://speak.cityofstoughton.com by 5:45 on or before the day of the meeting. Any written comments will be forwarded on to the "Organizer" and Commissioners.

For questions regarding this notice please contact Michael Stacey, Zoning Administrator at 608-646-0421.

Published August 12 and 19, 2021 Hub

City of Stoughton Application for Amendment of the Official Zoning Map (Requirements per Section 78-903 attached)

Applicant Name: Randy Rozema

Applicant Address: 2124 Hoel Circle; Stoughton, WI 53589

Applicant Phone and Email: (608) 215-3279; randy.rozema@gmail.com

Property Owner Name (if different than applicant): _____

Property Owner Phone: _____

Subject Property Address: 2124 Hoel Circle

This form is designed to be used by the Applicant as a guide to submitting a complete application to amend the Official Zoning Map *and* by the City to process said application. Parts II and III are to be used by the Applicant to submit a complete application; Parts I - IV are to be used by the City when processing said application.

I. Record of Administrative Procedures for City Use

Application form filed with Zoning Administrator — Date: 8/5/21

Application fee of $415 received by Zoning Administrator — Date: 8/5/21

II Application Submittal Packet Requirements for Applicant Use

Prior to submitting the final complete application as certified by the Zoning Administrator, the Applicant shall submit an initial draft application and materials for staff review, followed by one revised application packet based upon staff review and comments.

Application form filed with Zoning Administrator — Date: 8/5/21

☑ **(a) A copy of the Current Zoning Map of the subject property and vicinity:**

- ☐ Showing all lands for which the zoning is proposed to be amended.
- ☐ Map and all its parts are clearly reproducible with a photocopier.
- ☐ Electronic map size of 11" by 17" and map scale not less than one inch equals 800 ft.
- ☐ All lot dimensions of the subject property provided.
- ☐ Graphic scale and north arrow provided.

☑ **(c) Written justification for the proposed text amendment**

- ☐ Indicating reasons why the Applicant believes the proposed map amendment is in harmony with the recommendations of the City of Stoughton Comprehensive Plan, particularly as evidenced by compliance with the standards set out in Section 78-903(4)(c)1.-3.

III Justification of the Proposed Zoning Map Amendment for Applicant Use

1. How does the proposed Official Zoning Map amendment further the purposes of the Zoning Ordinance as outlined in Section 78-005 (and, for floodplains or wetlands, the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA))?

Attached

2. Which of the following has arisen that are not properly addressed in the current Official Zoning Map? (Please provide explanation in space below if necessary)

   a) The designations of the Official Zoning Map should be brought into conformity with the Comprehensive Plan.

   b) A mistake was made in mapping on the Official Zoning Map. (That is, an area is developing in a manner and purpose different from that for which it is mapped.) NOTE: If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the City may intend to stop an undesirable land use pattern from spreading.

   c) Factors have changed, (such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.

   d) Growth patterns or rates have changed, thereby creating the need for an Amendment to the Official Zoning Map.

   Attached

3. How does the proposed amendment to the Official Zoning Map maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the surroundings of the subject property?

   Attached

IV. Final Application Packet Information for City Use

Receipt of (8.5" by 11" text and 11" by 17" graphic electronic copies of final application packet by Zoning Administrator	Date: 8.5.21
Notified Neighboring Property Owners (within 300 feet)	Date: 8.10.21
Notified Neighboring Township Clerks (within 1,000 feet)	Date: 8.31.21
Class 2 legal notice sent to official newspaper by City Clerk	Date: 8.5.21
Class 2 legal notice published on 8/12 and 19	Date: 2021

Sec. 78-903. - Amendment of official zoning map.

(1) *Purpose.* The purpose of this section is to provide regulations which govern the procedure and requirements for the review and approval, or denial, of proposed amendments to provisions of the Official Zoning Map (see section 78-103). (Refer to the requirements of Wisconsin Statutes 62.23(7)(d)).

(2) *Initiation of request for amendment to official zoning map.* Proceedings for amendment of the official zoning map may be initiated by any one of the following:

(a) An application of the owner(s) of the subject property;

(b) A recommendation of the plan commission; or

(c) By action of the common council.

(3) *Application requirements.* All applications for proposed amendments to the official zoning map, regardless of the party of their initiation per subsection 78-903(2), above, shall be filed in the office of the zoning administrator, and shall be approved as complete by the zoning administrator prior to the formal initiation of this procedure. The submittal of an application to the zoning administrator to initiate this procedure shall not occur until the zoning administrator has certified acceptance of the complete application to the zoning administrator. No placement of the application on any agenda, as an item to be acted upon, shall occur unless said certification has occurred. The item may be placed on any agenda as a discussion-only item, with the permission of the zoning administrator, without an application. Prior to the submittal of the official notice regarding the application to the newspaper by the zoning administrator, the applicant shall provide the zoning administrator with 15 copies of the complete application as certified by the zoning administrator. Said application shall be comprised of the following:

(a) A map of the subject property showing all lands for which the zoning is proposed to be amended, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as they appear on the current tax records of the City of Stoughton. Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control. Said map and all its parts and attachments shall be submitted in a form which is clearly reproducible with a photocopier, and shall be at a scale which is not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided; the zoning administrator may provide this list;

(b) A map, such as the planed land use map, of the generalized location of the subject property in relation to the city as a whole; and

(c) As an optional requirement, the applicant may provide justification for the proposed map amendment, consisting of the reasons why the applicant believes the proposed map amendment is in harmony with recommendations of the comprehensive plan, particularly as evidenced by compliance with the standards set out in subsection (4)(c)1 - 3., below.

