



## Dane County Planning and Development Department

Room 116, City-County Building, Madison, Wisconsin 53703

Phone (608) 266-4266

Fax (608) 267-1540

[danecountyplanning.com/](http://danecountyplanning.com/)

January 2, 2024

RANDALL AND MAUREEN GABER  
3895 VILAS HOPE RD  
COTTAGE GROVE, WI 53527

**RE: Conditional Approval of Zoning Petition 12121  
Delayed Effective Date Deadline**

Please be advised that rezone petition #**12121** has been conditionally approved by the **Dane County Board**. However, specific conditions are required to be met within a limited time in order for the zoning change to become effective.

Attached is the ordinance amendment which lists the conditions of approval. The conditions listed on the attached zoning ordinance amendment shall be completed prior to the delayed effective date of:

Conditional approval expires: **April 2, 2025**

If a Certified Survey Map is required, please contact your surveyor to submit a survey application as soon as possible. A survey submitted close to or on the delayed effective date may cause the zoning approval to become null and void.

If you are not able to meet these conditions by the specified deadline date, contact the Zoning Department to communicate your reasons for needing more time. A limited extension may be granted for extenuating circumstances.

If you have any questions or concerns, please contact the Zoning Division at (608) 266-4266.

Sincerely,

Roger Lane  
Zoning Administrator

Cc: RANDALL AND MAUREEN GABER, [randy.garber62@gmail.com](mailto:randy.garber62@gmail.com)  
WILLIAMSON SURVEYING, [chris@williamsonsurveying.com](mailto:chris@williamsonsurveying.com)

**Dane County Board of Supervisors**  
**Amending Chapter 10 of the Dane County Code of Ordinances**  
**Zoning Map Amendment Petition # 12121**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.200(4) shall be amended as follows:

**Town Map:** Town of Cottage Grove

**Location:** Section 19

**Zoning District Boundary Changes**

**FP-35 TO FP-1**

A parcel of land located on part of Lot 1, Certified Survey Map No. 13065, recorded in the Dane County Register of Deeds Office in Volume 83 of Certified Surveys, Pages 289 through 294, as Document No. 4750671. Located in all of Fractional Northwest 1/4 of the Northwest 1/4 and part of the Northeast 1/4 of the Northwest 1/4 of Section 19, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin.

Beginning at the Northwest Corner of said Section 19, also being the Northwest Corner of said Lot 1, Certified Survey Map No. 13065; thence along said Lot 1 for the next 10 courses S 00°18'51" E, 1,323.76 feet; thence N 85°48'46" E, 655.05 feet; thence N 02°20'41" E, 194.77 feet; thence N 60°20'31" E, 180.62 feet; thence S 53°54'23" E, 184.18 feet; thence N 12°51'40" W, 220.20 feet; thence S 85°43'45" W, 55.07 feet; thence N 12°50'03" W, 240.19 feet; thence N 85°44'39" E, 300.32 feet; thence S 00°06'58" E, 49.06 feet; thence East, 84.05 feet; thence S 00°16'21" W, 261.45 feet; thence West, 148.09 feet; thence S 11°46'18" E, 158.18 feet to a point on said Lot 1; thence along said Lot 1 for the next 2 courses S 53°39'21" E, 27.11 feet; thence S 34°36'54" W, 25.00 feet; thence S 11°46'18" E, 76.43 feet to the south line of said Lot 1 also being the north right of way of Vilas Hope Road; thence along said Lot 1 for the next 5 courses N 85°48'48" E, 157.80 feet; thence N 00°16'21" E, 1,262.37 feet; thence N 85°37'58" E, 621.65 feet to the west right of way of said Vilas Hope Road; thence N 00°18'00" W along said west right of way, 33.08 feet; thence S 85°38'23" W, 1,895.39 feet to the point of beginning. This parcel of land contains 1,487,223 sq. ft. or 34.14 acres.

**FP-35 TO RR-2**

A parcel of land located on part of Lot 1, Certified Survey Map No. 13065, recorded in the Dane County Register of Deeds Office in Volume 83 of Certified Surveys, Pages 289 through 294, as Document No. 4750671. Located in all of Fractional Northwest 1/4 of the Northwest 1/4 and part of the Northeast 1/4 of the Northwest 1/4 of Section 19, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin.

