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 5, 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 December 12, 2022 Plan Commission Meeting and January 10, 2023 Common Council Meeting.

Extra-territorial land division at 1343 Starr School Road, Town of Rutland.
The City has review authority for any land division requests within 1.5-miles of the City border. According to the City Comprehensive Plan Future Land Use Map, this property is depicted as Planned Mixed Use and Planned Neighborhood. Single Family Residential uses are proposed and are consistent with the Planned Mixed and Planned Neighborhood designations. We see no issues approving the land division contingent on Town and County approval. The resolution and related materials are provided. A recommendation to the Common Council is necessary.

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

RESOLUTION OF THE COMMON COUNCIL

Approving an extra-territorial, jurisdictional (ETJ) land division for property located at 1343 Starr School Road, Town of Rutland, Dane County, Wisconsin.

Committee Action: Plan Commission recommends Council approval - 0

Fiscal Impact: None

File Number:	R - - 2023	**Date Introduced:**

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

WHEREAS, this land division is proposed to separate the homestead from the agricultural land and create an additional 2 residential lots at 1343 Starr School Road in the Town of Rutland; 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) and is depicted as Planned Mixed Use and Planned Neighborhood on the Future Land Use Map; and

WHEREAS, the proposed single family residential uses are consistent with the Planned Mixed Use and Planned Neighborhood designations; and

WHEREAS, on December 12, 2022 the Stoughton Plan Commission reviewed the land division request and recommends 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 for property located at 1343 Starr School Road, Town of Rutland, is hereby approved as presented contingent on Town of Rutland and Dane County approval.

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

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

_____

Tim Swadley, Mayor Date

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

Rumpf
Law Office, S.C.

152 W. Main Street | P.O. Box 1 | Cambridge, WI 53523
608.423.3254 | fax 608.423.4570

Michael D. Rumpf
mrumpf@rumpflaw.com

November 29, 2022

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

RE: Estate of Dorothy Johnson

Dear Mike:

Enclosed is a check in the amount of $335.00 representing the fee in the above matter. I am also included a copy of the application and copy of the amended zoning application with attachments.

Please contact me if you have any questions or desire additional information.

Please advise when the hearings are scheduled.

Thank you.

Very truly yours,

Michael D. Rumpf
MDR/s
Encl.

CITY OF STOUGHTON
DEPARTMENT OF PLANNING & DEVELOPMENT
CERTIFIED SURVEY MAP/PLAT APPLICATION
FEES EFFECTIVE 1.14.22

Date of Application **November 29, 2022**

Applicant Name **Estate of Dorothy Johnson**
by Michael D. Rumpf, Personal Representative Phone 608-423-3254
PO Box 1, Cambridge, WI 53523

Applicant Email mrumpf@rumpflaw.com

Owners Name (if different than applicant) Estate of Dorothy Johnson Phone 608-423-3254

Subject Property Address 1343 Starr School Road, Stoughton, WI 53589

Application for: CSM ____X____

CURRENT FEES

CERTIFIED SURVEY MAP:	**$175 AND $40/LOT***
PRELIMINARY PLAT FEE:	**$450 AND $40/LOT***
FINAL PLAT FEE:	**$270 AND $40/LOT***

Number of Lots: _____4_____.

Fee Amount: $335.00_.

