Plan Commission

Regular Meeting Notice and Agenda

Village of Cross Plains
Rosemary Garfoot Public Library – Community Room
2107 Julius Street
Cross Plains, WI 53528
(608) 798-3241

Monday, July 6, 2020
7:00 pm

Please note that due to current spacing requirements concerning COVID-19, the facility will have limited seating. The Village of Cross Plains will provide opportunities for, and encourage that the public participate virtually or by calling in. The log in information is as follows:

Zoom Meeting Link:
https://us02web.zoom.us/j/83459730362

Conference telephone line:
+1 312 626 6799
Meeting ID: 834 5973 0362

I. Call to Order

II. Roll Call

III. Public Comment – This is an opportunity for anyone to address the Village Board on **ANY** issue **EITHER ON OR NOT ON THE** current agenda. *Please observe the time limit of 3 minutes.* While the Village Board encourages input from residents, it may not discuss or act on any issue that is not duly noticed on the agenda.

THOSE WISHING TO SPEAK DURING THE VIRTUAL MEETING ARE ENCOURAGED TO REGISTER PRIOR THE START TIME OF THE CURRENT MEETING BY SENDING AN EMAIL TO BCHANG@CROSS-PLAINS.WI.US OR BY CALLING VILLAGE HALL DURING REGULAR BUSINESS HOURS. THE VIRTUAL MEETING ROOM WILL ALSO BE OPENED 30 MINUTES BEFORE THE MEETING TO COLLECT REGISTRATIONS. IN ORDER TO REGISTER A PUBLIC COMMENT DURING THIS TIME YOU WILL NEED TO RAISE YOUR HAND VIRTUALLY TO BE UNMUTED. TELEPHONE PARTICIPANTS WILL ALSO BE UNMUTED ONE AT A TIME DURING THIS PERIOD TO ENSURE THAT NO ONE IS MISSED.

IV. General Business – Regular Meeting

1. Approval of the minutes from the Plan Commission meeting held June 1, 2020. PDF 3-4

2. Public Hearing for a Request to Amend the General Development Plan and the Specific Implementation Plan for 1821 Main Street – Montag's Bar and Grill. PDF 5-8

3. Discussion and Possible Action Regarding a Request to Amend the General Development Plan for 1821 Main Street – Montag's Bar and Grill.

4. Discussion and Possible Action Regarding a Request to Amend the Specific Implementation Plan for 1821 Main Street – Montag's Bar and Grill.

5. Review and Discussion Regarding Official Mapping and Extraterritorial Plat Review. PDF 9-11

6. Discussion and Possible Action Regarding the Extraterritorial Plat Review for the Certified Survey Map located at SW1/4 of the NW ¼ of Section 6, T7N, R8E, Town of Middleton, Dane County, Wisconsin. PDF 12-18

7. Discussion and Possible Action on Scenic Valley Variance Request to Extend the 2020 Construction. PDF 19-20

V. Adjournment

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the Village Hall at (608) 798-3241 or bchang@cross-plains.wi.us.

Plan Commission

Regular Meeting Minutes

Village of Cross Plains
Rosemary Garfoot Public Library – Community Room
2107 Julius Street
Cross Plains, WI 53528
(608) 798-3241

Monday, June 1, 2020
7:00 pm

President Lengfeld suspended Robert's Rules of Order.

I. Call to Order, Roll Call – Plan Commission

President Lengfeld called the Regular Plan Commission meeting to order at 7:00 pm.

II. Roll Call:

Present: Commissioners Todd DuQuette, Kevin Thusius, Eric Padrutt, Judy Ketelboeter, Randy Case, and President Jay Lengfeld.

Absent: Commissioner Cliff Zander

Also present: Village Administrator/Clerk Bill Chang, Tom Kuester, and Kim Molnar.

Attended by WebEx: Village Planner Mike Slavney and Dale Lochner.

III. **Public Comment** - None
Kim Molnar, 1807 Main Street, provided comment objecting to the proposed amendment to allow for the current positioning of the volleyball courts for Hooty's Bar and Grill.

IV. General Business – Regular Meeting

1. **Approval of the minutes from the Plan Commission meeting held May 4, 2020.**
A motion was made by Commissioner DuQuette, seconded by Trustee Thusius, and unanimously carried by the Plan Commission, to approve the Plan Commission meeting held on May 4, 2020.

2. **Discussion and Possible Action Regarding the Site Plan and Specific Implementation Plan for 1821 Main Street – Hooty's Bar and Grill.**

PDF 3

A motion was made by Trustee Thusius and seconded by Trustee Padrutt, to move that Hooty's Bar and Grill comply with the originally approved SIP with the following exceptions:

a. All lighting complies with the Village's exterior lighting standards;
b. A chain link fence between the volleyball courts and the parking lot is no longer required;
c. A privacy fence is not needed on the west side of the current parking lot;
d. All sand from the volleyball courts must be prevented from running onto the adjoining properties;
e. The south court must be taken down until all requirements of the original SIP, with the above exception, are met as approved by the Village Board.

