



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: September 8, 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 September 14, 2020 Plan Commission Meeting;
 September 22 and October 13, 2020 Common Council Meetings.

Request by Habitat for Humanity for approval to rezone the properties at 1114 and 1115 Abel Court from SR-4 Single Family Residential to TR-6 Two Family Residential.

This request will allow Habitat for Humanity to rezone 1114 and 1115 Abel Court to from SR-4 Single Family Residential to TR-6 Two Family Residential to allow construction of twin homes at these locations. The Abel Plat was recorded in 1990 and Abel Court is the only area that is undeveloped, so this will be a good infill project. A Plan Commission public hearing and recommendation to Council is necessary. The ordinance, application information, and staff review are provided.

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

ORDINANCE OF THE COMMON COUNCIL	
An ordinance amending the zoning classification at 1114 and 1115 Abel Court in the City of Stoughton, WI.	
Committee Action:	Plan Commission recommends Council approval – 0
Fiscal Impact:	
File Number:	O - - 2020
Date Introduced:	First Reading: Second Reading:

RECITALS

1. Habitat for Humanity (the “Applicant”) has applied to change the zoning classification of the property at 1114 and 1115 Abel Court from SR-4 Single Family Residential to TR-6 Two-Family Residential.
2. The applicant proposes changing the zoning classification of this parcel to allow a twin home to be constructed.
3. On September 14, 2020, the City of Stoughton Plan Commission held a public hearing regarding Applicant’s proposed zoning change. The public hearing was preceded by the publication of a class 2 notice, and other notice required by law.
4. 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.
5. 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 properties at 1114 and 1115 Abel Court shall be changed from SR-4 Single Family Residential to TR-6 Two-Family Residential.

Section 3. This ordinance shall take effect upon recording of the certified surveys to reconfigure the lots and upon publication pursuant to law as presented.

Dates

Council Adopted: _____

Mayor Approved: _____

Tim Swadley, Mayor

Published: _____

Attest: _____

Holly Licht, City Clerk

PUBLIC HEARING NOTICE

The City of Stoughton Plan Commission will hold a Virtual Public Hearing on Monday September 14, 2020 at 6:00 o'clock p.m., or as soon after as the matter may be heard, in the Council Chambers, Public Safety Building, 321 S. Fourth Street, Second Floor, Stoughton, Wisconsin, 53589, to consider a proposed rezoning of the following parcels of land located at 1114 and 1115 Abel Court, Stoughton, WI, owned by Habitat for Humanity. The properties described below are requested to be rezoned from SR-4 Single Family Residential to TR-6 Two-Family Residential. The properties are currently more fully described below:

1114 Abel Court

Parcel number: 281/0511-064-7089-2

Legal Description: ABEL PLAT LOT 9

1115 Abel Court

Parcel number: 281/0511-064-7034-7

Legal Description: ABEL PLAT LOT 4

These property descriptions are for tax purposes. They may be abbreviated. For the complete legal description please refer to the deed.

Additional information including a location map can be found at: <http://stoughtoncitydocs.com/planning-commission/>

Due to the COVID-19 Pandemic, this meeting will not be open to the public in an in-person capacity. For those wishing to view the meeting and/or ask questions, you may do so via the following options:

Please join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/547935901>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1 877 309 2073

- One-touch: <tel:+18775684106,,547935901#>

United States: +1 (571) 317-3129

- One-touch: <tel:+15713173129,,547935901#>

Access Code: 547-935-901

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/join/547935901>

If you wish to speak at or have your comments read aloud at the meeting, please register at <http://speak.cityofstoughton.com> by 5:45 on the day of the meeting. The Clerk will receive comments and forward them on to the "Organizer". The public can click on the link or call in and use the access code. When connected the public will have to identify themselves in order for the "Organizer" to rename them on the "Attendee" screen. If you plan to speak, please mute TV or stream volume (if online) and do not use speakerphone, as it creates feedback, there may be a delay. The Public Comment participant will be unmuted by the "Organizer" when it is their turn and have up to 3 minutes to speak. After speaking, the "Organizer" will mute the Public Comment participant. The participant can log out or hang up and stream at WSTO, or watch on Channel 981 on Charter/Spectrum.

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

Published August 6 and August 13, 2020 Hub



July 20, 2020

Mr. Michael Stacey
Zoning Administrator
City of Stoughton
207 S. Forrest Street
Stoughton, WI 53589

RE: Zoning Map Amendment Request

Dear Michael,

On behalf of Habitat for Humanity of Dane County (Habitat), we would like to request a Zoning Map Amendment that affects two platted lots on Abel Court. Habitat is looking to develop Abel Court and construct Twin Homes (zero lot line homes) on four of the lots. The Abel Court plat shows six lots fronting Abel Court that are currently undeveloped. The two western lots are zoned MR-10 and would be retained by the original developer and may be developed at a future time. Habitat would like to build on the following lots:

1114 Abel Court – Zoned SR-4
1115 Abel Court – Zoned SR-4
1122 Abel Court – Zoned TR-6
1123 Abel Court – Zoned TR-6

The TR-6 Zoning allows construction of Twin Homes provided the minimum frontage, setbacks and lot area can be obtained. That is the case for 1122 and 1123 Abel Court. Habitat is requesting a Zoning Map amendment for 1114 and 1115 Abel Court from the current SR-4 Zoning to TR-6 Zoning to allow them to construct Twin Homes on those lots. The minimum requirements can be accomplished with some minor lot line adjustments. The adjacent lots to the north are zoned TR-6 (Two-Family Residential); the lots to the east are zoned SR-6 (Single-Family Residential); and the lots to the south are zoned SR-4 (Single-Family Residential).

