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

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

RODNEY J. SCHEEL
DIRECTOR

Date: September 6, 2022

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 12, 2022 Plan Commission Meeting and Common Council Meetings of September 27 and October 11, 2022.

Request by Timothy Kotlowski to rezone the property at 1008 Riverview Drive from SR-4 Single Family Residential to SR-5 Single Family Residential.
This requested rezoning is to provide building setback flexibility to split the parcel and create an additional single-family parcel. The minimum building setbacks for SR-4 are 25 feet in the front, 10 feet on the sides and 30 feet at the rear. While the minimum setbacks for the SR-5 district are 25 feet in the front, 6 feet on a side (total of both sides minimum of 14 feet) and 25 feet at the rear. Park impact fees will be required for the newly created lot at the time of application for a building permit. The ordinance and application information are provided. A public hearing and recommendation to the Council are necessary.

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

ORDINANCE OF THE COMMON COUNCIL			
An ordinance amending the zoning classification at 1008 Riverview Drive in the City of Stoughton, WI.			
Committee Action:	Plan Commission recommends Council approval – 0		
Fiscal Impact:			
File Number:	O - - 2022	**Date Introduced:**	First Reading: Second Reading:

RECITALS

1. Timothy Kotlowski (the "Owner/Applicant") has requested to change the zoning classification of the parcel at 1008 Riverview Drive from SR-4 Single Family Residential to SR-5 Single Family Residential.

2. The applicant proposes to split the parcel and create an additional buildable single-family lot. The SR-5 district allows reduced setbacks for more flexibility.

3. On September 14, 2022, the City of Stoughton Plan Commission held a public hearing regarding the proposed zoning change. The public hearing was preceded by the publication of a class 2 notice, and other notices 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 parcel at 1008 Riverview Drive 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\1008 Riverview Rezoning Ordinance.doc

PUBLIC HEARING NOTICE

The City of Stoughton Plan Commission will hold a Public Hearing on Monday, September 12, 2022 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 1008 Riverview Drive, City of Stoughton, Wisconsin, owned by BDE Holdings LLC. The property is proposed to be rezoned from SR-4 Single Family Residential to SR-5 – Single Family Residential.

Location: The meeting of the Plan Commission will be conducted as a hybrid meeting. (Virtual and In-Person)

In-Person: Council Chambers (2nd floor of the Public Safety Building)
321 S. Fourth Street, Stoughton, WI

Virtual: You can join the meeting using a computer, tablet or smartphone via Zoom
https://us06web.zoom.us/j/85778016234?pwd=MEdMMmxrYkdkMGl3Tjg5S29pWGlaQT09

Phone in: +1 312 626 6799 Meeting ID: 857 7801 6234 Passcode: 750148

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.

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

Published August 18 and 25, 2022 Hub

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

Applicant Name: Timothy Kotlowski

Applicant Address: 3062 Shady Side Dr. Stoughton WI

Applicant Phone and Email: 608 669-6503 Mobiledento tds.net

Property Owner Name (if different than applicant) RDE Holdings LLC

Property Owner Phone: 608 669-6503

Subject Property Address: 1008 River View Dr. Stoughton WI

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: 8/5/22

Application fee of $ 440 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: 8/5/22

☒ **(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))?

   Allow for a single family residence

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.