(4) *Review by the zoning administrator.* The proposed amendment to the official zoning map shall be reviewed by the zoning administrator as follows:

(a) The zoning administrator shall determine whether the application is complete and fulfills the requirements of this chapter. If the zoning administrator determines that the application is not complete or does not fulfill the requirements of this chapter, he shall return the application to the applicant. If the zoning administrator determines that the application is complete, he shall so notify the applicant.

(b) Upon notifying the applicant that his application is complete, the zoning administrator shall review the application and evaluate and comment on the written justification for the proposed map amendment provided in the application per subsection (3)(c), above.

(c) The zoning administrator may also evaluate the application to determine whether the proposed zoning map amendment is in harmony with the recommendations of the Comprehensive Plan, as evaluated per the standards of subsection (4)(c)1 - 3, below:

1. Does the proposed official zoning map amendment further the purposes of this chapter as outlined in section 78-005 and the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA)?

2. Have one or more of the following factors arisen that are not properly addressed on the current official zoning map?:

   a. The designations of the official zoning map is not in conformity with the comprehensive plan;

   b. A mistake was made in mapping on the official zoning map. (That is, an area is developing in a manner and purpose different from that for which it is mapped.) NOTE: If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the city may intend to stop an undesirable land use pattern from spreading;

   c. Factors have changed (such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes) making the subject property more appropriate for a different zoning district;

   d. Growth patterns or rates have changed, thereby creating the need for an amendment to the official zoning map.

3. Does the proposed amendment to the official zoning map maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

(d) The zoning administrator shall forward the review per subsection (4)(b), and if it has been prepared, the report per subsection (4)(c), to the plan commission for the commission's review and use in the making its recommendation to the common council. If the zoning administrator determines that the proposal may be in conflict with the provisions of the comprehensive plan, the zoning administrator shall note this determination in the report.

(5) *Review and recommendation by the plan commission.* The common council shall not make an amendment to the official zoning map without allowing an opportunity for a recommendation from the plan commission per the provisions of this subsection.

(a) The zoning administrator shall schedule a reasonable time and place for a public hearing to consider the application within 45 days of the acceptance and determination of the complete application as determined by the zoning administrator. The applicant may appear in person, by agent, and/or by attorney. Notice of the proposed amendment and the public hearing shall conform to the requirements of Section 62.23(7)(d) of the Wisconsin Statutes. Said notice shall contain a description of the subject property and the proposed change in zoning. In addition, at least ten days before said public hearing, the city clerk shall mail an identical notice to the applicant; to all property owners within 300 feet of the boundaries of the subject property as identified in subsection (3)(a), above; and to the clerk of any municipality whose boundaries are within 1,000 feet of any portion of the jurisdiction of this chapter. Failure to mail said notice, provided it is unintentional, shall not invalidate proceedings under this section.

(b) Within 60 days after the public hearing (or within an extension of said period requested in writing by the applicant and granted by the plan commission), the plan commission may make a written report to the common council and/or may state in the minutes, its findings regarding subsection (4), above, and its recommendations regarding the application as a whole. Said report and/or minutes may include a formal finding of facts developed and approved by the plan commission concerning the requirements of subsection (4)(c)1 - 3.

(c) If the plan commission fails to make a report within 60 days after the filing of said complete application (and in the absence of an applicant-approved extension per subsection (5)(b), above), then the common council may hold a public hearing within 30 days after the expiration of said 60-day period. Failure to receive said written report from the plan commission per subsection (5)(b), above, shall not invalidate the proceedings or actions of the common council. If such a public hearing is necessary, the common council shall provide notice per the requirements of subsection (5)(a), above.

State Law reference— Section 62.23(7)(d).

(d) If the plan commission recommends approval of an application, it shall state in the minutes or in a subsequently issued written decision, its conclusion and any finding of facts supporting its conclusion as to the following: that the potential public benefits of the proposed amendment outweigh any and all potential adverse impacts of the proposed amendment, as identified in subsections (4)(c)1 - 3., above, after taking into consideration the proposal by the applicant.