Workforce housing is in high demand throughout Dane County. This map amendment will allow Habitat to construct additional units for this demographic. We believe a zoning map amendment from SR-4 to TR-6 would still meet the spirit of the Comprehensive Plan. For your review, we are transmitting a Zoning Map Amendment application along with supporting documents. Once you have time to review our submittal, please let us know if additional information or supporting material is needed to move this request to Plan Commission and a Public Hearing.

We look forward to hearing from you.

Sincerely yours,

Gary A. Blazek

cc: Steve Hanrahan, Habitat for Humanity of Dane County
Adam Helt-Baldwin, Habitat for Humanity of Dane County

M:\Habitat for Humanity\190039-Abel Court - Stoughton\Planning & Zoning\2020-07-17_Zoning Map Amendment Application\07-17-2020 Cover Letter.docx

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

Applicant Name: _____

Applicant Address: _____

Applicant Phone and Email: _____

Property Owner Name (if different than applicant): _____

Property Owner Phone: _____

Subject Property Address: _____

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: _____

Application fee of \$_____ received by Zoning Administrator _____ Date: _____

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: _____

- (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))?

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.

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?

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: _____

Notified Neighboring Property Owners (within 300 feet)

Date: _____

Notified Neighboring Township Clerks (within 1,000 feet)

Date: _____

Class 2 legal notice sent to official newspaper by City Clerk

Date: _____

Class 2 legal notice published on _____ and _____

Date: _____

SURVEYOR'S CERTIFICATE

I, George A. Weir, Registered Professional Land Surveyor, hereby Certify that in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Madison and under the direction of Arlan Abel, agent for the owners of said lands, I have surveyed and mapped the ABEL PLAT in the City of Stoughton, Dane County, Wisconsin, and that such plat correctly represents all exterior boundaries and the subdivision of the lands surveyed and that this land is located within and described to wit:

Part of the Southwest 1/4 of the Southeast 1/4 and part of the Southeast 1/4 of the Southeast 1/4 of Section 06, Township 05 North, Range 11 East, City of Stoughton, Dane County, Wisconsin, more fully described as follows:

Commencing at the Southeast corner of said Section 06; Thence, along the South line of the Southeast 1/4, S86°38'26"W, 692.39 feet, to the extension of the West right-of-way of Lincoln Avenue; Thence, along said West right-of-way, N01°55'20"W, 297.94 feet, to the Point of Beginning of this description. Thence S86°44'20"W, 132.26 feet; Thence S01°58'00"E, 132.00 feet; Thence S86°44'20"W, 132.00 feet; Thence S01°58'06"E, 122.37 feet; Thence S86°38'26"W, 66.00 feet; Thence N01°58'06"W, 121.04 feet; Thence S86°38'26"W, 198.00 feet; Thence S01°58'06"E, 129.04 feet; Thence S86°38'26"W, 103.19 feet; Thence N02°00'34"W, 14.00 feet; Thence S86°38'26"W, 163.16 feet; Thence N02°12'20"W, 115.02 feet; Thence S86°38'26"W, 117.20 feet; Thence N02°12'20"W, 496.28 feet; Thence, along a curve to the left, having a radius of 717.00 feet and a chord that bears N88°07'53"E, 0.79 feet; Thence N88°06'00"E, 781.09 feet; Thence S01°58'00"E, 277.28 feet; Thence N86°44'20"E, 132.32 feet; Thence S01°55'20"E, 65.02 feet, to the Point of Beginning of this description. Said parcel contains 428,420 square feet or 9.835 acres.

Dated this 12th of Sept., 1990
 George A. Weir, Professional Land Surveyor
 S-00843

OWNER'S CERTIFICATE OF DEDICATION

We, ARLAN ABEL and KARIN ABEL, as owners do hereby certify that as owners caused the lands described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

We, ARLAN ABEL and KARIN ABEL, as owners, do further certify that this plat is required by s. 236.10 or s. 236.12 to be submitted to the following for approval or objection.

Department of Agriculture, Trade and Consumer Protection
 Dane County Zoning and Natural Resources Committee
 Common Council, City of Stoughton
 Department of Transportation, Division of Highways and Transportation Services

As owners we do hereby restrict Lots 2 and 3 in that no owner, possessor, user, nor licensee, nor other person shall have any right of direct vehicular ingress or egress with United States highway 51 as shown on this plat; it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to Section 236.293 Wisconsin Statutes and shall be enforceable by the Department of Transportation, Division of Highways and Transportation Services.