A roll call vote was requested. YES – Trustee Thusius, Commissioners Padrutt, DuQuette, and Case, and President Lengfeld. NO – None. Abstain – Trustee Ketelboeter. Motion carries 5-0-1.

3. **Initial Review Comment on Scenic Valley Lot 45 Lot Division Request.**
Chang reported that Horizon Investments Associates, LLC – Scenic Valley has requested a lot split for Lot 45 of the Scenic Valley subdivision. Staff will review the request for compliance with both subdivision and zoning codes.

V. **Adjournment**

A motion was made by Trustee Thusius and seconded by Trustee Ketelboeter, and unanimously carried Plan Commission, to adjourn at 8:51 pm.

Proper notice of this meeting was given to the public and posted on the public bulletin boards in accordance with the Open Meeting Law.

Respectfully submitted,

_____

Bill Chang
Village Administrator/Clerk

PDF 4

Agenda Memorandum

Staff/Department: **Bill Chang, Zoning**
Subject Matter: **Amendment GDP & SIP for 1821 Main Street**
Meeting Date: **July 6, 2020**
Referral History: **PC/VB – 5.25.2019; 06.01.2020**

Executive Summary:

David Montag is in the process of purchasing Hooty's Bar and Grill at 1821 Main Street. The GDP requires an amendment from the current owner to the next. Mr. Montag also intends to amend the current SIP in incorporate some of the changes and recommendations from previous meetings.

In addition to the amendments, Mr. Montag is asking for a temporary use of the south volleyball court for the Spike Rhett event to be held at the end of July. He then intends to remove the court entirely.

Amendments to the prior GDP/SIP:

1) Change in ownership
2) Removal of south volleyball court
3) Installation of turf instead of vegetation for the buffer yard.
4) Addition of acoustic event stage and seating
5) Addition of parking lot to allow approximately 16 stalls and 300 linear feet of decorative fencing on west side of parking lot.
6) Proposed outdoor hours of operations:
    a. Volleyball - 11:00 am- Dusk (Not to exceed 9:30 PM) Sunday- Saturday
    b. Acoustic Music- 12:00 pm- 9:00pm Friday- Sunday (No music Monday- Thursday)

Project Background:

In March of 2019, the Village Plan Commission and Village Board approved a zoning map amendment to rezone this property from Main Street Mixed Use to Planned Development. The general development plan and specific implementation plan were approved (see minutes). Thereafter, the development of the property was constructed. A SIP document was never recorded, nor was a post inspection conducted to certify compliance to the plan. The non-compliant property has operated since.

There have been several complaints from the adjoining properties about lighting, netting, balls in yard, damage to fencing, and water/sand runoff. On May 14, staff sent a compliance letter to Mr. Kuester to bring the property into compliance. Mr. Kuester stated that he did not add the chain link fence due to safety concerns. He was also not able to remove the current street light in the middle of the property as proposed because of the cost and hardship with Madison Gas and Electric. Mr. Kuester add LED court lighting and adjusted the location of the courts instead.

The Plan Commission discussed this issue at its meeting on June 1st and expressed concern regarding the plan not being followed. In effort to mediate the issues with the adjoining neighbors, Mr. Kuester offered to take down the south volleyball court, grow a buffer yard between the volleyball courts and the west fence, and bring the property into compliance before re-installing the south volleyball court for use.

Since then, the property is set to change owners on June 30th. The establishment will close for remodeling and training and is set to reopen on July 16th.

Agenda Memorandum

Code/Policy Review:

Section 84.167 of the Village Municipal Code provides the approval process for amending a GDP and SIP

This section of the zoning code allows for developments to have certain flexibilities. It also allows for staff, the Plan Commission, and the Village Board to add certain restrictions unique to the property.

Fiscal Impact:

None to the Village

Recommendation:

Review and approve an amendment of the GDP and SIP to the Village Board.

Appendices:

Montag's proposal letter and site map.

Montag's Pub and Grill
David Montag Jr
1821 Main St
Cross Plains, WI, 53528

Village of Cross Plains- Village Board
2417 Brewery Road
Cross Plains, WI, 53528

To whom it may concern:

As the owner of 1821 Main Street, Montag's Pub and Grill. I am submitting this specific implementation plan to change zoning from Main street mixed use to planned development for the purpose of allowing outdoor recreation and acoustic sound within my property boundaries.

Intended development project:

(1) Intended development
    Location: 1821 Main Street, Cross Plains, WI, 53528
    Zoning: Main Street Mixed use(current) to Planned development
    Parking: 16 additional parking stalls
    Site Amenities: one outdoor sand volleyball court, fencing and a deck
(2) The existing property includes 2 stories: 1st floor bar/restaurant and 2nd floor single family apartment. The surrounding neighborhood includes a mix of business, restaurants, retail, single family, and multifamily housing. The upgrades to the exterior of the building will compliment the current site and allow personal safety for both users and outside traffic.
(3) The site will be under the ownership of Montag's Pub and Grill, David Montag, who is a retired U.S. Army veteran will years of experience in project management. My wife and I want to be a huge part of the community, offering fundraisers and events for an array of organizations here in Cross Plains.
(4) The following is a description of the proposed outdoor use:
    One 25'X 55' sand volleyball court
    Outdoor deck for acoustic sound and music
    Roughly 115' X 70' asphalt parking lot to add 16 parking stalls, open for public use
    300 linear feet decorative fencing to line parking lot between parking lot and 1814 Park street
(5) The following briefly describes the proposed hours of operation
    Volleyball
        11:00 am- Dusk (Not to exceed 9:30 PM) Sunday- Saturday
    Acoustic Music
        12:00 pm- 9:00pm Friday- Sunday (No music Monday- Thursday)
(6) We are requesting a rezone to accommodate the requirement within the current zoning code.
(7) We are not requesting any modifications to the setbacks within the current requirements for fencing and or netting
(8) Currently, we are not proposing any lighting changes to the outdoor space.