(6) *Review and action by the common council.* The common council shall consider the plan commission's recommendation regarding the proposed amendment to the official zoning map. The common council may request further information and/or additional reports from the plan commission, the zoning administrator, and/or the applicant. The common council may take final action (by ordinance) on the application to the official zoning map at the time of its initial meeting, or may continue the proceedings, at the common council's, or the applicant's request. The common council may approve the amendment as originally proposed, may approve the proposed amendment with modifications (per the recommendations of the zoning administrator, the plan commission, authorized outside experts, or its own members) or may deny approval of the proposed amendment. If the common council wishes to make significant changes in the proposed amendment to the official zoning map, as recommended by the plan commission, then the procedure set forth in Section 62.23(7)(d) of the Wisconsin Statutes shall be followed prior to common council action. Any action to amend the official zoning map requires a majority vote of the common council, except that in case of adverse recommendation by the planning commission or of a protest against such change signed and acknowledged by the owners of 20 percent of the frontage proposed to be changed or the frontage immediately in the rear thereof or directly opposite thereto, such amendment shall not be passed, except by a three-fourths vote of all members of the common council. The common council's approval of the requested amendment shall be considered the approval of a unique request, and shall not be construed as precedent for any other proposed amendment.

(7) *Effect of denial.* No application which has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the zoning administrator.

(8) *Fee.* A fee may be required for this procedure. Refer to section 78-919.

(9) *Floodland District boundary changes limited.* The common council shall not permit changes to the floodland district boundaries that are inconsistent with the purpose and intent of this chapter or in conflict with the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).

(a) Changes in the Floodway Overlay District boundaries shall not be permitted where the change will increase the flood stage elevation by 0.1 foot or more, unless the applicant has made appropriate legal arrangements with all affected units of government and all property owners affected by the stage increase. The only way the 1.0 foot limit may be exceeded is through filing of a federal waiver for a specific project that necessarily exceeds the one foot increase in flood elevation. Applications for Floodway Overlay District changes shall show the effects of the change within the associated flood fringe, and shall provide adjusted water surface profiles and adjusted floodland limits to reflect the increased flood elevations.

(b) Changes in the Floodplain Conservancy Overlay District boundaries shall not be permitted where the change will increase the flood stage elevation by 0.1 foot or more, unless the application has made appropriate legal arrangements with all affected units of government and all property owners affected by the stage increase. In no event shall a change be permitted that would increase the flood stage elevation by more than 1.0 foot. Applications for Floodplain Conservancy Overlay District changes shall show the effects of the change within the associated flood fringe, and shall provide adjusted water surface profiles and adjusted water surface profiles and adjusted floodland limits to reflect the increased flood elevations.

(c) Removal of land from the floodland districts shall not be permitted unless the land has been filled to an elevation at least two feet above the elevation of the regional flood and provided that such land is contiguous to lands lying outside of the floodlands.

(d) Amendment of floodlands which were delineated by approximate methods shall not be permitted unless the applicant provides the city with engineering data showing the flood profile, necessary

river cross-sections, flood elevations, and any effect the establishment of a floodway/flood fringe will have on flood stages. The effects shall be limited as set forth above for changes in subsection (9)(a) and subsection (9)(b) above. If the approximate flood zone is less than five acres in area, and where the cost of the proposed development is estimated to be less than $125,000.00, the department of natural resources (DNR) will assist the applicant in determining the required flood elevations.