Owner/Applicant Signature_____
Michael D. Rumpf, Personal Representative

Date: 11/29/2022

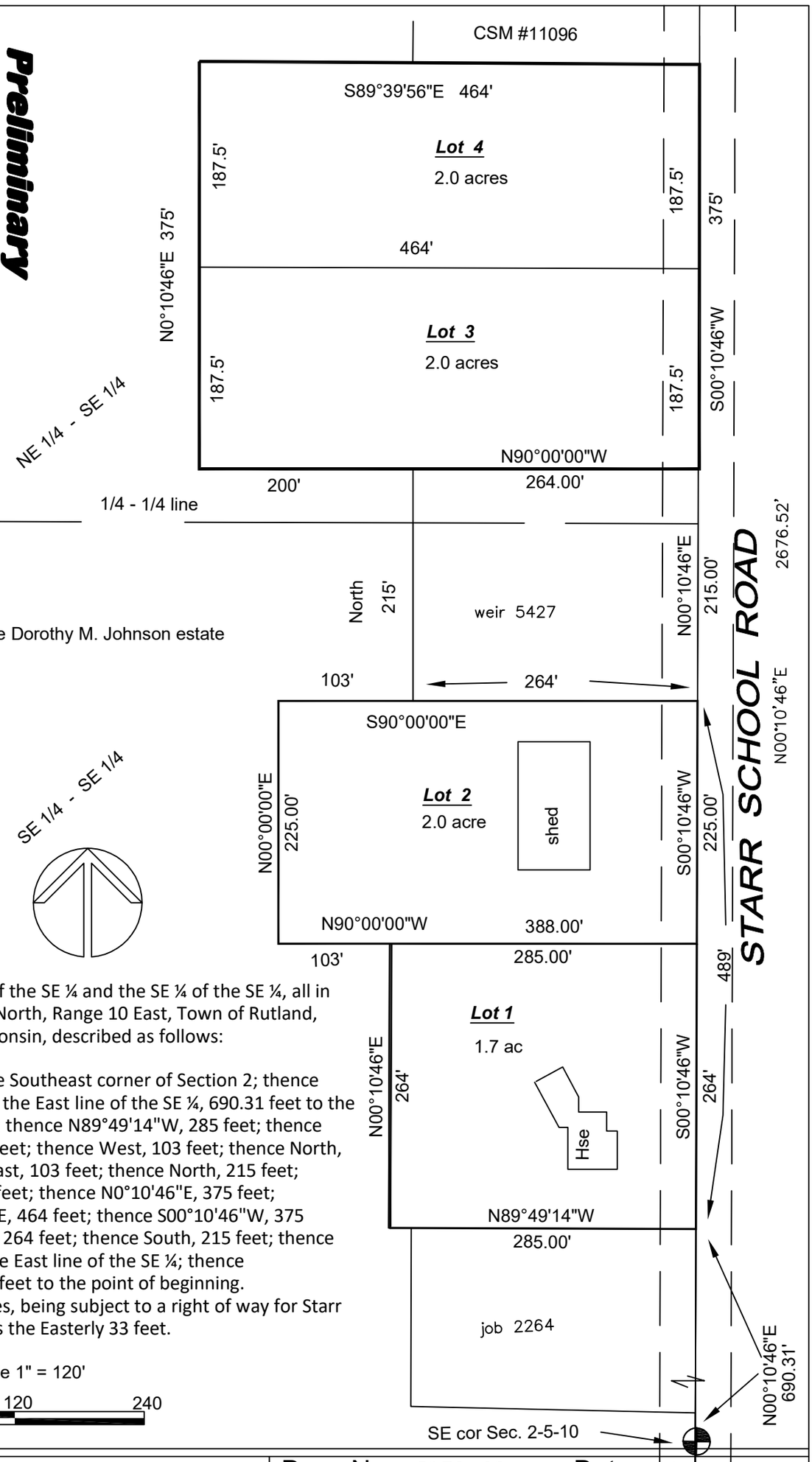
ANY QUESTIONS, CALL THE DEPT. OF PLANNING & DEVELOPMENT AT 608-646-0421.

***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.**

Preliminary Certified Survey Map

Parts of the NE ¼ of the SE ¼ and the SE ¼ of the SE ¼, all in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin

Prepared for the Dorothy M. Johnson estate



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Scale 1" = 120'