In summary, we feel that the proposed zoning change and use would be a wonderful and welcoming addition to out community.

Sincerely
David Montag
Montag's Pub and Grill

GENERAL INFORMATION

VOLLEYBALL COURTS
USAGE: Leagues and Events
HOURS PER WEEK: Approx. 30 to 40
QUIET TIME: By or Before 10:00pm Sharp

STAGE AREA
USAGE: Events, Music, Local Bands
HOURS PER WEEK: Approx. 15 to 20
AMPLIFIED SOUND: Yes
QUIET TIME: By or Before 10:00pm Sharp

1 Site Plan - Schematic

Agenda Memorandum

Staff/Department: **Bill Chang, Planning**
Subject Matter: **Official Mapping**
Meeting Date: **July 6, 2020**
Referral History: **N/A**

Executive Summary:

Official mapping is tool that many municipalities utilize to plan and reserve certain properties for future infrastructure improvements. This allows for the municipality to utilize its extraterritorial powers to ensure smart and responsible growth. It also allows for townships, property owners, and developers to anticipate any objections that the municipality will have.

Project Background:

In 2009, the Village of Cross Plains started the official mapping process. The process was not completed due to hardship concerning a Highway 14 bypass.

Code/Policy Review:

Chapter 83 regulates the Village's Extraterritorial plat review.

Fiscal Impact:

N/A

Recommendation:

At this time, staff is asking for comment and discussion from the Plan Commission to identify projects for official mapping.

Appendices:

Village Extraterritorial Powers Outline – Vandewalle

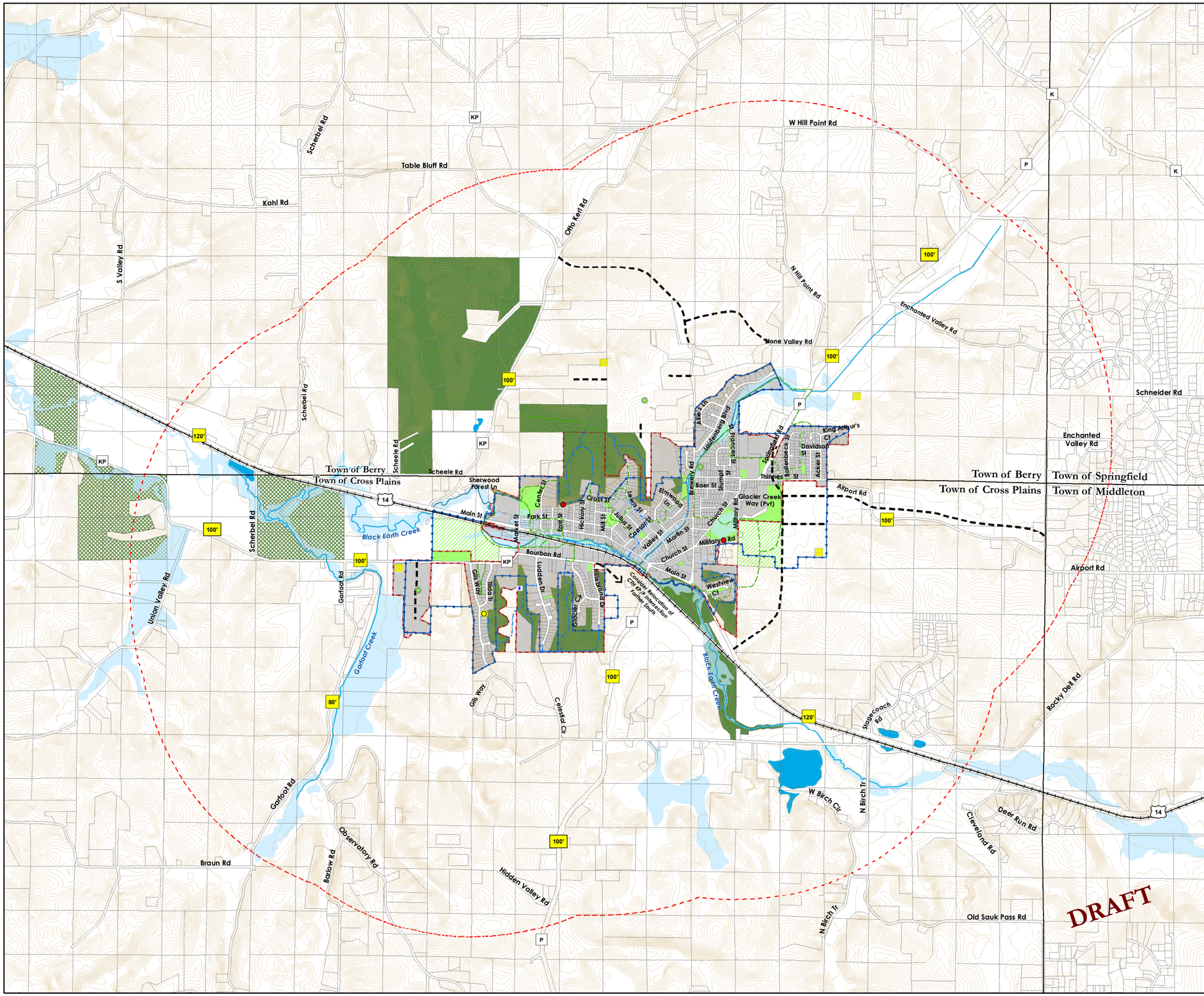
POTENTIAL VILLAGE EXTRATERRITORIAL POWERS