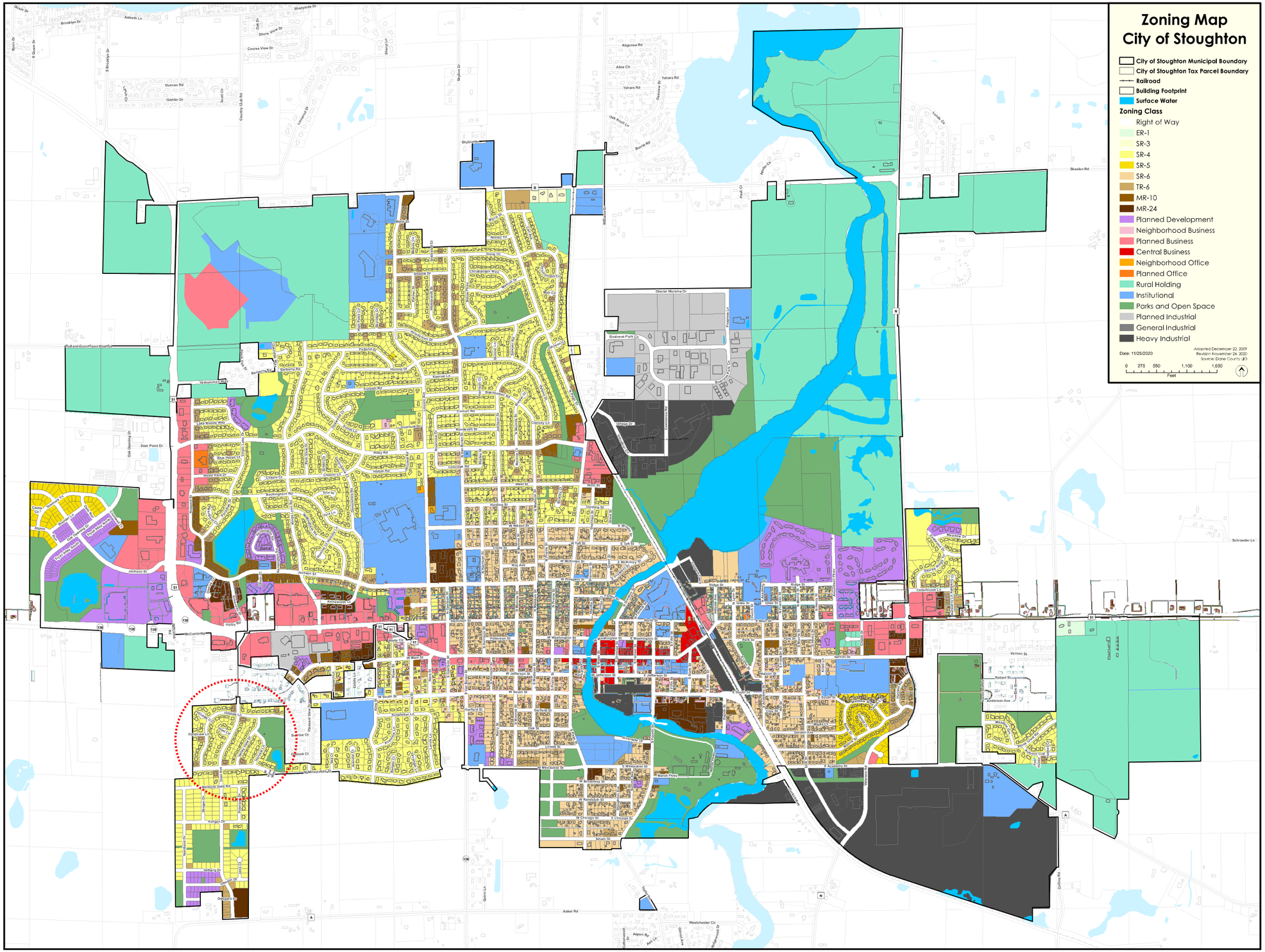
(e) No river or stream shall be altered or relocated until a flood-land zoning change has been applied for and granted in accordance with the requirements of this section, and until all adjacent communities have been requested to review and comment on the proposed alteration or relocation. The flood carrying capacity of the altered or relocated watercourse shall not be reduced to less than the flood carrying capacity before the water-course was altered or relocated.

(f) *Notice to and approvals by DNR and FEMA.* A copy of all notices for amendments or rezoning in the Floodland Districts shall be transmitted to the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA) at least ten days prior to the public hearing. No amendments to the floodland district boundaries or regulations shall become effective until approved by the DNR and reviewed by the FEMA. In the case of floodland district boundary changes, an official letter of map amendment from the FEMA may also be required.

Section II: Application Submittal Packet Requirements for Applicant Use

(a) A copy of the Current Zoning Map of the subject property and vicinity
    a. Showing all lands for which the zoning is proposed to be amended.
    b. Map and all its parts are clearly reproducible with a photocopier.
    c. Electronic map size of 11” by 17” and map scale not less than one inch equals 800 ft.
    d. All lot dimensions of the subject property provided.
    e. Graphic scale and north arrow provided.

On the next page is the City of Stoughton zoning map. On the map, the red dashed circle represents the region of the map where the subject property is located. Zooming in, the page that follows the full map shows an image highlighting the property under consideration, outlined in red. To better show the property dimensions, a scaled image from Access Dane has been provided with the property boundary outlined and dimensioned in yellow. The Access Dane image shows the property in question and neighboring properties in an aerial view. The last image, in this sequence is an aerial view zoomed in with the perimeter of the lot outlined in blue and parcel information provided, per Access Dane.


Zoning Map
City of Stoughton
City of Stoughton Municipal Boundary
City of Stoughton Tax Parcel Boundary
Railroad
Building Footprint
Surface Water
Zoning Class
Right of Way
ER-1
SR-3
SR-4
SR-5
SR-6
TR-6
MR-10
MR-24
Planned Development
Neighborhood Business
Planned Business
Central Business
Neighborhood Office
Planned Office
Rural Holding
Institutional
Parks and Open Space
Planned Industrial
General Industrial
Heavy Industrial
Date: 11/25/2020
Adopted December 22, 2009
Revision November 24, 2020
Source: Dane County, WI
0 275 550 1,100 1,650
Feet

Subject property on Hoel Circle is outlined with red.