IN WITNESS WHEREOF, the said ARLAN ABEL and KARIN ABEL has caused these presents to be executed this 12th day of Sept., 1990.

Arlan Abel Karin Abel
 ARLAN ABEL KARIN ABEL

STATE OF Wisconsin)
 COUNTY OF Dane) ss.

Personally came before me this 12th day of September, 1990 the above names ARLAN ABEL and KARIN ABEL, to me known to be the persons that executed the foregoing instrument for the purposes therein contained.

Notary Public, State of Wisconsin
 My Commission 9-25-96

CONSENT OF MORTGAGEE

FIRST NATIONAL BANK OF STOUGHTON, a Wisconsin Banking Corporation, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the lands described hereon, does hereby consent to the Surveying, dividing mapping and dedication of the land described on this plat, and does hereby consent to the above certificate of Arlan Abel and Karin Abel.

IN WITNESS WHEREOF, the said FIRST NATIONAL BANK OF STOUGHTON has caused these presents to be signed by Lloyd Hensel, President, and Dan Fowell, Vice President, at Stoughton, Wisconsin, and its corporate seal to be affixed hereunto this 12th day of September, 1990.

FIRST NATIONAL BANK OF STOUGHTON
 Lloyd Hensel President DAN FOWELL, Vice President

STATE OF Wisconsin)
 COUNTY OF Dane) ss.

Personally came before me this 19 day of DECEMBER, 1990, the above named Lloyd Hensel, President and Dan Fowell, Vice President to me known to be the persons who executed the foregoing instrument and acknowledge the same as such officers of First National Bank of Stoughton and by its authority for the purposes therein contained.

Notary Public, State of Wisconsin
 My Commission 9-4-94

**COMMON COUNCIL RESOLUTION
 CITY OF STOUGHTON, WISCONSIN**

"RESOLVED that the ABEL PLAT, being a subdivision in the SE 1/4 of Section 06, T05N, R11E, in the City of Stoughton, Dane County, Wisconsin, having approved by the City Planning Commission, be and the same, is hereby approved and that said resolution further provided for acceptance of those lands and rights dedicated by said ABEL PLAT to the City for public use."

I, JUDY A. KINNING, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the CITY OF STOUGHTON, and that this plat was approved by the City Council of the CITY OF STOUGHTON, Dane County, Wisconsin and furthermore certify that the conditions of said approval were fulfilled on the 20th day of December, 1990.

Judy A. Kinning
 JUDY A. KINNING, City Clerk

CERTIFICATE OF COUNTY TREASURER

I, JAMES H. AMUNDSON, being duly elected, qualified and acting Treasurer of the COUNTY OF DANE, do hereby certify that the records in my office show no unrecorded tax sales and no unpaid taxes or special assessments as of this 11th day of DECEMBER, 1990, affecting the lands included in the ABEL PLAT.

James H. Amundson
 JAMES H. AMUNDSON, Dane County Treasurer

CERTIFICATE OF CITY TREASURER

I, JOHN D. NEAL, being duly appointed, qualified and acting Treasurer of the CITY OF STOUGHTON, Dane County, Wisconsin, do hereby certify that in accordance with the records in my office there are no unpaid taxes or unpaid special assessments as of this 20th day of December, 1990 on any of the lands included in the ABEL PLAT.

John D. Neal
 JOHN D. NEAL, City Treasurer

CERTIFICATE OF REGISTER OF DEEDS

Received for record the 21 day of DECEMBER, 1990 at 11:49 o'clock p.m. and recorded in Volume 56-988 of Plats on Pages 283.

Jane C. Light + Karolice Subin
 JANE C. LIGHT, Dane County Register of Deeds

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats., by 33 of the Wis. Admin. Code as provided by Sec. 236.12 (6) Wis. Stats., or by the County Planning Agency.

Certified this 10th day of December, 1990.