1. **Extraterritorial Jurisdiction:**
    a. 1.5 miles from any village limit of the contiguous core
    b. Map 1 in Comprehensive Plan (shows 2018 municipal limits)
        - Need to update to current for Scenic Valley (more to annex soon)
    c. Extraterritorial Area (ETA) is generally squared-off to 40-acre quarter-quarter sections that fit wholly within the 1.5-mile ETJ limit.
    d. The ETA is the potential ETJ. The ETJ does not have to include the entire ETA.
    e. The ETJ is established through Ordinance for Zoning, Land Division Review, and Official Mapping. It is automatic for Planning.
    f. Should produce the ETA Map. Keep section numbers for reference.
    g. Will need to make a written description of the ETA listing each 40-acre component that describes the actual mapped ETJ.
2. **Extraterritorial Zoning:**
    a. Governed by Wis Stats
    b. ETZ is described as a process in Wis Stats. Summarized as:
        - Village action to establish ETZ
        - Notify town immediately and create the ETZ Zoning Freeze
        - Village and Town appoint ETZ Committee
        - Produce draft ETZ Ordinance and Map
        - Town Board and Village Board vote to approve
        - 1-Year process, which can be extended by 1 additional year by action of the Village
    c. ETZ freezes existing zoning unless ETZ expires (after 2 years) or new ETZ Map is approved by Town and Village.
    d. Under ETZ, joint Town/Village Plan Commission recommends Zoning Map Amendments to the Village Board.
        - In some ETZ Ordinances, the Town Plan Commission and Town Board play advisory roles.
        - In some ETZ Ordinances, the Town Board can veto a proposed Zoning Map Amendment.
        - Village is responsible for Zoning Administration and Building Administration within the ETZ. Village can adopt, impose, and collect administrative fees regarding ETZ and Building Permits.
3. **ET Land Division Review:**
    a. Limited to review, potential to require a minimum lot size, can require compliance with Official Map
4. **ET Official Mapping:** If Town has an Official Map, then this power is not applicable.
5. **ET Comprehensive Planning:**
    a. Town, Village, County, and RPC can each adopt Comp Plan recommendations within the ETJ. None of the Plans are required to match one-another. But all zoning and annexation actions by a jurisdiction much be consistent with the Comp Plan adopted by that jurisdiction.

Village of Cross Plains

Official Map

- Village of Cross Plains Boundary
- Town Boundary
- Parcel
- Contour Line - 10 ft. Interval
- Extraterritorial Jurisdiction Boundary (ETJ)
- Urban Service Area Boundary
- Railroad
- Right of Way
- Proposed Road
- Proposed Right-of-Way Widths (extends to limit of ETJ)
- Existing Trail
- Potential Future Trail
- Existing Park
- Potential Future Park
- Potential Future Park
- Conservancy
- Private Conservancy
- Existing Village Well
- Future Village Well
- Existing Storm Water Drainage Basin
- Future Storm Water Drainage Basin
- Existing Lift Station
- Existing Water Storage Facility
- Future Water Storage Facility
- Surface Water
- Floodplain



Date Adopted: _____

Date Revised: _____

Date: August 20, 2010
Sources: V & A, Dane County LIO, Village of Cross Plains, FEMA, Town & Country Engineering, Inc., MSA

0 1,000 2,000 3,000 Feet

Famous for Friendliness
Settled 1835
CROSS PLAINS

Agenda Memorandum

Staff/Department: **Bill Chang, Planning**
Subject Matter: **Extraterritorial Plat Review - Hillebrand**
Meeting Date: **July 6, 2020**
Referral History: **N/A**

Executive Summary:

The Judith E Hellenbrand Living Trust are proposing to combine lots 1 and 2 that were created by certified survey map number 14831 located in part of the SW ¼ of the NW ¼ of Section 6, T7N, R8E, in the Town of Middleton, Dane County, Wisconsin. The total area of the parcels is 3.52 acres and the current use of these parcels are residential and no zoning change is being proposed.