Dane County Map

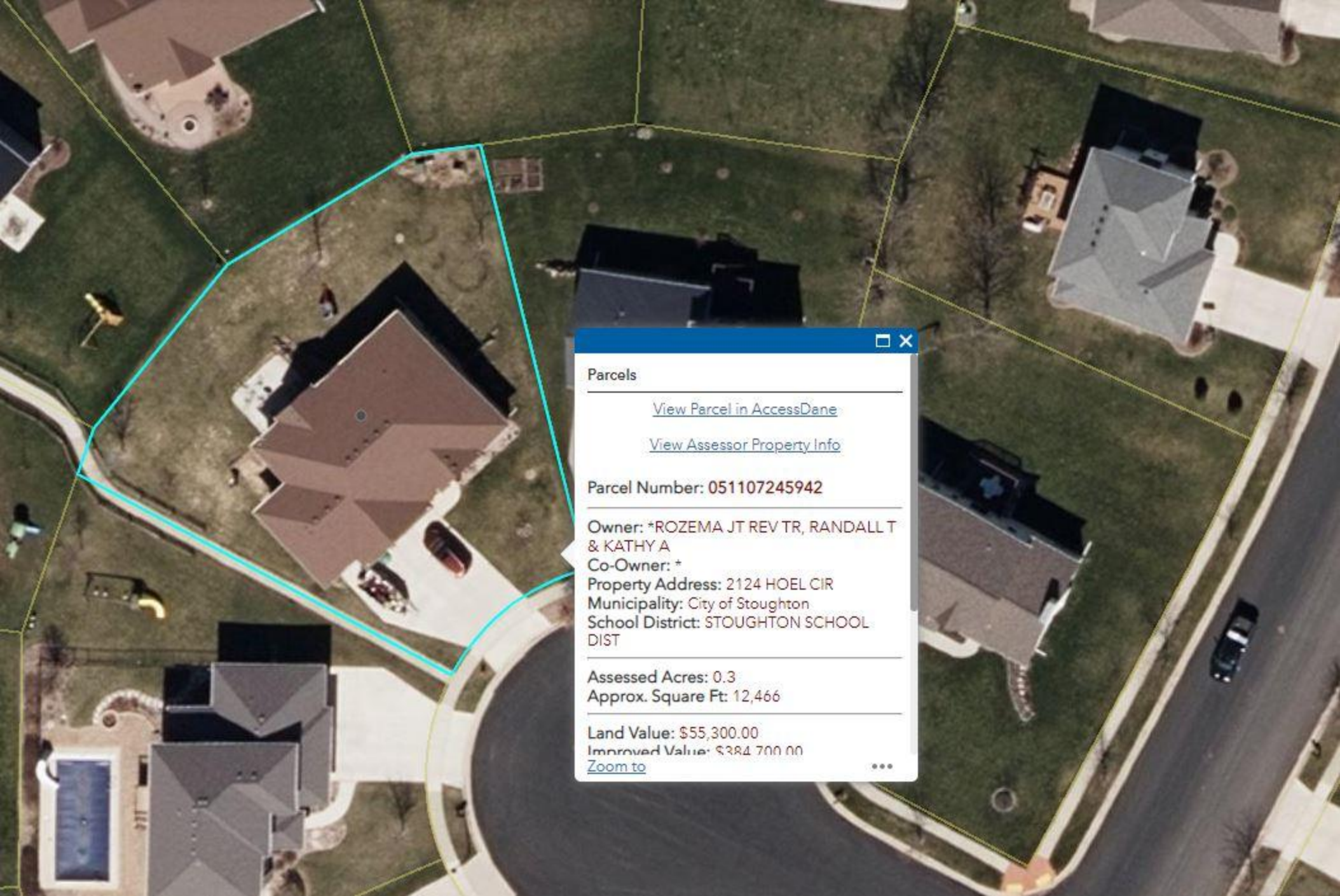
August 4, 2021

Dane County Mask

- Dane County Mask
- House Number
- Plat Labels
- Plat Names
- Road Names
- Plat Boundaries
- Certified Survey Map - CSM
- Parcels

0 50 100 200 Feet

N


Parcels
View Parcel in AccessDane
View Assessor Property Info
Parcel Number: 051107245942
Owner: *ROZEMA JT REV TR, RANDALL T & KATHY A
Co-Owner: *
Property Address: 2124 HOEL CIR
Municipality: City of Stoughton
School District: STOUGHTON SCHOOL DIST
Assessed Acres: 0.3
Approx. Square Ft: 12,466
Land Value: $55,300.00
Zoom to

(b) Written justification for the proposed amendment

a. Indicating reasons why the Applicant believes the proposed map amendment is in harmony with the recommendations of the City of Stoughton Comprehensive Plan, particularly as evidenced by compliance with the standards set out in Section 78-903(4)(c)1.-3.

In accordance with 78-903(3)(a) and 780-903(3)(b) on the next page we've included a segment from the City of Stoughton Zoning map for the Westview Ridge neighborhood immediately adjacent to the property under review. In the image, red dots have been used to identify homes that fall within a 300' distance from the property boundary. The property under consideration is identified by a blue dot on the map. It is our understanding that the Zoning Administrator will assemble the names and addresses of the property owners within 300' of the property boundary. As a starting point, we've assembled and included a list of the properties and owners we believe will fall on that list.

You will find an enlarged aerial view of the subject property on the page that follows the names and addresses of the neighbors believed to be within 300' of the subject property. Within the image, in light green, you will find an overlay of a potential future 11' x 15' three season room. With an approval of the rezoning of the subject property, this project will become feasible and support the City of Stoughton Comprehensive Plan through preserving, protecting, and promoting property values. The potential future three season room would be constructed over an existing concrete patio, thereby preventing the loss of existing green space within the property.