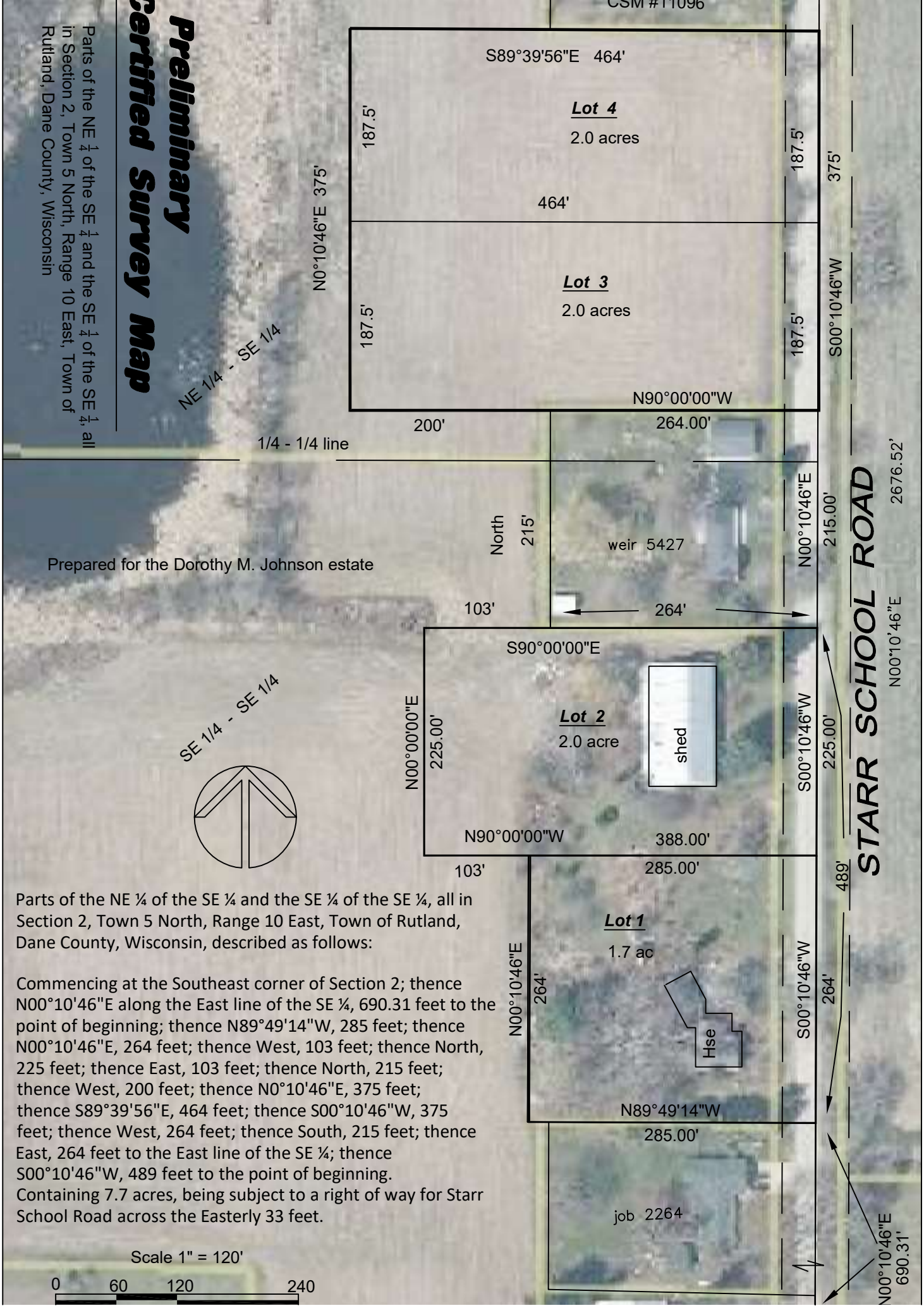
0 60 120 240

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

Dwg. No. 5978-22 Date 9/13/2022
Sheet ____ of ____
rev legal 10/24/22
rev 4 lots 11/7/22
Document No. ____
C.S.M. No. ____ V. ____ P. ____

Preliminary Certified Survey Map

Parts of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 2, Town 5 North, Range 10 East, Town of Rutland, Dane County, Wisconsin



Prepared for the Dorothy M. Johnson estate

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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.

Amended

REZONE APPLICATION

APPLICANT INFORMATION

Property Owner Name:	Est. of Dorothy Johnson	**Agent Name:**	Michael D. Rumpf, Per. Representative
Address (Number & Street):	152 W. Main St., PO Box 1	**Address (Number & Street):**	152 W. Main St., PO Box 1
Address (City, State, Zip):	Cambridge, WI 53523	**Address (City, State, Zip):**	Cambridge, WI 53523
Email Address:	mrumpf@rumpflaw.com	**Email Address:**	mrumpf@rumpflaw.com
Phone#:	608-423-3254	**Phone#:**	608-423-3254

PROPERTY INFORMATION

Township:	Rutland	**Parcel Number(s):**	0510-024-9550-0 and 0510-0240-8002-0
Section:	10	**Property Address or Location:**	1343 Starr School Road

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 ☒

I am amending the rezone application to include proposed Lots 1, 2, 3, and 4 to separate the existing farmstead from the farm and create 2 additional lots and to create a 3rd lot in order to transfer a density unit (development right/split). I have communicated with the Town of Rutland regarding the transfer of a denisty unit from parcel number 0510-153-8500-4 to proposed Lot 4 as set forth in the attached preliminary certified survey map.

Randy Johnson, one of the heirs in the estate of Dorothy Johnson, intends to construct a residence on proposed Lot 2. His intention is to construct a residence southwest of the existing shed or in the alternative connect the residence to the shed.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
All in FP-35	Lot 1 to RR-1	1.7
	Lot 2 to RR-2	2
	Lot 3 and 4 to RR-2	each 2 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 Per. Rep of Estate Date 11/14/2022

Preliminary Certified Survey Map

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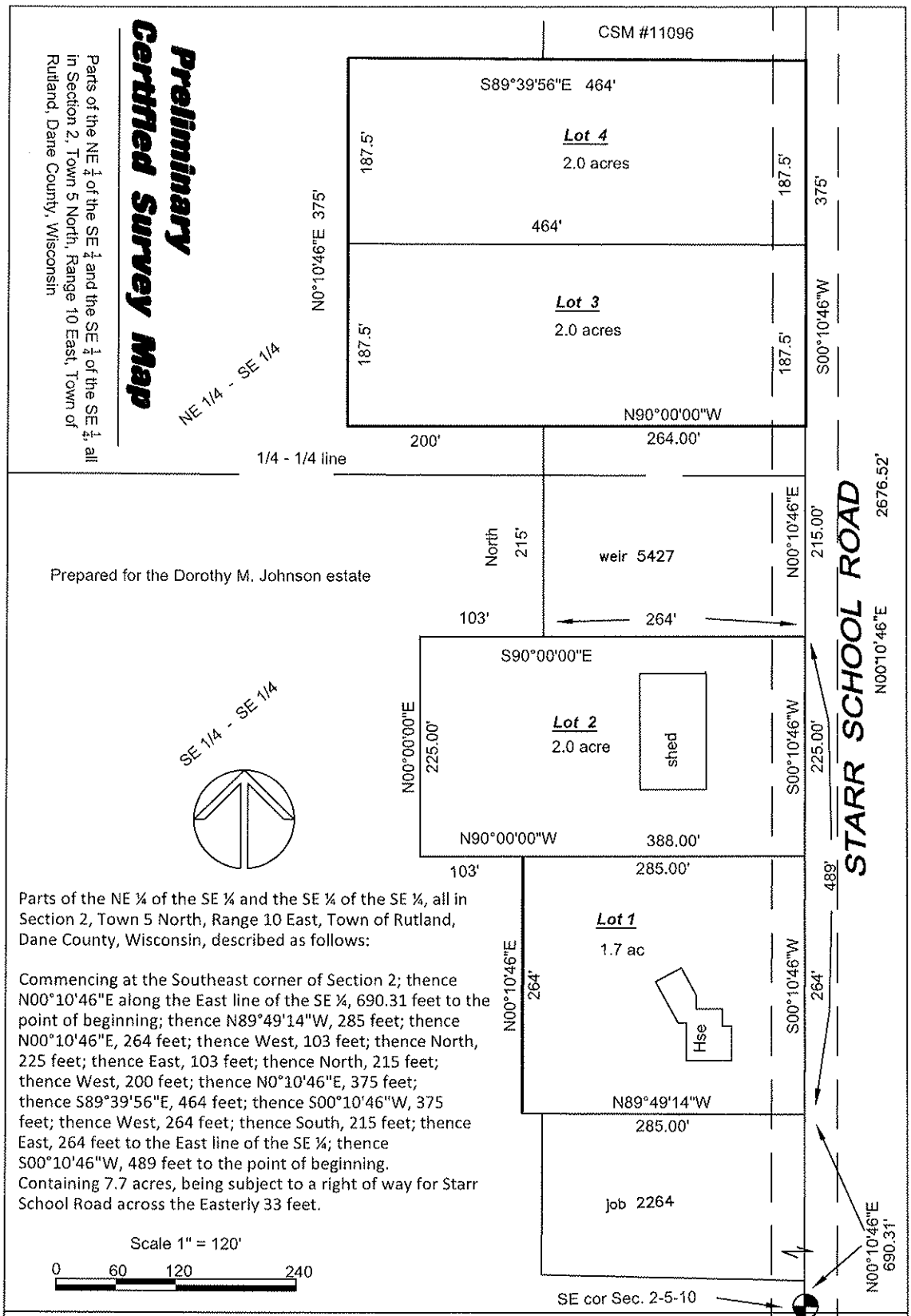