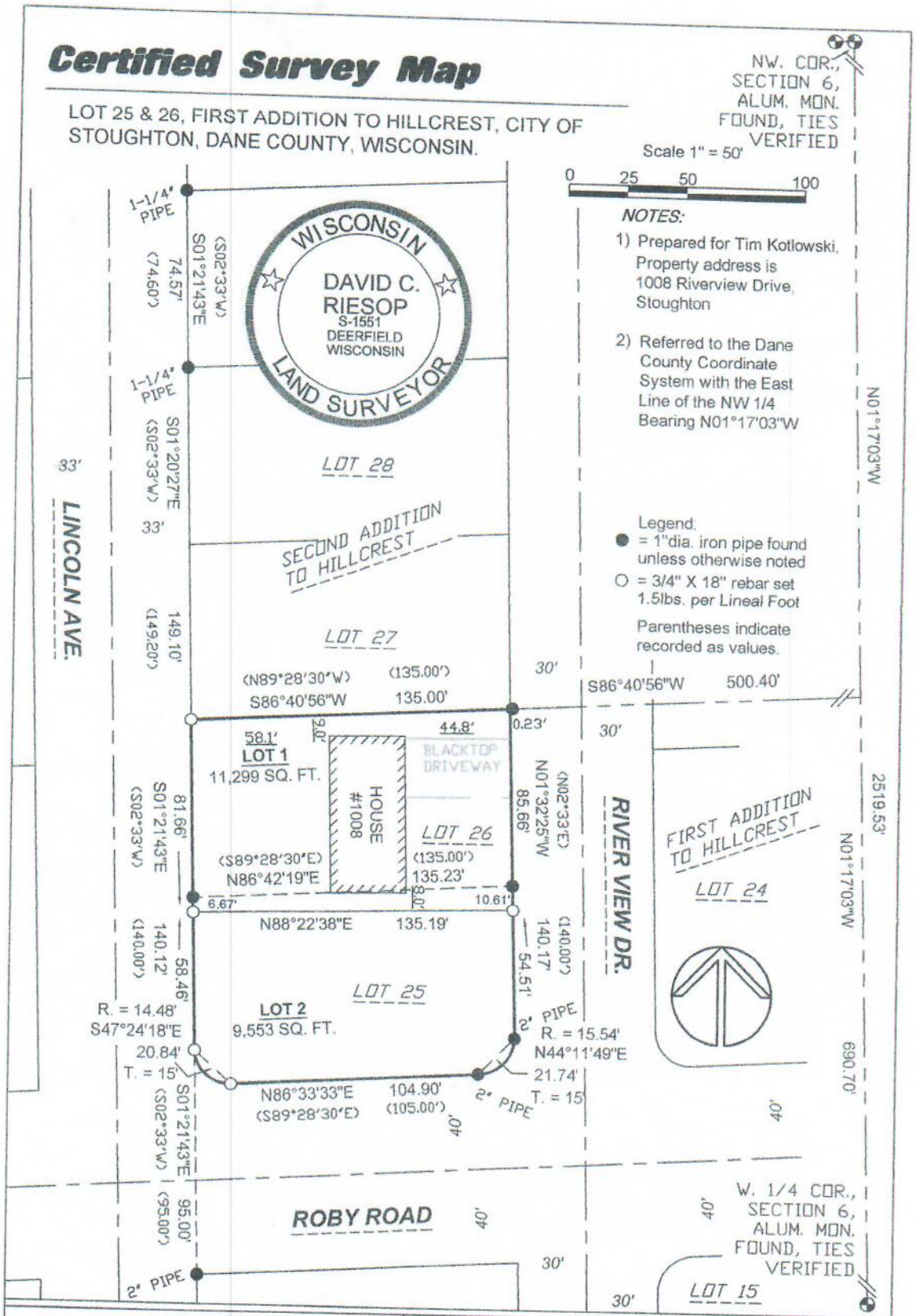
   a) Changing from SR-4 to SR-5 allows space for a home.

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?

   This would be consistant with the neighborhood of single family homes.

Certified Survey Map

LOT 25 & 26, FIRST ADDITION TO HILLCREST, CITY OF STOUGHTON, DANE COUNTY, WISCONSIN.



NOTES:

1) Prepared for Tim Kotlowski, Property address is 1008 Riverview Drive, Stoughton

2) Referred to the Dane County Coordinate System with the East Line of the NW 1/4 Bearing N01°17'03"W