On the pages that follow, the supporting responses to the questions as part of subsection (4)(c)1-3 are addressed as part of section III of the City of Stoughton Application for Amendment of the Official Zoning Map form.

Zoning Map
City of Stoughton

- City of Stoughton Municipal Boundary
- City of Stoughton Tax Parcel Boundary
- Railroad
- Building Footprint
- Surface Water

Zoning Class

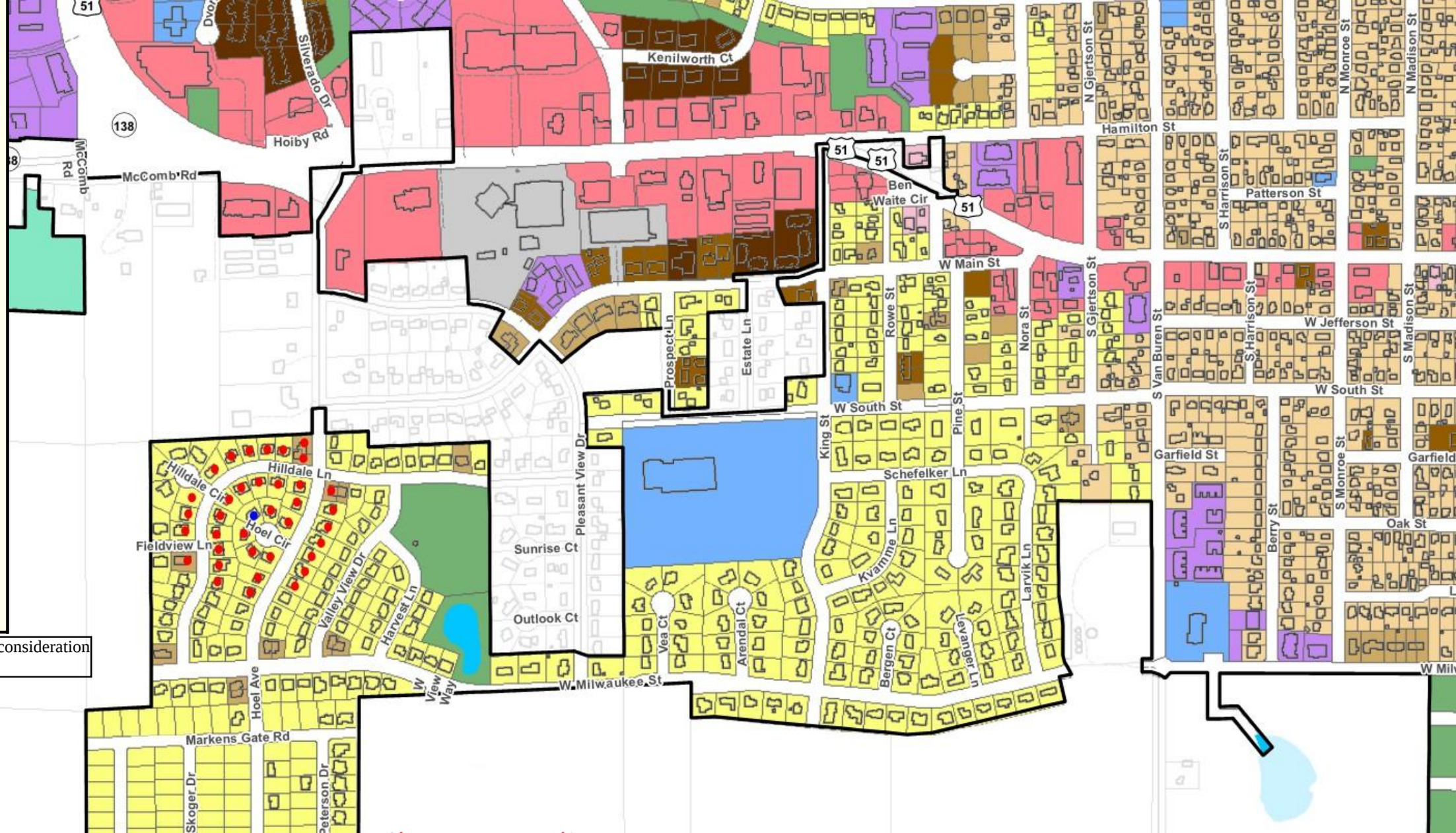
- Right of Way
- ER-1
- SR-3
- SR-4
- SR-5
- SR-6
- TR-6
- MR-10
- MR-24
- Planned Development
- Neighborhood Business
- Planned Business
- Central Business
- Neighborhood Office
- Planned Office
- Rural Holding
- Institutional
- Parks and Open Space
- Planned Industrial
- General Industrial
- Heavy Industrial

Date: 11/25/2020

Adopted December 22, 2009
Revision November 24, 2020
Source: Dane County LIO

- Property within 300' of one in consideration
- Property in consideration

801'-0"



19.64'
60.67'
123.8'
59.78'
Footprint of proposed 11' wide x 15' deep addition overlaying existing lot features and existing patio
13.72'
120.34'
NA

Section III: Justification of the Proposed Zoning Map Amendment for Applicant Use

1. How does the proposed Official Zoning Map amendment further the purposes of the Zoning Ordinance as outlined in Section 78-005 (and, for floodplains or wetlands, the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA))?