Project Background:

These lots are in the Town of Middleton but within the Village's extraterritorial jurisdiction.

Code/Policy Review:

Chapter 83 regulates the Village's Extraterritorial plat review.

Fiscal Impact:

N/A

Recommendation:

Staff recommends approval of the certified survey map.

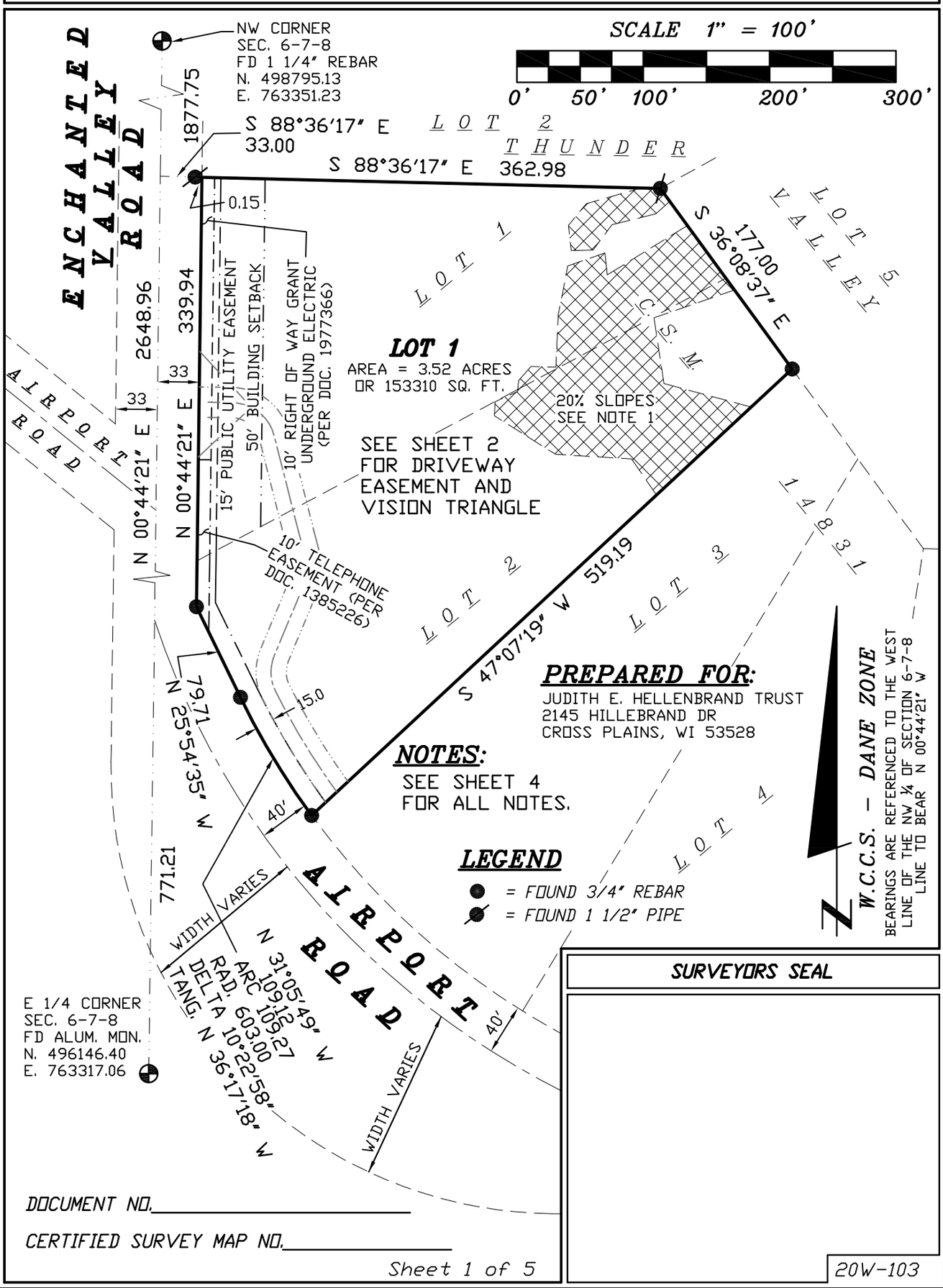
Appendices:

Hillebrand CSM and Request.

CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC
NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SW ¼ of the NW ¼ of Section 6, T7N, R8E, Town of Middleton, Dane County, Wisconsin including all of Lots 1 and 2 of C.S.M. No. 14831, Vol. 104, Pages 10-16