Prepared for the Dorothy M. Johnson estate

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Scale 1" = 120'

0 60 120 240

Wisconsin Mapping, LLC
Surveying and Mapping Services
306 West Quarry Street, Deerfield, Wisconsin 53531
(608) 764-5602

Dwg. No. 5978-22 Date 9/13/2022
Sheet ____ of ____
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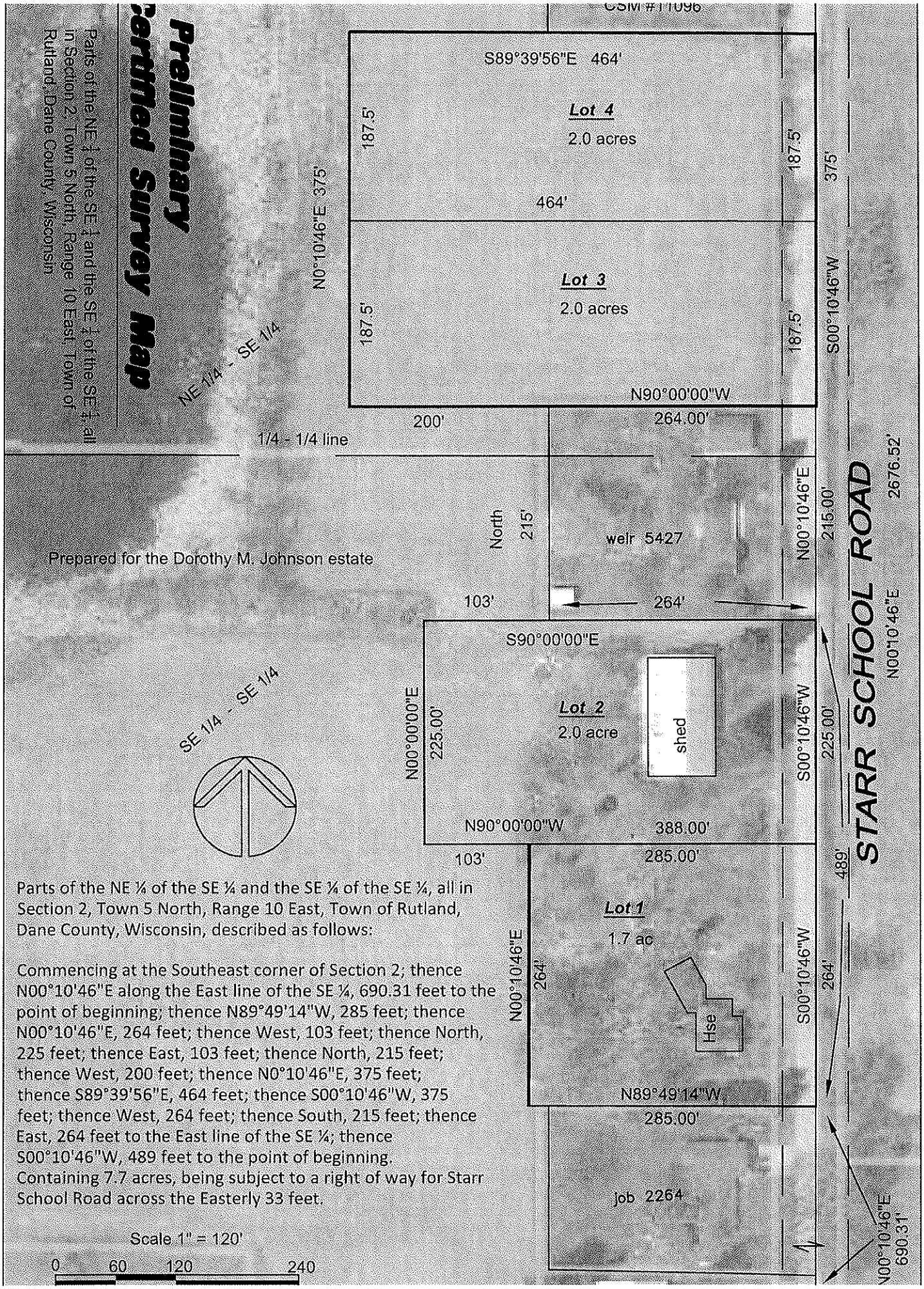