   In harmony with Section 78-005 of the Zoning Ordinance, the proposed zoning map amendment will not negatively impact the underlying mission. In fact, the acceptance of the zoning amendment will bolster the ability to preserve, protect, and promote property values by allowing a small home expansion (addition of a three season room) to be possible. There is no evidence that the proposed zoning map amendment has an impact on the regulations of the Wisconsin Department of Natural Resources or the Federal Emergency Management Agency.

2. Which of the following has arisen that are not properly addressed in the current Official Zoning Map? (Please provide explanation in space below if necessary)
   a) The designations of the Official Zoning Map should be brought into conformity with the Comprehensive Plan.
   b) A mistake was made in mapping on the Official Zoning Map. (That is, an area is developing in a manner and purpose different from that for which it is mapped.) NOTE: If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the City may intend to stop an undesirable land use pattern from spreading.
   c) Factors have changed, (such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
   d) Growth patterns or rates have changed, thereby creating the need for an Amendment to the Official Zoning Map.

   In our case, factors have changed which are driving the request for rezoning. With the limitation of the setback regulations of SR-4 zoning, placement of our ranch style home on the current lot, and "pie" shape of the lot due to location on a cul-de-sac limit the ability to expand the footprint of the home. With a ranch style home, the single-story structure has more of a sprawling footprint, which means the home must be placed closer to the rear of the lot to meet the side yard setback limits as called out in the zoning ordinance. With a “pie” shaped lot this results in the home being pushed further to the rear of the lot and reducing the ability to expand to the rear of the structure. In this case, the narrow front to the lot has pushed the placement of the home back such that the front elevation of the home is 36.9’ from the front property line, again shortening the available rear setback for expansion. If the lot were of a more conventional rectangular shape, the home could have and most likely would have been placed closer to the 25’ front setback instead of at a distance of 36.9’. The result would be an additional 10’ or better being added to the depth of the rear of the home, allowing for more practical and easier growth to the rear of the home.

3. How does the proposed amendment to the Official Zoning Map maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the surroundings of the subject property?

   The proposed zoning reclassification will have no impact on the consistency of land use, land use intensities or land use impacts as related to the surroundings of the subject property. This is largely due to the fact that there are no vacant properties adjacent to the property in consideration. The proposed zoning amendment will not increase the number of homes per acre given the current spacing of the structures adjacent to the property in question. The zoning reclassification will allow for the home on this property to expand to the rear without violating the current setback regulation for the SR-4 zoning classification. Currently, we are considering a three-season room addition, which will cover an existing patio. The three-season room under consideration will not remove or create the loss of any existing green space as it exists today.

Plat of Survey

SURVEYORS CERTIFICATE
STATE of WISCONSIN)
COUNTY of DANE) ss.