SURVEYORS SEAL

DOCUMENT NO._____

CERTIFIED SURVEY MAP NO._____

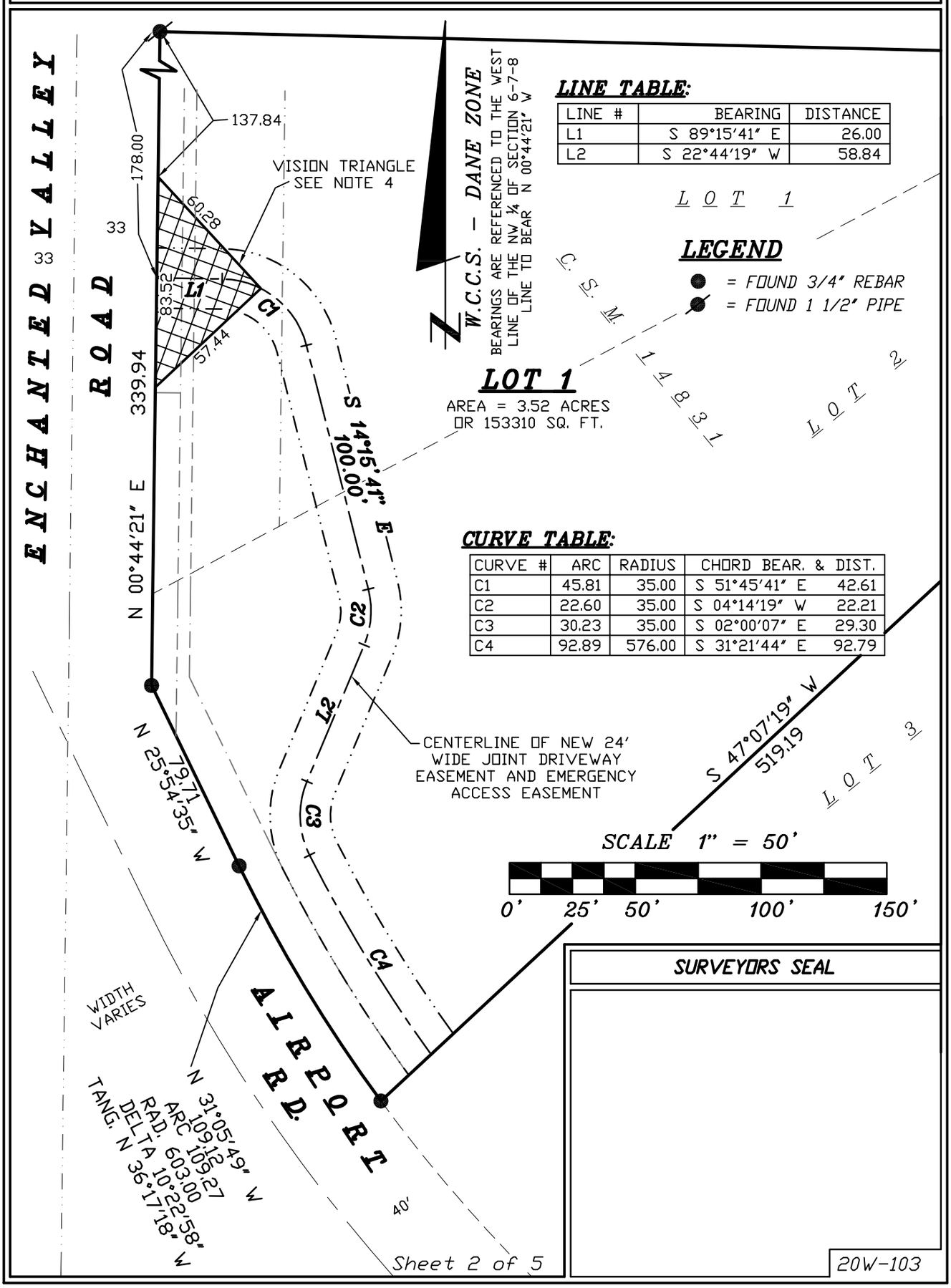
Sheet 1 of 5

20W-103

CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC
NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SW 1/4 of the NW 1/4 of Section 6, T7N, R8E, Town of Middleton, Dane County, Wisconsin including all of Lots 1 and 2 of C.S.M. No. 14831, Vol. 104, Pages 10-16



LINE TABLE:

LINE #	BEARING	DISTANCE
L1	S 89°15'41" E	26.00
L2	S 22°44'19" W	58.84

LEGEND

● = FOUND 3/4" REBAR
● = FOUND 1 1/2" PIPE

LOT 1

AREA = 3.52 ACRES
OR 153310 SQ. FT.

CURVE TABLE:

CURVE #	ARC	RADIUS	CHORD BEAR. & DIST.	
C1	45.81	35.00	S 51°45'41" E	42.61
C2	22.60	35.00	S 04°14'19" W	22.21
C3	30.23	35.00	S 02°00'07" E	29.30
C4	92.89	576.00	S 31°21'44" E	92.79

SURVEYORS SEAL

20W-103

CERTIFIED SURVEY MAP

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Located in the SW ¼ of the NW ¼ of Section 6, T7N, R8E, Town of Middleton, Dane County, Wisconsin including all of Lots 1 and 2 of C.S.M. No. 14831, Vol. 104, Pages 10-16

SURVEYOR'S CERTIFICATE

I, Chris W. Adams, Professional Land Surveyor hereby certify that this survey is correct to the best of the professional surveyor's knowledge and belief and is in full compliance with the provisions of Chapter A-E 7 and Chapter 236.34 Wisconsin Statutes, the subdivision regulations of Dane County, and by the direction of the owners listed below, I have surveyed, divided, and mapped a correct representation of the exterior boundaries of the land surveyed and the division of that land, being all of Lots 1 and 2 of Certified Survey Map No. 14831, recorded in Volume 104, on Pages 10-16 as Document No. 5417554, located in the SW 1/4 of the NW 1/4 of Section 6, T7N, R8E, Town of Middleton, Dane County, Wisconsin. This parcel contains 3.52 acres or 153310 sq. ft.