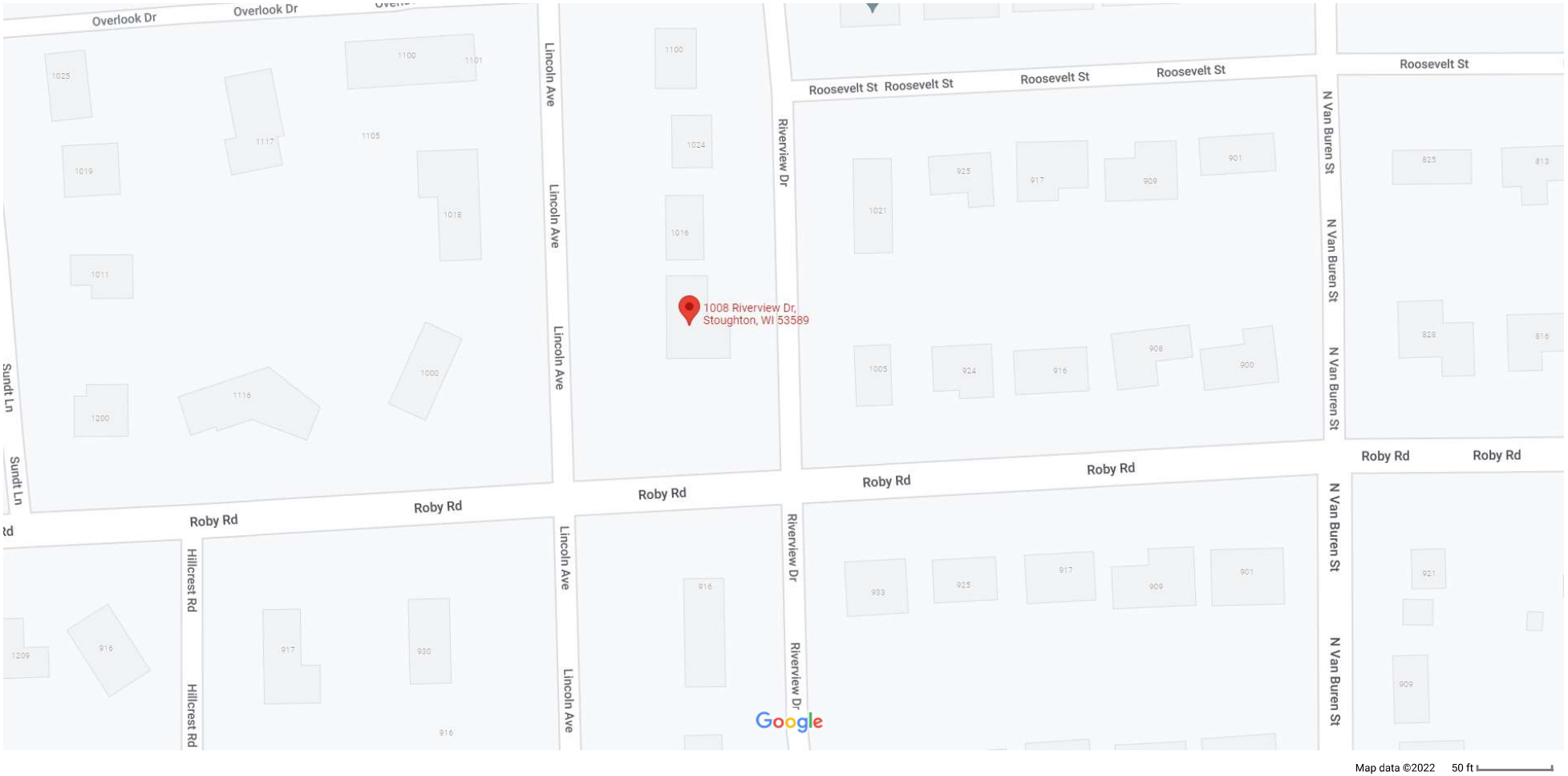
Legend:
● = 1"dia. iron pipe found unless otherwise noted
O = 3/4" X 18" rebar set 1.5lbs. per Lineal Foot

Parentheses indicate recorded as values.