Commencing at the Northwest Corner of said Section 19, also being the Northwest Corner of said Lot 1, Certified Survey Map No. 13065; thence along said Lot 1 for the next 10 courses S 00°18'51" E, 1,323.76 feet; thence N 85°48'46" E, 655.05 feet; thence N 02°20'41" E, 194.77 feet; thence N 60°20'31" E, 180.62 feet; thence S 53°54'23" E, 184.18 feet; thence N 12°51'40" W, 220.20 feet;

thence S 85°43'45" W, 55.07 feet; thence N 12°50'03" W, 240.19 feet; thence N 85°44'39" E, 300.32 feet; thence S 00°06'58" E, 49.06 feet to the point of beginning.

Thence East, 84.05 feet; thence S 00°16'21" W, 261.45 feet; thence West, 148.09 feet; thence S 11°46'18" E, 158.18 feet to a point on said Lot 1; thence along said Lot 1 for the next 5 courses N 53°39'21" W, 62.75 feet; thence N 12°52'17" W, 185.28 feet; thence N 85°23'45" E, 70.44 feet; thence N 20°50'12" E, 153.82 feet; thence N 00°06'58" W, 49.06 feet to the point of beginning. This parcel contains 39,614 sq. ft. or 0.91 acres.

### **FP-35 TO RR-2**

A parcel of land located on part of Lot 1, Certified Survey Map No. 13065, recorded in the Dane County Register of Deeds Office in Volume 83 of Certified Surveys, Pages 289 through 294, as Document No. 4750671. Located in all of Fractional Northwest 1/4 of the Northwest 1/4 and part of the Northeast 1/4 of the Northwest 1/4 of Section 19, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin.

Commencing at the Northwest Corner of said Section 19, also being the Northwest Corner of said Lot 1, Certified Survey Map No. 13065; thence along said Lot 1 for the next 10 courses S 00°18'51" E, 1,323.76 feet; thence N 85°48'46" E, 655.05 feet; thence N 02°20'41" E, 194.77 feet; thence N 60°20'31" E, 180.62 feet; thence S 53°54'23" E, 184.18 feet; thence N 12°51'40" W, 220.20 feet; thence S 85°43'45" W, 55.07 feet; thence N 12°50'03" W, 240.19 feet; thence N 85°44'39" E, 300.32 feet; thence S 00°06'58" E, 49.06 feet; thence East, 84.05 feet; thence S 00°16'21" W, 261.45 feet; thence West, 148.09 feet; thence S 11°46'18" E, 195.61 feet to a point on said Lot 1 and to the point of beginning.

Thence continue S 11°46'18" E, 76.43 feet to the south line of said Lot 1 also being the north right of way of Vilas Hope Road; thence S 85°48'48" W along said south line of Lot 1 and north right of way, 71.01 feet; thence N 34°36'54" E along said Lot 1, 97.22 feet to the point of beginning. This parcel contains 2,690 sq. ft. or 0.06 acres.

### **RR-2 TO FP-1**

A parcel of land located on part of Lot 3, Certified Survey Map No. 13065, recorded in the Dane County Register of Deeds Office in Volume 83 of Certified Surveys, Pages 289 through 294, as Document No. 4750671. Located in all of Fractional Northwest 1/4 of the Northwest 1/4 and part of the Northeast 1/4 of the Northwest 1/4 of Section 19, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin.

Commencing at the Northwest Corner of said Section 19, also being the Northwest Corner of Lot 1, Certified Survey Map No. 13065; thence along said Lot 1 for the next 10 courses S 00°18'51" E, 1,323.76 feet; thence N 85°48'46" E, 655.05 feet; thence N 02°20'41" E, 194.77 feet; thence N 60°20'31" E, 180.62 feet; thence S 53°54'23" E, 184.18 feet; thence N 12°51'40" W, 220.20 feet; thence S 85°43'45" W, 55.07 feet; thence N 12°50'03" W, 240.19 feet; thence N 85°44'39" E, 300.32 feet; thence S 00°06'58" E, 49.06 feet; thence East, 84.05 feet; thence S 00°16'21" W, 261.45 feet; thence West, 148.09 feet; thence S 11°46'18" E, 158.18 feet to a point on said Lot 3 also being the point of beginning.