Williamson Surveying and Associates, LLC
by Noa T. Prieve & Chris W. Adams

*Date*_____

_____
Chris W. Adams S-2748
Professional Land Surveyor

OWNERS' CERTIFICATE:

As owner, I hereby certify that I caused the land described on this certified survey map to be surveyed, divided and mapped as represented on the certified survey map. I also certify that this certified survey map is required by sec. 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee for approval.

WITNESS the hand seal of said owners this _____day of_____,20___.

JUDITH E. HELLENBRAND TRUST

_____
Trustee -

STATE OF WISCONSIN)
DANE COUNTY)

Personally came before me this _____ day of _____, 20___ the above named Judith E. Hellenbrand Trust to me known to be the person who executed the foregoing instrument and acknowledge the same.

_____*County, Wisconsin.*

My commission expires _____

_____
Notary Public

_____
Print Name

SURVEYORS SEAL

CERTIFIED SURVEY MAP

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NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
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Located in the SW ¼ of the NW ¼ of Section 6, T7N, R8E, Town of Middleton, Dane County, Wisconsin including all of Lots 1 and 2 of C.S.M. No. 14831, Vol. 104, Pages 10-16

NOTES:

1.) THE LOCATION OF SLOPES GREATER THAN 20% WERE SCALED FROM THE DANE COUNTY ON LINE "DCI MAP". slopes AT OR ABOVE 20% ARE NOT TO E DISTURBED.

2.) FURTHER DIVISIONS BY CERTIFIED SURVEY MAP BE RESTRICTED OR A PERIOD OF UP TO FIVE YEARS UNDER THE PROVISION OF SECTION 315-23 OF THE TOWN OF MIDDLETON LAND DIVISION AND SUBDIVISION ORDINANCE.

3.) LOT 1 ON THIS CSM HAS A MINIMUM LOWEST OPENING ELEVATION RESTRICTION. NO BUILDING OPENING SHALL BE BELOW ELEVATION 983.10 BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

4.) VISION TRIANGLE NOTE: NO STRUCTURE, BERM OR VEGETATION OF ANY KIND, WHICH EXCEEDS A HEIGHT OF 2.5 FEET ABOVE AVERAGE ELEVATION OF THE ROADWAYS AND/OR DRIVEWAY WITHIN THE VISION TRIANGLE, EXCEPT FOR THE NECESSARY HIGHWAY AND SAFETY SIGNS OR APPROVED PUBLIC UTILITY LINES, SHALL BE PERMITTED WITHIN THE VISION TRIANGLE. NO PLANT MATERIAL WHICH OBSCURES SAFE VISION OF THE APPROACHES TO THE INTERSECTION SHALL BE PERMITTED. GRASSES AND SIMILAR ARE CONSIDERED ACCEPTABLE.

5.) THERE SHALL BE NO RESTRICTION ON PLANTING TREES AND/OR OTHER VEGETATION ON THIS LOT IMMEDIATELY ADJACENT TO THE AIRPORT ROAD AND ENCHANTED VALLEY ROAD RIGHT OF WAYS EXCEPT THAT:

A. NO VEGETATION WITHIN THE VISION TRIANGLE SHALL BE PLACED THAT VIOLATES THE REQUIREMENTS OF THE VISION TRIANGLE FOR THE DRIVEWAY (NOTE 4).
B. NO VEGETATION OTHER THAN GRASS IN OTHER AREAS OF THIS LOT SHALL BE ALLOWED TO GROW OVER OR INTO THE AIRPORT ROAD AND ENCHANTED VALLEY ROAD RIGHT OF WAYS.

6.) PUBLIC UTILITY EASEMENT - NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB AND SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINE OR STREET LINE. THE DISTURBANCE OF ANY SURVEY STAKE BY ANYONE IS A VIOLATION OF S. 236.32, WISCONSIN STATUTES. UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES THAT HAVE THE RIGHT TO SERVE THE AREA. UTILITY FACILITIES WHEN INSTALLED ON UTILITY EASEMENTS, WHETHER OVERHEAD OR UNDERGROUND, SHALL NOT BE CLOSER THAN ONE (1) FOOT TO A PROPERTY LINE OR THREE (3) FEET TO ANY MONUMENT. LAND DISTURBED BY SUCH INSTALLATION SHALL BE RESTORED WHERE UTILITY FACILITIES ARE TO BE INSTALLED UNDERGROUND. THE UTILITY EASEMENTS SHALL BE GRADED TO WITHIN SIX (6) INCHES OF THE FINAL GRADE BY THE SUBDIVIDER PRIOR TO INSTALLATION OF SUCH FACILITIES, AND EARTH FILL, PILES OR MOUNDS OF DIRT SHALL NOT BE STORED IN SUCH EASEMENT.