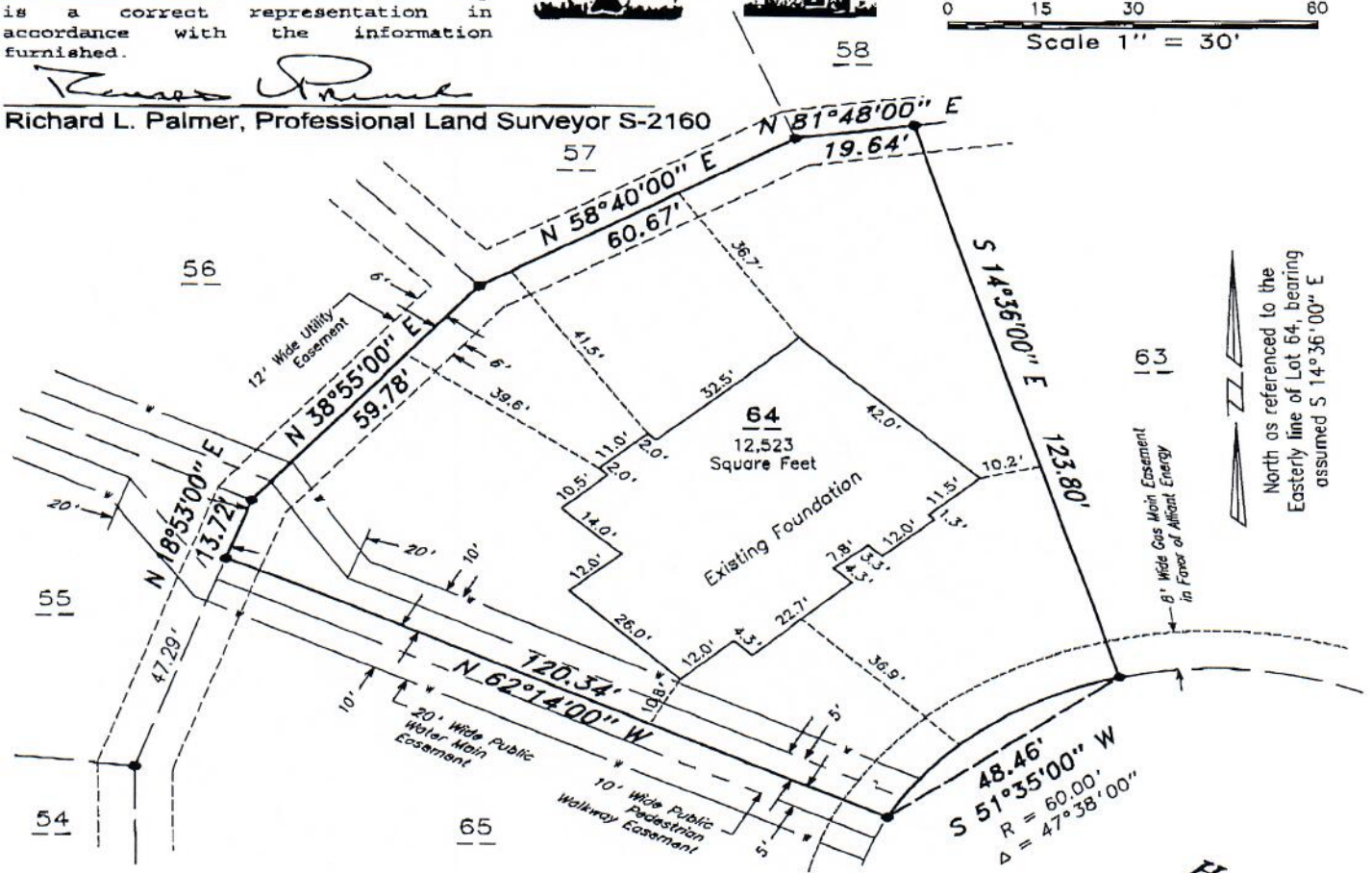
I hereby certify that this survey is in compliance with A-E 7 of Wisconsin Administrative Code.

I further certify that I have surveyed and mapped the lands described hereon, and that this map is a correct representation in accordance with the information furnished.

Richard L. Palmer, Professional Land Surveyor S-2160

Royal Oak Engineering, Inc.
5610 Medical Circle, Suite 6
Madison, Wisconsin 53719
Phone (608) 274-0500
Fax (608) 274-4530

0 15 30 60
Scale 1" = 30'



LEGEND
Scale 1 inch = 30 feet
• 1" O.D. Iron Pipe Found
o 1" X 24" Iron Pipe Driven Min. Wt. 1.13 #/ln. ft.
( ) Recorded As

WISCONSIN
RICHARD L. PALMER
S-2160
New Glarus Wis.
LAND SURVEYOR
May 10, 2006

Surveyed By TT, JP
Drawn By RP
Checked By
Approved By
Date of Survey May 09, 2006
Field Book Trimble TSCe
Dir /data/dane/dunkirk
Dir cont. /section07
Data Level(s) PLAT
File Name 15532

Office Map No. 15532
Sheet 1 of 1 Sheet(s)

FOR: Kegonsa Builders - Mr. Chris Engstrom
ADDRESS: 1200 Nygaard Street
Stoughton, Wisconsin 53589

DESCRIPTION-LOCATION: Lot 64, Westview Ridge, lying in part of the SW 1/4 of the NW 1/4 of Section 07, T 05 N, R 11 E, City of Stoughton, Dane County, Wisconsin

No one registered to speak.

Mayor Swadley closed the public hearing.

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

7. **Request by Forward Development Group for approval of a final plat named "Replat of the Meadows".**
Scheel explained the request.

Schumacher questioned how the lot sizes changed after the reconfiguration. Scheel stated there were only slight changes to Block 6; there is a reconfiguration of the large corner lot to Block 11; there are now a few larger lots due to the elimination of the irregular right-of-way to Block 4.

Motion by **Schumacher** to recommend the Common Council approve the Final Plat as presented, 2nd by **Farrow**. Motion carried unanimously.

8. **Request by Randy Rozema to rezone the property at 2124 Hoel Circle from SR-4 Single Family Residential to SR-5 Single Family Residential.**
Scheel explained the request.

Farrow questioned what the addition would be used for. Randy Rozema stated it is for a 3-season porch.

Mayor Swadley opened the public hearing.

No one registered to speak

Mayor Swadley closed the public hearing.

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

9. **Request by Joanne Grassman for conditional use permit (CUP) approval to allow an Artisan Production Shop use at 501 E. Main Street.**
Scheel explained the request.

Joanne Grassman explained the proposed use of the building which is planned to be used as a maker space and offered to individuals similar to a gym membership.

Schumacher questioned how the membership would work. Joanne Grassman stated the memberships will be monthly, 6 month or professional.