



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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July 10<sup>th</sup>, 2017

Ms. Pam Andros  
Senior Planner  
Dane County Planning and Development

Dear Ms. Andros,

The City has reviewed the Van Daalwyk rezone and conditional use proposal for lands at 3424 Lake Farm Road in the Town of Blooming Grove and has the following comments:

- The property is located in the Town of Blooming Grove, and therefore, is subject to the requirements of the Town of Blooming Grove-City of Madison Cooperative Plan. The Plan requires all development (land divisions, rezones from agriculture or residential to nonresidential districts) to be reviewed and acted on by both the City and the Town.
- This land will be attached to the City of Madison no later than 2027.
- After reviewing the proposal, City staff recommends the following:
- Lot 3 shall be deed restricted to allow only contractor businesses, transportation businesses, building trade businesses, and landscaping operations.

Please let me know if you have any questions.

Thanks,

Rick Roll  
Planner, City of Madison

Cc:

Mayor Paul Soglin, City of Madison  
Mike Wolf, Blooming Grove Town Administrator/Clerk/Treasurer  
Brian Grady, City of Madison Principal Planner



# Notice of Public Hearing

Zoning and Land Regulation Committee

Public Hearing: July 25, 2017

Petition: **Petition 11143**  
**CUP 02380**

Zoning Amendment:  
**A-2 Agriculture District To A-2 (4) Agriculture District, A-2 to A-4 Agriculture District, and A-2 Agriculture District To LC-1 Limited Commercial Dist**

Town/sect:  
**BLOOMING GROVE, Section 31**

Acres: 16.306,6.565,3.145  
Survey Req. Yes

Applicant  
**ROBERT J VAN DAALWYK**

Reason:  
**Creating one residential lot, and The CUP is for a SINGLE FAMILY RESIDENCE**

Location:  
**3424 LAKE FARM RD**



**DESCRIPTION:** Currently the subject property is zoned A-2 and LC-1. The current use includes a residence (original farmhouse) lived in by the property owner, and a barn/garage that houses a roofing and siding small contractor business. The site includes a gravel area north of the garage for outdoor storage and dumpsters used by the business, and there is a small parking area located in front of the barn that serves as parking for the one employee coming to the site.

As part of the proposal, the applicant wishes to subdivide the property into 3 parcels to be rezoned as follows:

- 1) 16 acre parcel from A-2 to A-4 (ag preservation district),
- 2) 6.5 acre parcel from A-2 to A-2(4) for the construction of a single family residence, and
- 3) 2.8 acre lot from A-2 to LC-1 with a CUP to allow a single family residence in LC-1 zoning.

The existing use of the LC-1 will continue with a CUP for a single family residence allowing the owner to continue living in the house. No new development or construction will occur at this site. The applicant is proposing construction of a new residence on the A-2(4) parcel where he will eventually live. Once this residence is constructed, the home were he is currently living on the LC-1 parcel will be used solely as an office for the business.

**OBSERVATIONS:** The subject property is located just south of Dane County Parks and WisDNR owned land. It is in a portion of the town, west of Lake Waubesa and Mud Lake, that is nearly surrounded by the City of Madison, and it is within the city's Extra Territorial Jurisdiction (ETJ) boundary. As a general rule, the city allows for creation of one residential lot without requiring the full city development review process.

**TOWN PLAN:** The subject property is in the *Environmental Conservancy* and *Neighborhood Residential* land use districts. Creation of one lot for a residence, rezoning to bring the existing business into compliance, and the remaining lot zoned to A-4 district that does not allow further development, fits the intent of the plan. A density study is not required because the property is not in the *Agricultural Preservation* land use district of the town plan.

**RESOURCE PROTECTION:** There are no mapped wetlands on the property, but hydric soils do exist on a portion of the property. The area of hydric soils is located within the lot that will be rezoned to A-4 which does not allow development.

**STAFF:** The proposal is consistent with the town and county comprehensive plans, and with recommended conditions, is acceptable for the City of Madison as it relates to their long-term planning including how it relates to ultimate annexation of the town. In addition to the condition requested in the town action report, staff recommends a condition stating that after the owner moves into the new residence, the house on the LC-1 parcel can only be used for activities related to the business.