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Dane County Rezone Petition

Application Date	Petition Number
10/21/2022	DCPREZ-2022-11912
Public Hearing Date	
12/13/2022	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DOROTHY M JOHNSON	PHONE (with Area Code) (608) 423-3254	AGENT NAME RUMPF LAW OFFICE, S.C.	PHONE (with Area Code) (608) 423-3254
BILLING ADDRESS (Number & Street) 1343 STARR SCHOOL RD		ADDRESS (Number & Street) 152 W. MAIN STREET	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip) Cambridge, WI 53523	
E-MAIL ADDRESS		E-MAIL ADDRESS mrumpf@rumpflaw.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
South of 1403 Starr School Road					
TOWNSHIP RUTLAND	SECTION 2	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-024-9550-0		0510-024-8002-0			

REASON FOR REZONE

SEPARATE EXISTING FARMSTEAD FROM FARM AND CREATE 2 ADDITIONAL RESIDENTIAL LOTS

FROM DISTRICT:	TO DISTRICT:	ACRES
FP-35 Farmland Preservation District	RR-1 Rural Residential District	5.7

C.S.M REQUIRED?	PLAT REQUIRED?	DEED RESTRICTION REQUIRED?	INSPECTOR'S INITIALS
☑ Yes ☐ No	☐ Yes ☑ No	☑ Yes ☐ No	RUH1
Applicant Initials_____	Applicant Initials_____	Applicant Initials_____	

COMMENTS: DENSITY STUDY ALREADY COMPLETED. LAND IS SUBJECT TO CITY OF STOUGHTON EXTRATERRITORIAL JURISDICTION.

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:	Est. of Dorothy Johnson	Agent Name:	Michael D. Rumpf, Per. Representative
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Address (City, State, Zip):	Cambridge, WI 53523	Address (City, State, Zip):	Cambridge, WI 53523
Email Address:	mrumpf@rumpflaw.com	Email Address:	mrumpf@rumpflaw.com
Phone#:	608-423-3254	Phone#:	608-423-3254

PROPERTY INFORMATION

Township:	Rutland	Parcel Number(s):	see attached
Section:	10	Property Address or Location:	1343 Starr School Road

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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 ☒

see attached preliminary certified survey map. Proposed Lot 1 is the existing homestead of Dorothy Johnson, now deceased. Proposed Lot 2 and 3 are proposed lots for Randy Johnson and Renee Johnson consistent with terms of the Last Will and Testament of Dorothy Johnson.
Current uses: Proposed Lot 1 is a residence. Proposted Lot 2 is ag-1 with a shed for equipment. Proposed Lot 3 is ag.
see attached density study.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
FP-35	RR-1	1.7
FP-35	RR-1	2
FP-35	RR-1	2

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Owner/Agent Signature Per. Rep. Date 10/13/2022.