Jeanne A. Storn
 Department of Agriculture, Trade & Consumer Protection

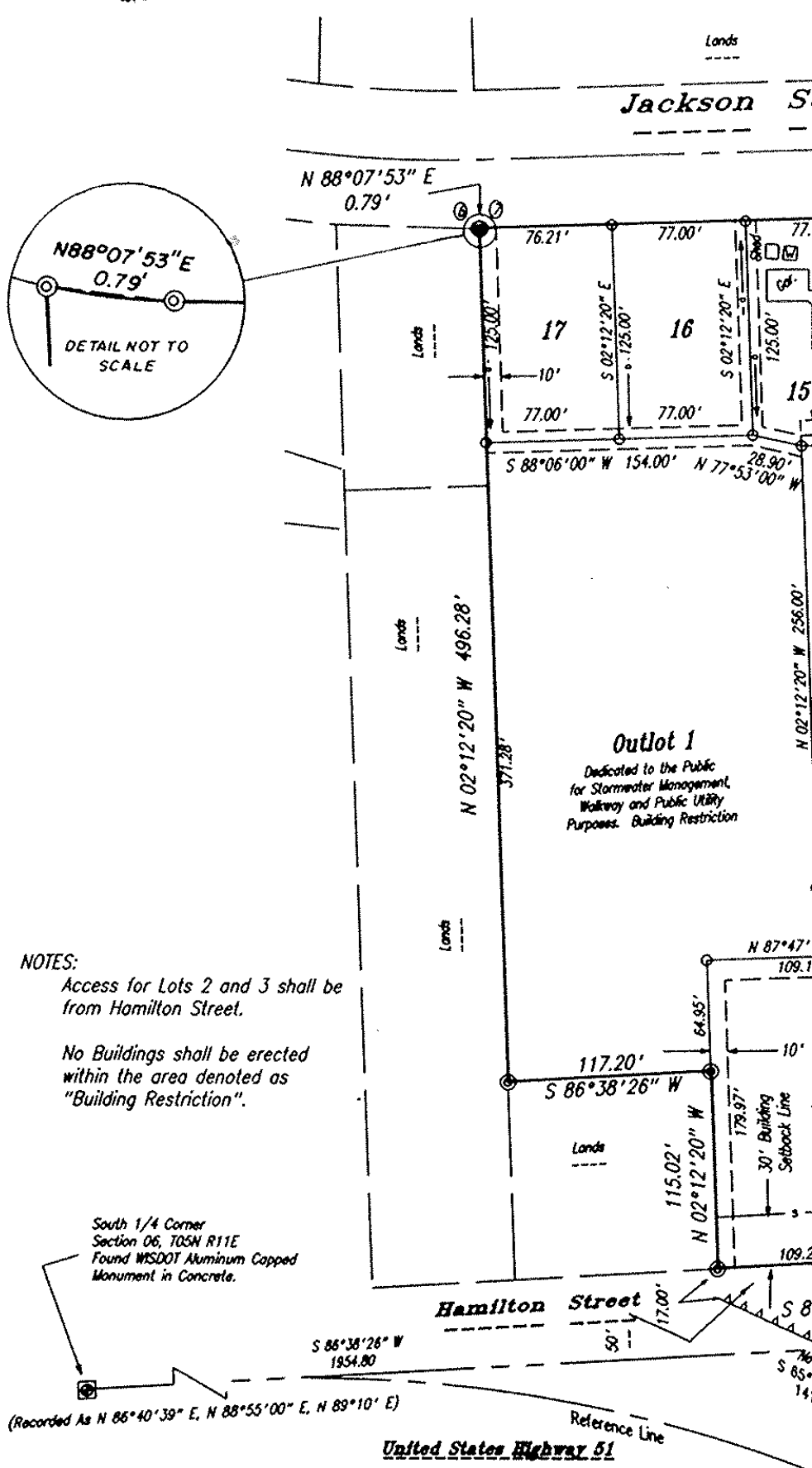
243899Z

TRANSFER
 \$ 114.00
 FEE PAID

LEGEND

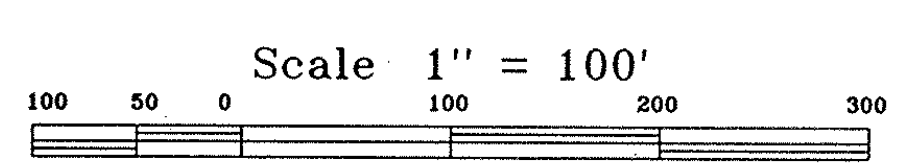
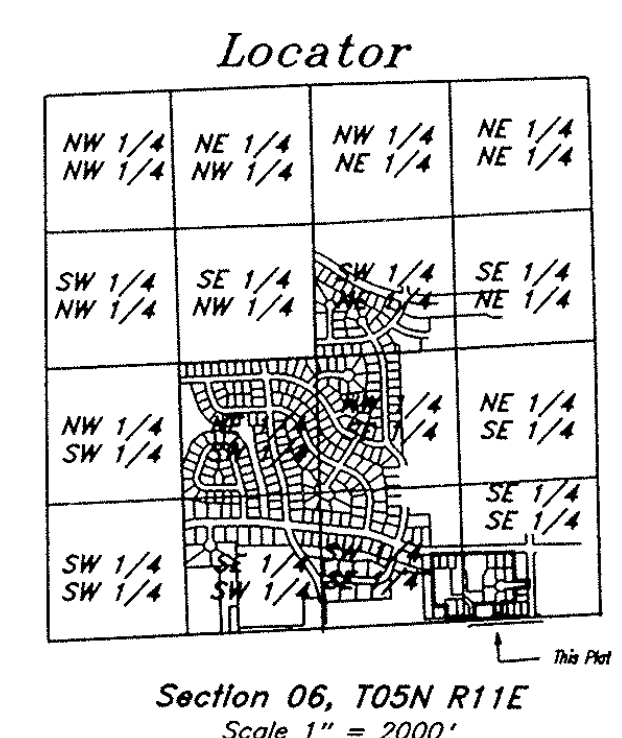
- ⊗ Found Aluminum Monument
 - 1" Iron Pipe Found
 - ⊙ 2" Iron Pipe Found
 - 1" X 24" Steel Pipe Placed. Min WI 1.13 lbs/in ft
 - ⊖ 2" X 30" Steel Pipe Placed. Min WI 3.65 lbs/in ft
- UTILITY EASEMENTS - No POLES or BURIED CABLES are to be placed such that the installation would disturb any survey stake, or obstruct vision along any lot or street line.
- The disturbance of a survey stake by anyone is a violation of Section 236.32 of Wisconsin Statutes. Utility Easements as herein set forth are for the use of PRIVATE PUBLIC UTILITIES having the right to serve this plat. The use of these easements is not to be extended to Private or Public Private utilities such as Water, Sanitary Sewer and Storm Water Utilities, except where specifically noted on the plat or by specific authorization of the STOUGHTON ELECTRIC UTILITY.
- All Distances are to the nearest hundredth of a foot.
 All bearings are measured to the nearest 00°00'05"
 All curve distances are chord measure.
- DRAINAGE ARROWS - Arrows indicate the direction of drainage swale construction during grading, said swales shall be maintained by the lot owner unless modified with the approval of the CITY ENGINEER.