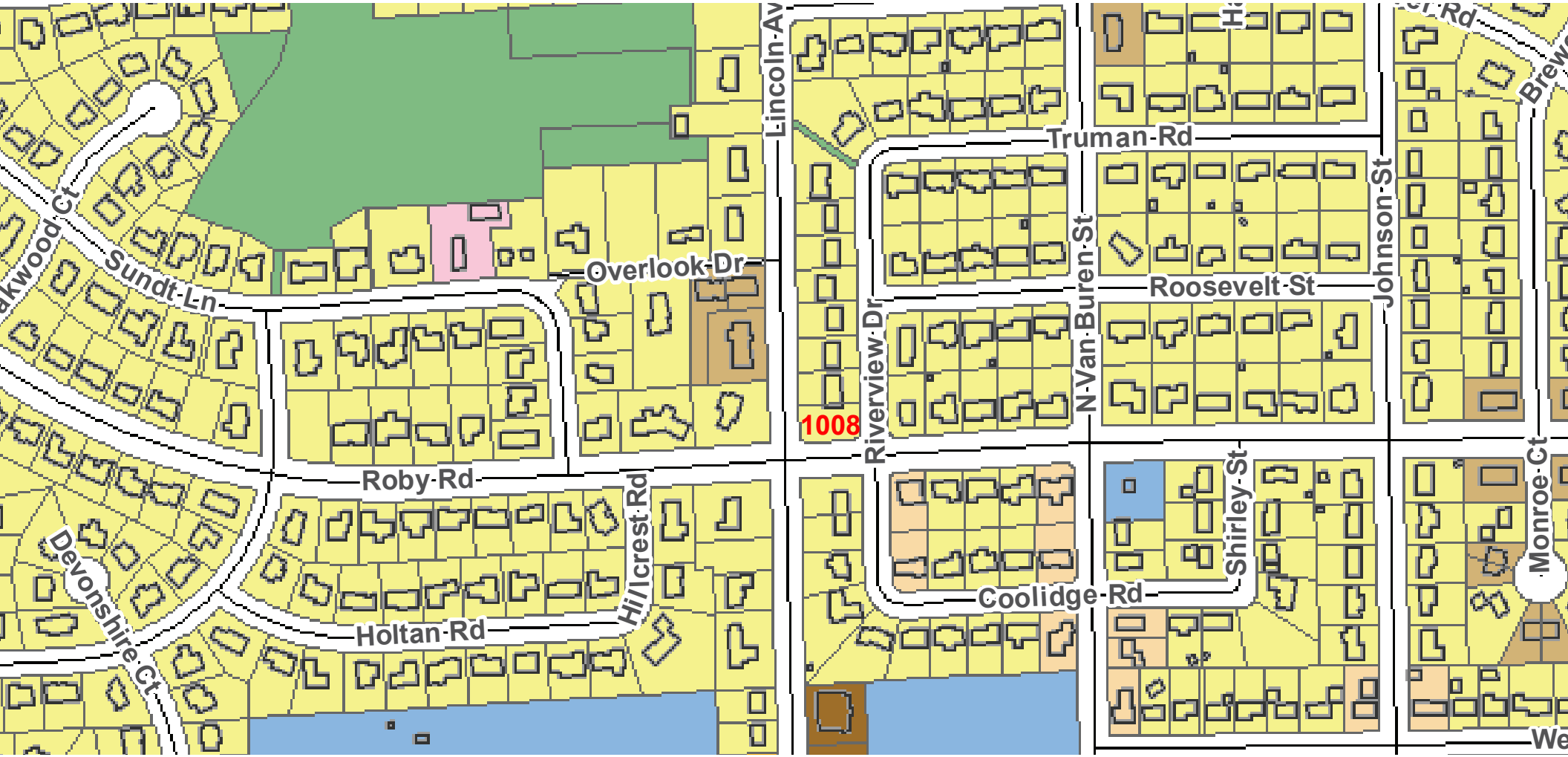
Wisconsin Mapping, LLC
surveying and mapping services
306 West Quarry Street, Deerfield, Wisconsin 53531
(608) 764-5602

Dwg. No. 5932-22 Date 8/01/2022
Sheet 1 of 2
Document No.
C. S. M. No. V. P.

1008 Riverview Dr



Map data ©2022 50 ft


akwood Ct
Sundt Ln
Overlook Dr
Lincoln Av
Truman Rd
Roosevelt St
N Van Buren St
Riverview Dr
Johnson St
1008
Roby Rd
Hillcrest Rd
Devonshire Ct
Holtan Rd
Coolidge Rd
Shirley St
Monroe Ct
Brew
We