Preliminary Certified Survey Map

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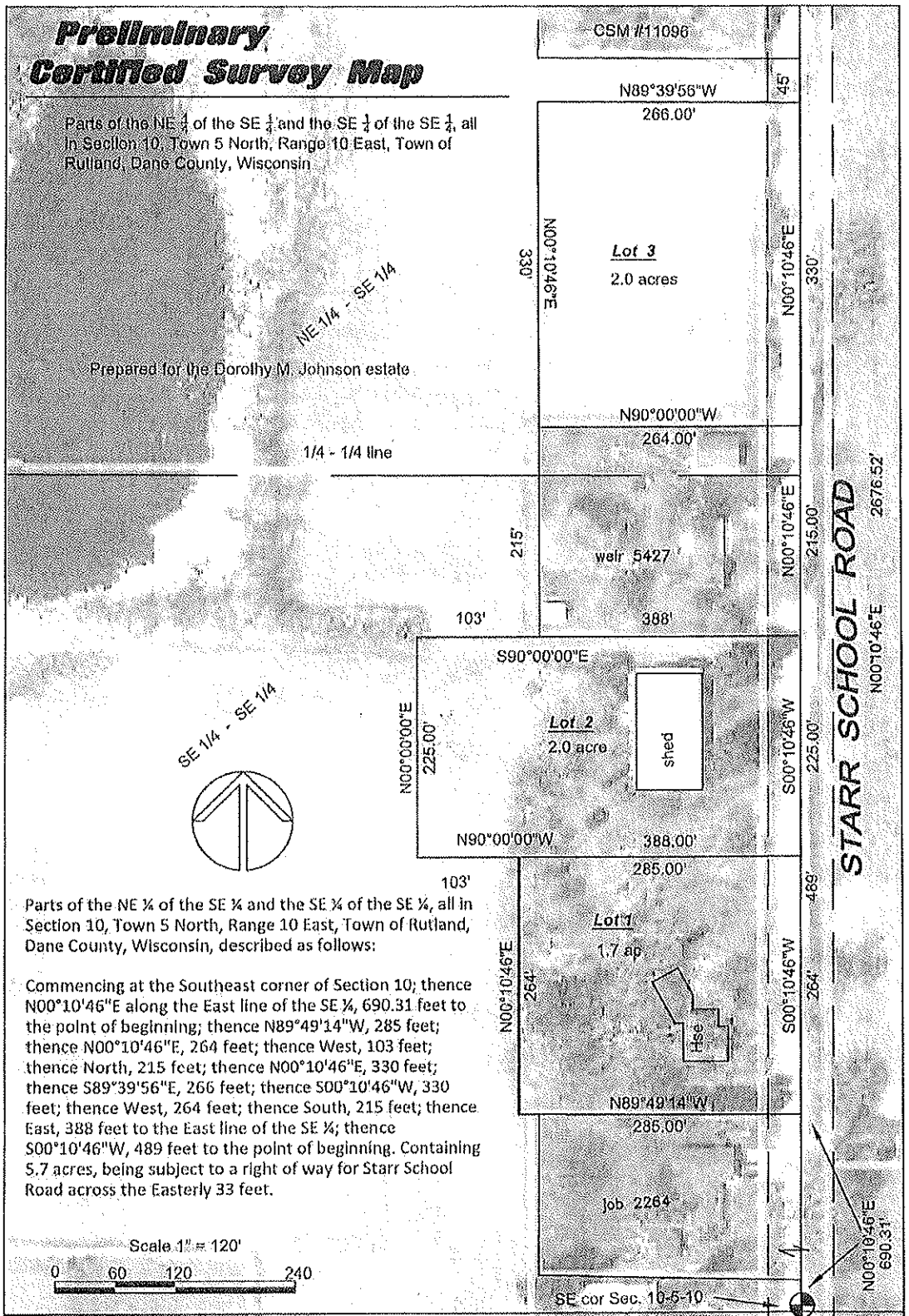
Prepared for the Dorothy M. Johnson estate



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Dane County Planning and Development Department

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

August 4, 2022

Mike Rumpf
152 W. Main St. P.O. Box 1
Cambridge, WI 53532
Delivered via email

Dear Mike,

Attached is a density study report you requested for property owned by the estate of Dorothy Johnson in section 2 of the Town of Rutland. The property is located in an Agricultural Preservation Area, where the density of new development is limited to 1 "buildable parcel" (also known as "density unit", "development right", or "split") per 35 acres of contiguous land owned as of June 7, 1978. Any nonfarm development occurring after that date counts toward the density limitation. The property was owned by the Johnson family and totaled approximately 140 acres as of June 1978.

Under the town policy, the farm was eligible for 4 density units, in addition to the existing residence at 1343 Starr School Road (tax parcel #0510-024-9550-0). As indicated on the attached density study report, 2 prior density units have been used per the residential parcels created by Certified Survey Maps #9973 and #11096. Two density units / splits remain available to the Johnson Estate.

Please note that this density analysis does not guarantee town or county approval of a particular land division, rezone, or development proposal. The Town of Rutland Plan Commission and Board of Supervisors review all development proposals, and apply the goals, objectives, and policies of the town comprehensive plan to guide their decisions. The plan contains standards and criteria for new development, which include consideration of site characteristics such as soil type, environmental features, proposed length / location of driveways and utility extensions, compatibility with neighboring uses, and proposed lot size and location. In addition, all development proposals are subject to Town Board, County Board, and, in the case of rezonings, County Executive approval. A copy of this density analysis is being forwarded to the Town of Rutland Clerk, Dawn George.

If you have any questions, I can be reached at 608-720-0167 or allan@countyofdane.com.