Curve Table		Tangent Table					
Name	Delta	Radius	Length	Bearing	Chord	Point	Tangent Bearing
1 - 2	83°09'22"	55.00	79.82	N 81°42'29" W	73.00	1	N 40°07'48" W
2 - 3	59°08'30"	55.00	57.57	S 28°43'35" W	54.98	5	N 33°38'38" E
3 - 4	61°12'20"	55.00	58.75	S 33°51'50" E	56.00	6	N 88°09'46" E
4 - 5	81°55'24"	55.00	78.64	N 74°34'18" E	72.11		
1 - 5	288°15'36"	55.00	274.78	S 03°15'36" E	66.00		
6 - 7	00°03'46"	717.00	0.79	N 88°07'53" E	0.79		



Lot Areas

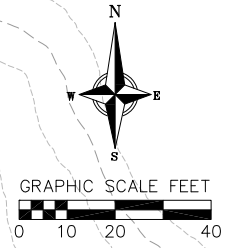
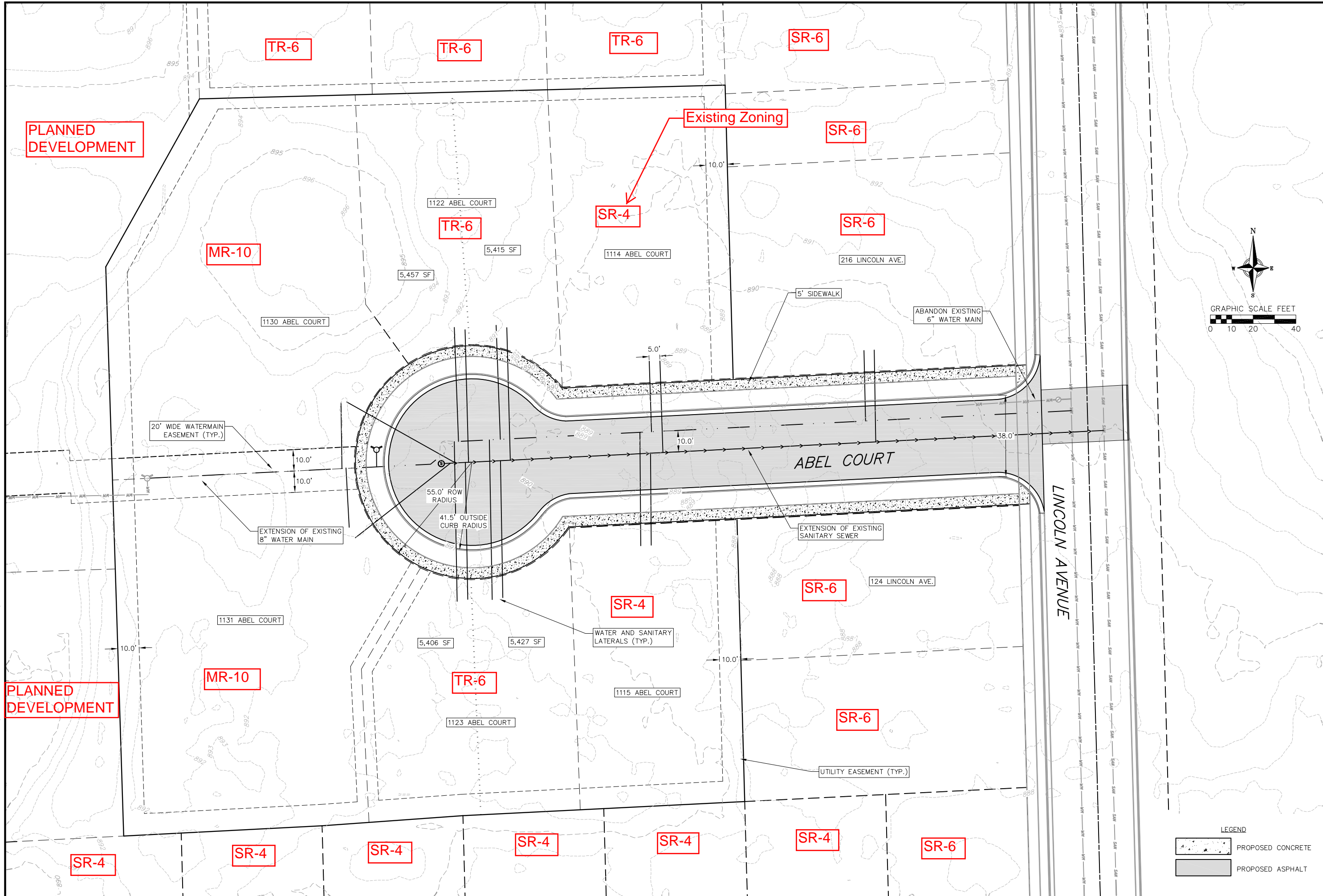
Lot	Area sq.ft.
1	8,030
2	19,529
3	19,328
4	10,262
5	10,638
6	20,032
7	19,653
8	10,873
9	11,274
10	11,469
11	11,460
12	11,460
13	87,969
14	86,891
15	10,066
16	9,825
17	9,824
Outlet 1	76,734
Steel	22,971
Total Plat 428,420 = 9.84 acres	



