

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting December 6, 2017

Agenda Item 5

Applicant: Reed & Rebecca Sponsler

Request: Rule exception to the requirement that an erosion control plan be completed for a 1-Lot Major Certified Survey Map (CSM).

Background:

Reed & Rebecca Sponsler created Lot 2 & 3 CSM Volume 14 Page 129 on 8-9-2017. They are proposing to create their 3rd parcel within a five-year period, which is considered a Major CSM. The lot number will be 'Lot 4' as there are existing parcels labeled "Lot 1-3" nearby. Pierce County Code (PCC) requires erosion control plans for the creation of Major CSM sites per PCC § 237-11 and per §237-17A(3)(a) states that accompanying information shall include erosion control plans.

Rule exceptions per PCC Subdivision of Land § 237-30 states:

- A. Where the Land Management Committee finds that undue difficulties will result from strict compliance with the regulations of this chapter or better design will result, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such rule exception will not have the effect of nullifying the intent and purpose of this chapter.
- B. A majority vote of the entire membership of the Land Management Committee shall be required to grant any rule exception to these regulations and any rule exception thus granted shall be entered into the minutes of the Committee setting forth the reasons which, in the judgment of the Committee, justified the rule exception.

Issues Pertaining to the Request:

- The legal description for this property is located in the NW ¼ of the NW ¼ of Sec. 8, T27N, R.19W, Town of Clifton.
- Surrounding land use is mostly agricultural and some residential. The zoning district on the property is General Rural Flexible-8.
- The following conditions must be present for a proposed land division to qualify for this type of rule exception (LMC policy):
 1. No roads are being constructed as part of the land division.
 2. No erosion problems are present on the property.
 3. There are no problems with stormwater or surface water flow on the subject property or that originate on the subject property.
- No roads are being constructed as part of this proposed land division.
- Staff visited the site 11/27/2017 and noticed the site is stable. The previous cover crop was soybeans and the drainage ditches were covered in thick grass. To the south, 840th Avenue adjoins the proposed lot.

Recommendation:

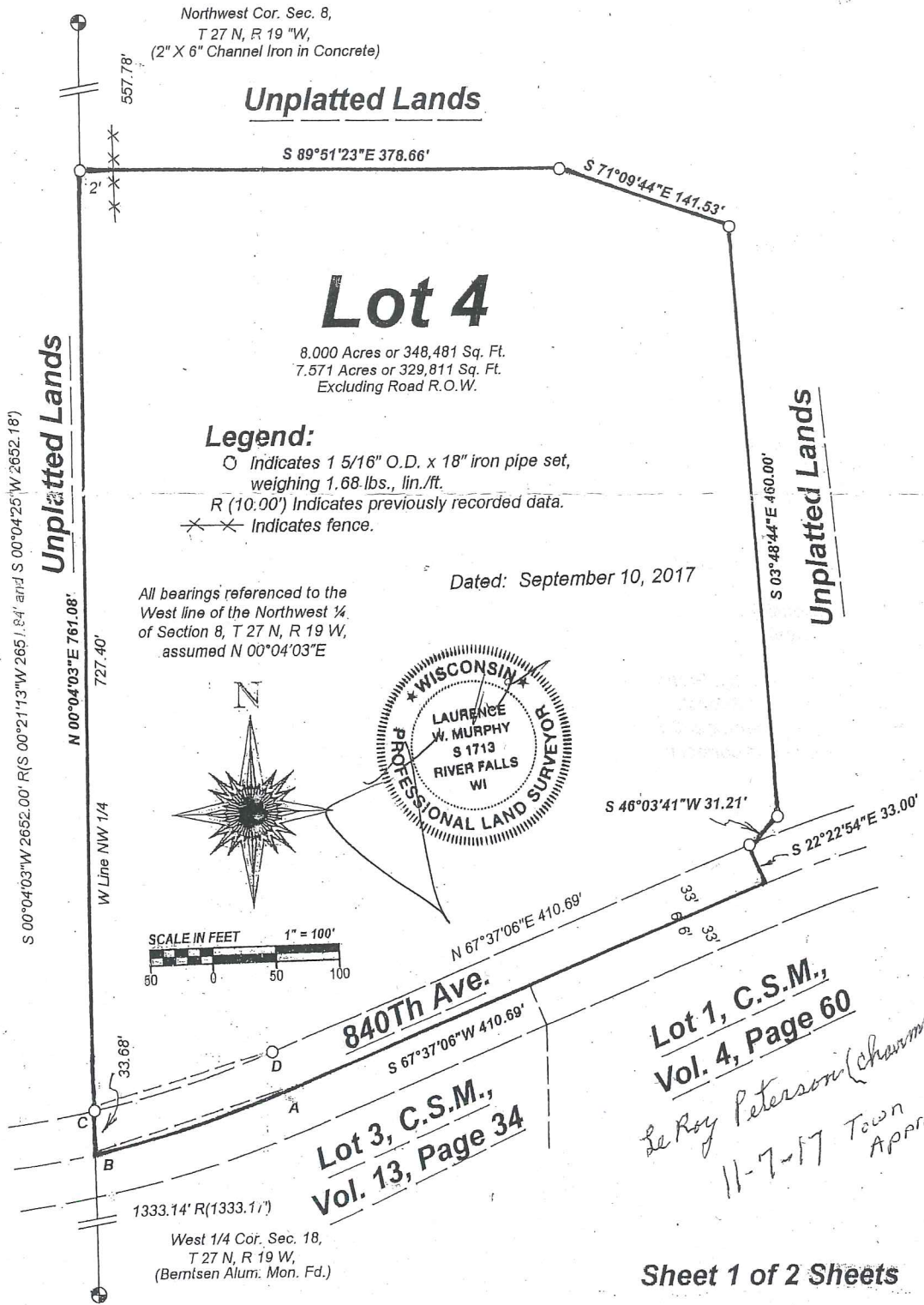
Staff recommends the Land Management Committee consider whether or not this situation warrants a rule exception.