Sincerely,

Majid Allan, Senior Planner

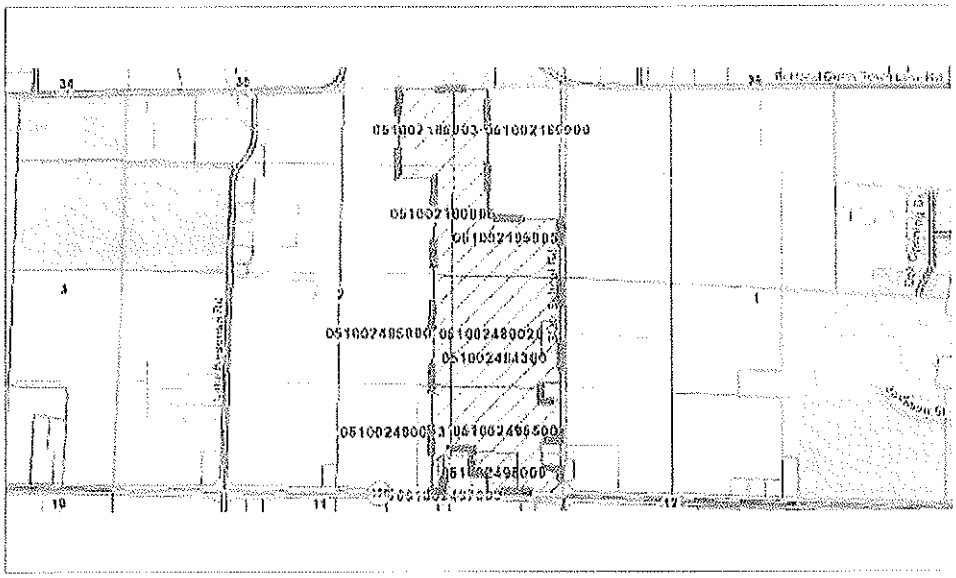
cc: Dawn George

DRAFT: FOR DISCUSSION PURPOSES ONLY

IMPORTANT NOTE: ACREAGE VALUES AND OWNERSHIP HEREIN ARE DERIVED FROM HISTORICAL AND CURRENT RECORDS LOCATED AT THE DANE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT (EG. GIS, PLAT BOOKS, ZONING PERMIT DATA, CSM'S, ETC). DENSITY POLICIES VARY AMONG TOWNS AND MAY REQUIRE INTERPRETATION.

Applicant: Mike Rumpf

Town	Rutland	**A-1EX Adoption**	6/7/1978	**Orig Farm Owner**	Johnson
Section:	02	**Density Number**	35	**Original Farm Acres**	142.73
Density Study Date	8/3/2022	**Original Splits**	4.08	**Available Density Unit(s)**	2



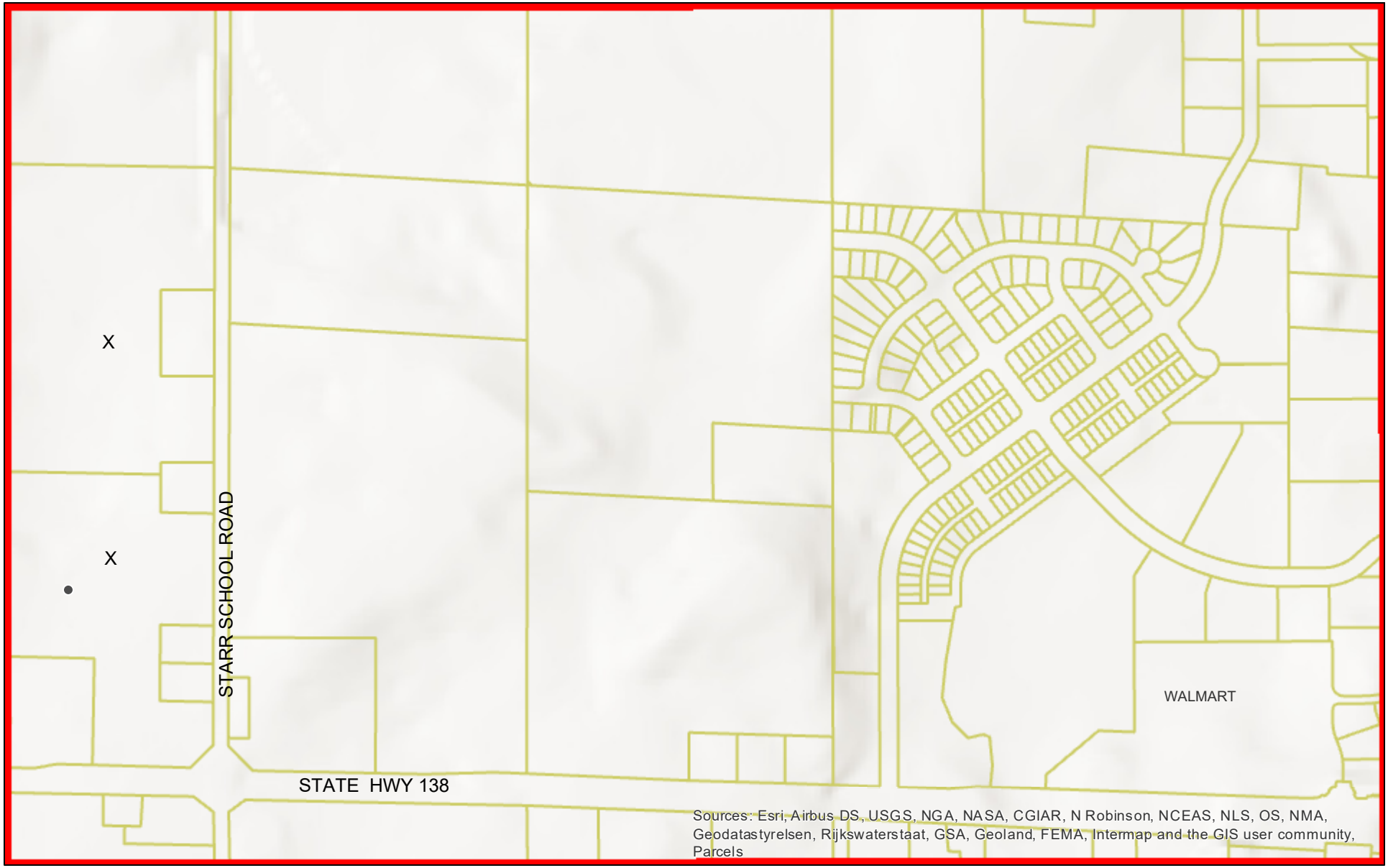
Reasons/Notes:

The original 1978 farm unit is eligible for a total of 4 density units ("splits") in addition to the existing farm residence. Two prior splits per CSM 9973 and 11096. Two possible density units remain available.