Abel Plat

Part of the Southwest 1/4 of the Southeast 1/4 and part of the Southeast 1/4 of the Southeast 1/4 of Section 06, Township 05 North, Range 11 East, City of Stoughton, Dane County, Wisconsin.

George A. Weir, Professional Land Surveyor S-0843
 Royal Oak Engineering, Madison, Wisconsin



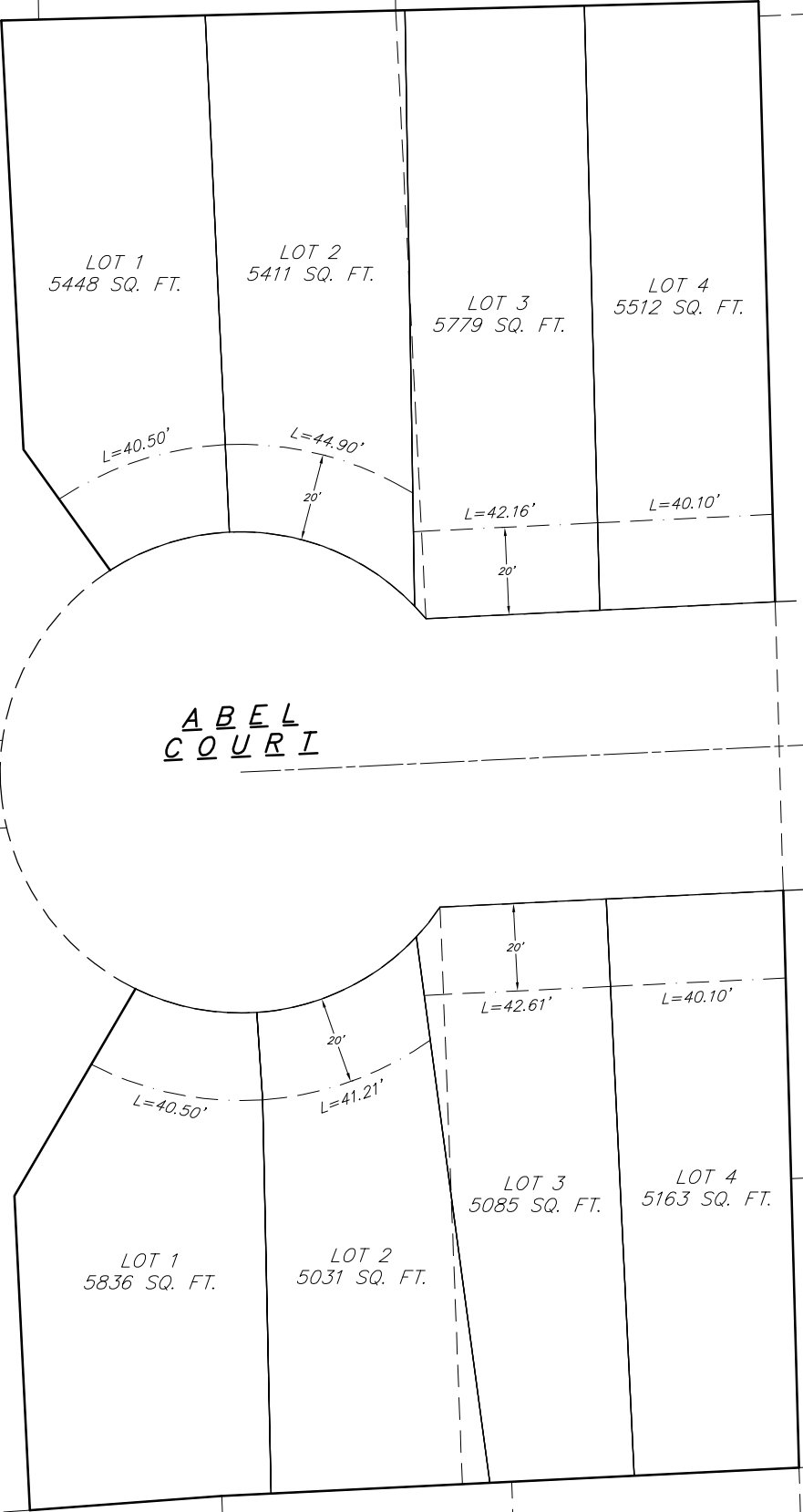
LEGEND

	PROPOSED CONCRETE
	PROPOSED ASPHALT

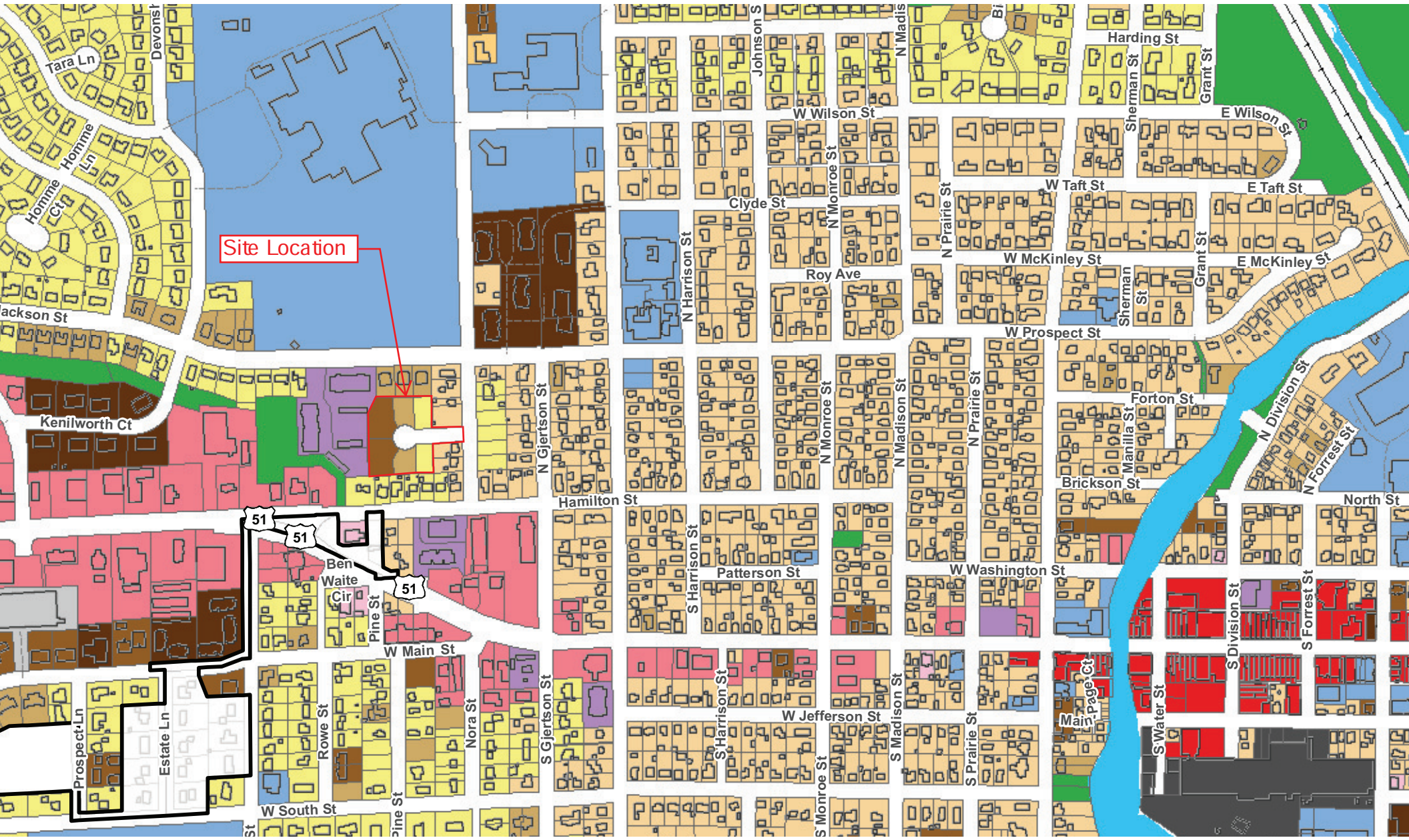
REVISIONS	NO.	DATE	REMARKS

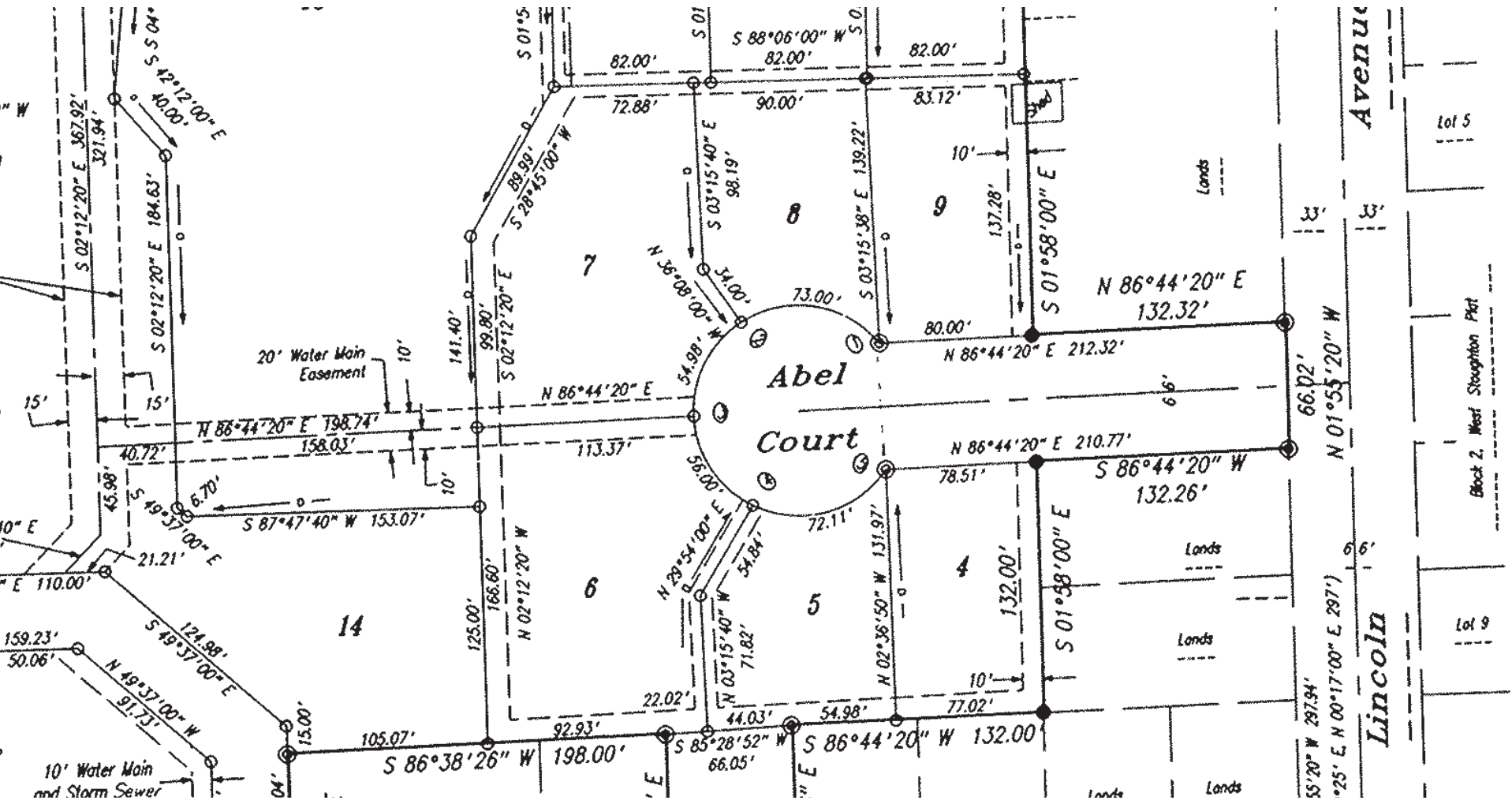
SCALE AS SHOWN
DATE April, 2019
DRAFTER EDAV
CHECKED GBLA
PROJECT NO. 190039
SHEET 1 OF 1
DWG. NO.

**CONCEPTUAL LOT LINE
MODIFICATIONS TO MEET
TR-6 ZONING MINIMUM
REQUIREMENTS**



ABEL
COURT







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

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

RODNEY J. SCHEEL
DIRECTOR