Thence continue along said Lot 3 for the next 2 courses S 53°39'21" E, 27.11 feet; thence S 34°36'54" W, 25.00 feet; thence N 11°46'18" W, 37.43 feet to the point of beginning. This parcel contains 339 sq. ft. or 0.01 acres.

### CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.101(8)(d) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

1. A shared driveway access easement agreement shall be provided that serves Lots 1 and 2 of the CSM.

### CERTIFIED SURVEY REQUIRED

The above listed description/s is/are intended to describe land for which a certified survey map will be prepared for approval and recorded. Within 90 days of rezoning approval by Dane County, a *final* certified survey map that describes the land to be rezoned shall be prepared in accordance with all applicable provisions of Chapter 236 Wisconsin Statutes and Chapter 75 Dane County Code of Ordinances, and submitted to the Dane County Zoning Division. Upon submission of the final certified survey map, the Zoning and Land Regulation Committee, or its authorized representative, shall, within 30 days, approve, approve conditionally, or reject the certified survey map. **Failure to submit the final certified survey within the 90-day period and/or failure to record the survey with the Dane County Register of Deeds will cause the rezone to be null and void. Two copies of the recorded survey shall be submitted to Dane County Zoning.**



# Dane County Planning & Development

## Land Division Review

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January 13, 2025

Williamson Surveying  
104A West Main St.  
Waunakee, WI 53597

Re: GABER (10898)  
SURVEYOR: Adams (2748)  
COTTAGE GROVE, S 19  
Lot 1 – 34.15 acres  
Lot 2 – 2.96 acres  
REZONE PETITION: #12121, FP-35 to FP-1, FP-35 to RR-2, RR-2 to FP-1  
PUBLIC HEALTH: *No concerns*  
SENSITIVE ENVIRONMENTAL FEATURES: *None*

**The proposed CSM is a lot line adjustment of Certified Survey Map 13065. This application is hereby conditionally approved as follows:**

1. This review is specifically for the preliminary Certified Survey Map that was submitted for review. Any alteration, modification and/or revisions made after this review may be subject to a new submittal. County staff reserves the right to require a new application based on the nature and extent of the changes.
2. The document is to be completed in accordance with Chapter 75 of the Dane County Code of Ordinances, S.236.34, Wisconsin State Statutes and any local land division policies set forth by the township.
3. Rezone Petition #12121 is to become effective and all conditions established are to be timely satisfied. (*County Board approved the Petition on December 19, 2024*)
  - *Recording of an approved CSM*
  - *A shared driveway access easement agreement shall be provided that serves Lots 1 and 2 of the CSM.*
4. All owners of record are to be included in the owner's certificate. A certificate of consent by all mortgagees/vendors shall be included and satisfied if relevant.  
County records indicate the following owners:
  - *RANDALL J GABER & MAUREEN F GABER*

5. The required approval certificates are to be executed.
  - *Town of Cottage Grove*
  - *City of Madison*
  - *Dane County*
6. Comments from the Dane County Surveyor are to be satisfied:
  - *The details on sheet 2 near the southerly end of Lot 2 are unclear. There is a dashed line from the east end of L-7 to the north end of L-6 and then northeasterly to L-10 that is not labeled and unknown. Please remove or identify this line. The smaller line type dashed line is believed to be the new easement. If helpful, the previous lot lines and labels are not required within the boundary of the new CSM. Removal of this info may result in a more clear depiction of this area. 236.20(2)(a)*
  - *The right-of-way width between L-7 and the centerline of Vilas Hope Road appears to be less than 33 feet. If at any point along this r/w the distance between the centerline and the northerly r/w line is less than 33 feet in width, additional r/w shall be dedicated to the public. 236.20(2)(f)*
7. The recordable document is to be submitted for final review.

When the above conditions have been fully satisfied, the original document along with a copy of this letter may be submitted for final review and the authorized Dane County representative approving signature will be affixed. Please allow for ten (10) working days for approving signature.

If you would like county staff to deliver the recordable document(s) to the Register of Deeds office for recording, please include a check made out to Register of Deeds. Register of Deeds department charges \$30 per document. Please contact myself with any questions regarding this letter.

Sincerely,

Daniel Everson  
Assistant Zoning Administrator  
267.1541

CC:  
Town of Cottage Grove  
City of Madison Planning – Tim Parks