Note: Parcels included in the density study reflect farm ownership and acreage as of the date of town plan adoption, or other date specified. Density study is based on the original farm acreage, NOT acreage currently owned.

Parcel #	Acres	Owner Name	CSM
051002497300	0.61	DOROTHY M JOHNSON	
051002495500	26.85	DOROTHY M JOHNSON	
051002490003	5.19	DOROTHY M JOHNSON	
051002485000	6.79	DOROTHY M JOHNSON	
051002480020	37.79	DOROTHY M JOHNSON	
051002195903	27.28	DOROTHY M JOHNSON	
051002190006	8.47	DOROTHY M JOHNSON	
051002185003	13.93	DOROTHY M JOHNSON	
051002180900	8.83	DOROTHY M JOHNSON	
051002484300	2.01	ROCHELLE JOHNSON	11096

1343 Starr School Road



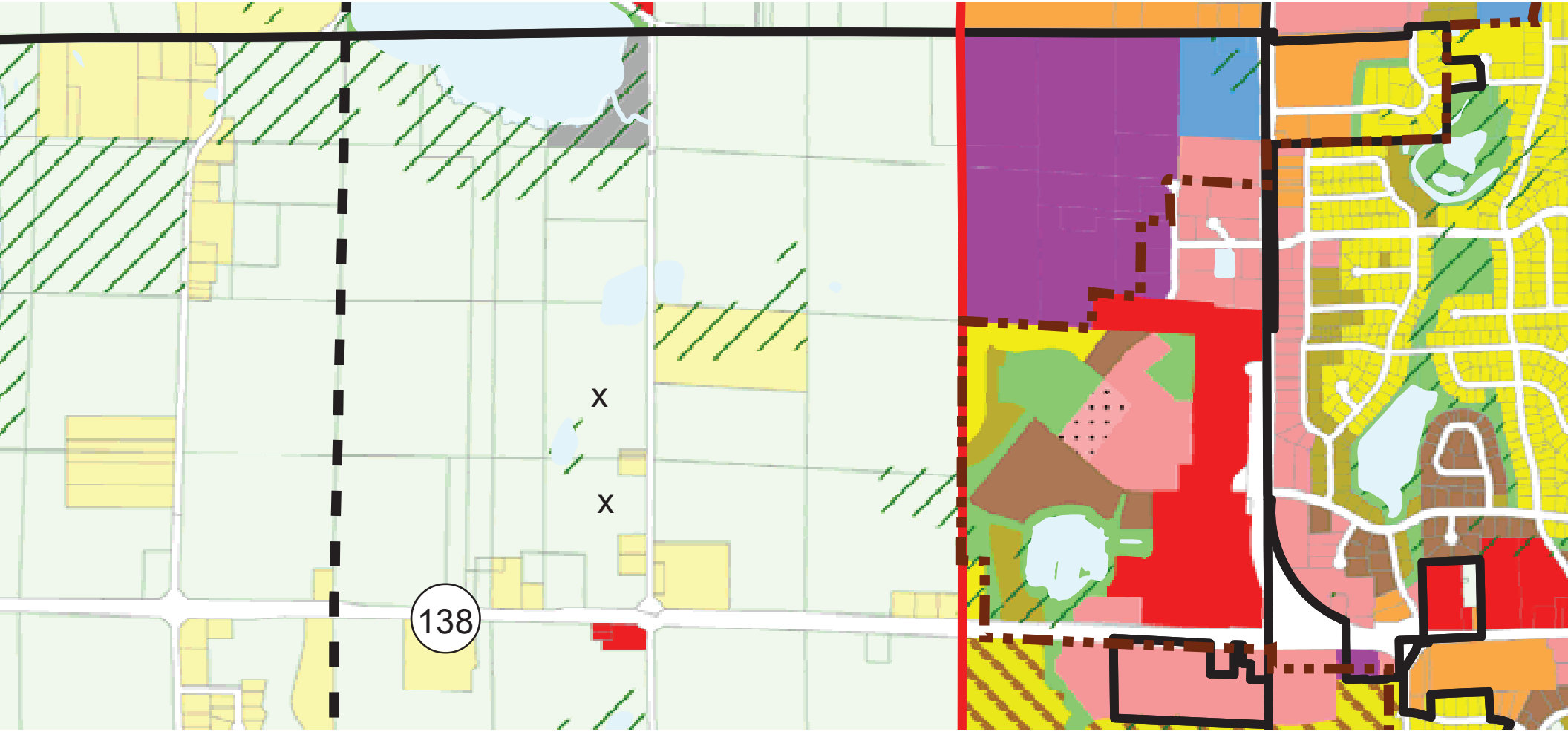
December 5, 2022

Dane County Mask

Parcels

0 375 750 1,500 Feet

N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