7.) THE 50 FOOT FRONT YARD SETBACK ON THIS LOT IS AS REQUIRED BY THE TOWN OF MIDDLETON.

8.) THE SECTION CORNER TIES FOR THE NW CORNER AND WEST 1/4 CORNER OF SECTION 6 WERE FOUND AND VERIFIED.

SURVEYORS SEAL

20W-103

CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC
NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SW ¼ of the NW ¼ of Section 6, T7N, R8E, Town of Middleton, Dane County, Wisconsin including all of Lots 1 and 2 of C.S.M. No. 14831, Vol. 104, Pages 10-16

TOWN BOARD RESOLUTION

Resolved that this certified survey map is hereby acknowledged and approved by the Town of Middleton on this _____day of _____, 20___.

_____
Barbara Roesslein
Town Clerk

VILLAGE APPROVAL

Resolved that this certified survey map in the Town of Middleton is hereby acknowledged and approved by the Village of Cross Plains on this _____day of _____, 20___.

_____
Bill Chang
Village Clerk

DANE COUNTY APPROVAL

Approved for recording per Dane County Zoning and Land Regulation Committee action on _____.

_____
Daniel Everson
Assistant Zoning Administrator

NOTE:
REFER TO BUILDING SITE INFORMATION CONTAINED IN THE DANE COUNTY SOIL SURVEY.

REGISTER OF DEEDS:

Received for recording this ___ day of _____, 20___ at ___ o'clock ___.M. and recorded in Volume _____ of Dane County Certified Surveys on pages _____ through _____.

_____
Kristi Chlebowski
Register of Deeds

SURVEYORS SEAL

DOCUMENT NO._____

CERTIFIED SURVEY MAP NO._____

WILLIAMSON SURVEYING & ASSOCIATES, LLC

104A WEST MAIN STREET, WAUNAKEE, WI 53597

NOA T. PRIEVE and CHRIS W. ADAMS

PHONE: 1-608-255-5705 WEB: WILLIAMSONSURVEYING.COM

May 14, 2020
Chair and Members of the Plan Commission
Town of Middleton
7555 W Old Sauk Road
Verona, WI 53593 Town of Middleton

RE: Judith E Hellenbrand Living Trust Certified Survey Map and Variance Request

Letter of Application:

The Judith E Hellenbrand Living Trust are proposing to combine lots 1 and 2 that were created by certified survey map number 14831 located in part of the SW ¼ of the NW ¼ of Section 6, T7N, R8E, in the Town of Middleton, Dane County, Wisconsin. The total area of the parcels is 3.52 acres and the current use of these parcels are residential and no zoning change is being proposed.

Variance Request:

On behalf of the landowners, we are hereby requesting a recommendation to the Town Board for approval for the following variances from Town Ordinances:

1.) A variance from Town Ordinance 15.22(4)(l) that states that the location of all Native Canopy Trees exceeding eight inches (DBH (Diameter at Breast Height) located in proposed street rights of-way, Building Envelopes, or in areas proposed to be used for stormwater management or other subdivision improvements be shown on the CSM. We are requesting a variance from having to provide a tree survey and to allow these trees to be omitted from the CSM. A tree survey was completed on the previous certified survey map that was recently recorded and would be a duplication of work and a unneeded expense to the owner.

Please contact me with any questions or concerns as you consider this request.

Sincerely,

Noa Prieve

Professional Land Surveyor
Williamson Surveying and Associates LLC

Agenda Memorandum

Staff/Department: **Bill Chang, Planning**
Subject Matter: **Scenic Valley Variance Request**
Meeting Date: **July 6, 2020**
Referral History: **N/A**

Executive Summary:

Horizon Investment Associates (Scenic Valley) is requesting a variance/waiver from Chapter 83 of the Village Municipal Code to allow construction past the September 15th deadline. They would like to construct until the end of the year.

Project Background:

Scenic Valley requested for a similar variance to start construction April 1, 2020. To date, the construction for the subdivision has not started yet. Scenic Valley intends to start as soon as they are able to provide the Village with the proper security bond.

Code/Policy Review:

Chapter 83 regulates the Village's Subdivision Development requirements.

Fiscal Impact:

N/A

Recommendation:

Staff does not recommend approval of this variance request. The circumstances of the delay were not due to Village's actions.

Appendices:

Variance Request Letter

SCENIC VALLEY
DESIGN STANDARDS VARIANCE AND/OR WAIVER REQUEST LETTER

1) **Construction/Disturbance Schedule Variance**

Section 83.104 of Village ordinances states "*All earth-disturbing activities for land divisions greater than one acre in size shall occur between May 1 and September 15 each year. Restoration of all earth disturbances shall be completed by September 15*".

In order to complete the street and utility construction for the Scenic Valley Subdivision prior to home construction in the Spring of 2021, the applicant is requesting a variance to allow construction from September 15th, 2020 through December 15, 2020. The fall months also provide better weather conditions (less rain) for street and utility construction. All disturbed areas drain to the detention pond which will provide sufficient sediment control.