**TOWN:** the town approved the rezoning and conditional use permit, with conditions. Approval is subject to the following condition:

Deed restriction limiting uses to allow only contractor businesses, transportation businesses, building trade businesses, and landscaping operations. (This is the same restriction The City of Madison recommended)



## Dane County Planning & Development Land Division Review

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September 21, 2017

JSD  
104 A West Main St.  
Waunakee, WI 53597

Re: Van Daalwyk (CSM 10051)  
Town of Blooming Grove, Section 31  
(3 lots, 25.9 acres)  
Zoning Petition #11143, A-2 to A-4, A-2(4), LC-1

*The Dane County Board approved rezone Petition #11143 on September 7, 2017.*

Attn: John Krebs, S-1878

The proposed CSM is hereby conditionally approved as follows:

1. The document is to be completed in accordance with S.236.34, Wisconsin State Statutes.
2. Rezone Petition #11143 is to become effective and all conditions established are to be timely satisfied.
  - *Recording of an approved CSM.*
  - *A deed restriction shall be placed on the LC-1 zoning lot to limit the land uses to contractor businesses, transportation businesses, building trade businesses, and landscaping operations.*
3. It is suggested that any references to current or proposed zoning districts be removed.
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:
  - *ROBERT J VAN DAALWYK*
5. The required approval certificates are to be executed.
  - *Town of Blooming Grove*
  - *City of Madison*
  - *Dane County*
6. The location of the existing driveway shall be shown.

7. Comments from the Dane County Surveyor are to be satisfied:
- 1) *Add monument symbols at the appropriate corners of the CSM. 236.20(2)(b)*
  - 2) *Label the right-of-way widths each side of centerline. 236.20(2)(f)*
  - 3) *The boundary description has a misclosure of 0.01 feet; however, Lot 1 has a misclosure of 0.07 feet and Lot 3 has a misclosure of 0.06 feet. Please identify misclosure errors and correct. 236.20(1m)(d)(2)*
8. The following notation shall be added:
- *Refer to building site information contained in the Dane County Soil Survey.*
9. The recordable document is to be submitted for review and approval.

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 Dane County approving signature will be affixed. Please allow for ten (10) working days for approving signature. Any questions regarding this letter, please contact myself.

Sincerely,

Daniel Everson  
Assistant Zoning Administrator  
267.1541

CC:  
Clerk, Town of Blooming Grove  
City of Madison Planning – Tim Parks



1880 S. Stoughton Road Madison WI 53716  
Phone 608-223-1104 \* Fax 608-223-1106  
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October 26, 2017

TIM PARKS  
CITY OF MADISON PLANNING DEPT

This letter is confirmation that on October 11, 2017 the Town Board of the Town of Blooming Grove approved the land division as submitted by Robert Van Daalwyk for his property at 3424 Lake Farm Road.

If there is any other documentation you require, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Michael J. Wolf".

Michael J. Wolf  
Town Clerk/Treasurer/Administrator  
Town of Blooming Grove, Dane County

# TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # DCPREZ-2017-11143

Dane County Zoning & Land Regulation Committee Public Hearing Date 8/2/2017

Whereas, the Town Board of the Town of Blooming Grove having considered said zoning petition,

be it therefore resolved that said petition is hereby (check one):  Approved  Denied  Postponed

**Town Planning Commission Vote:** 4 in favor 0 opposed 0 abstained

**Town Board Vote:** 5 in favor 0 opposed 0 abstained

## THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

1.  *Deed restriction* limiting use(s) in the lot 3 zoning district to **only** the following:  
Lot 3 shall be deed restricted to allow only contractor businesses, transportation businesses, building trade businesses, and landscaping operations. (This is the same restriction the City of Madison is recommending).
2.  *Deed restrict* the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):
3.  *Deed restrict* the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):
4.  *Condition* that the applicant must record a *Notice Document* which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):
5.  *Other Condition(s)*. Please specify:

Please note: The following space is reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, Mike Wolf, as Town Clerk of the Town of Blooming Grove, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 7/12/2017  
Town Clerk Mike Wolf Date: 7/13/2017