August 11, 2020

Habitat for Humanity
Steve Hanrahan
3101 Latham Drive
Madison, WI. 53717

Dear Mr. Hanrahan:

I have completed a review of the proposed zoning map amendment and CSM requests for the properties located at 1114, 1115, 1122 and 1123 Abel Court, Stoughton, WI. 53589. The rezoning public hearing is set for the September 14, 2020 Plan Commission meeting. The CSM requests will run concurrently with the rezoning process. The Common Council will likely make their final approval on October 13, 2020.

1. The properties at 1114 and 1115 Abel Court are currently zoned SR-4 Single Family Residential. The properties at 1122 and 1123 Abel Court are zoned TR-6 – Two Family Residential. Part of this request is to rezone the properties at 1114 and 1115 to TR-6 – Two Family Residential. The CSM requests are necessary to reconfigure the lots to comply with the TR-6 zoning regulations.
2. The Comprehensive Plan, planned land use map designates this property as multi-family residential which would allow a two family zoning classification.
3. The proposed lot configuration meets the TR-6 zoning classification requirements to allow twin home structures.
4. This request is essentially creating the zero lot line so a surveyor will need to pin the property prior to construction.
5. Park impact fees will be necessary at the time of building permit application. Current fees for parkland are \$3,744.48 each for the 2 additional residential units created and \$1,217.45 per all units each for park facilities.

If you have any questions, please contact me at 608-646-0421

Sincerely,
City of Stoughton

Michael P. Stacey

Michael P. Stacey

Zoning Administrator/Assistant Planner