Submitted By: Emily Lund
Assistant Zoning Administrator

Certified Survey Map

Rebecca and Reed Sponsler

Part of the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 27 North, Range 19 West, Town of Clifton, Pierce County, Wisconsin.



Northwest Cor. Sec. 8,
T 27 N, R 19 W,
(2" X 6" Channel Iron in Concrete)

Unplatted Lands

S 89°51'23"E 378.66'
S 71°09'44"E 141.53'

Lot 4

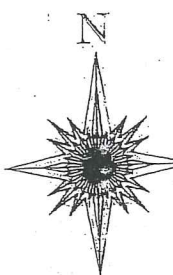
8.000 Acres or 348,481 Sq. Ft.
7.571 Acres or 329,811 Sq. Ft.
Excluding Road R.O.W.

Legend:

- Indicates 1 5/16" O.D. x 18" iron pipe set, weighing 1.68 lbs., lin./ft.
- R (10.00') Indicates previously recorded data.
- ✕✕ Indicates fence.

Dated: September 10, 2017

All bearings referenced to the West line of the Northwest 1/4 of Section 8, T 27 N, R 19 W, assumed N 00°04'03"E



Unplatted Lands

Unplatted Lands

840th Ave.

**Lot 3, C.S.M.,
Vol. 13, Page 34**

**Lot 1, C.S.M.,
Vol. 4, Page 60**

LeRoy Peterson (Chairman)
11-7-17 Town Approved.

1333.14' R(1333.17')

West 1/4 Cor. Sec. 18,
T 27 N, R 19 W,
(Bernitsen Alum. Mon. Fd.)

Certified Survey Map

Rebecca and Reed Sponsler

Part of the Northwest ¼ of the Northwest ¼ of Section 8, Township 27 North, Range 19 West, Town of Clifton, Pierce County, Wisconsin.

Curve Data							
Curve	Chord Bearing	Chord Dist.	Arc Dist.	Radius	Central Angle	1 st Tan. Bearing	2 nd Tan. Bearing
A - B	S 73°06'25"W	161.39'	161.64'	843.66'	10°58'38"	S 67°37'06"W	S 78°35'44"W
C - D	N 72°52'12.5"E	148.41'	148.61'	810.66'	10°30'13"	N 78°07'19"E	N 67°37'06"E
Previously Recorded Curve Data							
A - B	S 73°23'38.5"W	161.48'	161.74'		10°59'03"	N 67°54'07"E	N 78°53'10"E

Description:

That certain parcel of land located in the Northwest ¼ of the Northwest ¼ of Section 8, Township 27 North, Range 19 West, Town of Clifton, Pierce County, Wisconsin, more fully described as follows; Commencing at the West ¼ corner of said Section 18, thence N 00°04'03"E (assumed bearing on the West line of the Northwest ¼ of said Section 18) a distance of 1333.14' (recorded as 1333.17'), to the centerline of a town road and the POINT OF BEGINNING, of the parcel to be herein described; thence continue N 00°04'03"E 761.08' on said West line of the Northwest ¼; thence S 89°51'23"E 378.66'; thence S 71°09'44"E 141.53'; thence S 03°48'44"E 460.00'; thence S 46°03'41"W 31.21', to the North right of way line of a town road; thence S 22°22'54"E 33.00', to the centerline of said town road; thence S 67°37'06"W 410.69' on said centerline; thence Westerly on said centerline, on a curve concave to the North, having a radius of 843.66', whose chord bears S 73°06'25"W a distance of 161.39', to the POINT OF BEGINNING, containing 8.000 acres or 348,481 square feet, being subject to easement over southerly portions of said parcel for town road purposes as shown on this map and also being subject to easements of record.

Date: September 10, 2017

State of Wisconsin)
County of Pierce)

I, Laurence W. Murphy, Professional Land Surveyor, do hereby certify that by direction of the Owners, Rebecca and Reed Sponsler, I have surveyed and divided the lands shown hereon in accordance with official records, Chapter 236.34 of the Wisconsin Statutes and the Ordinances of Pierce County and that this map is true and correct to the best of my knowledge and belief.







Land Management Committee

Reed & Rebecca Sponsler
(December 6th, 2017)

Erosion Control- Rule Exception

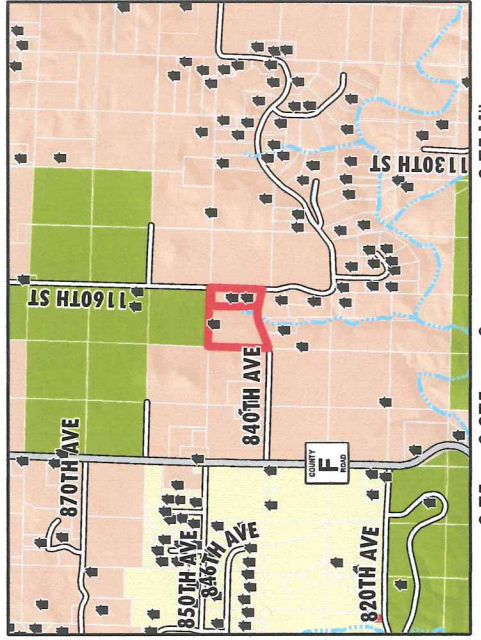
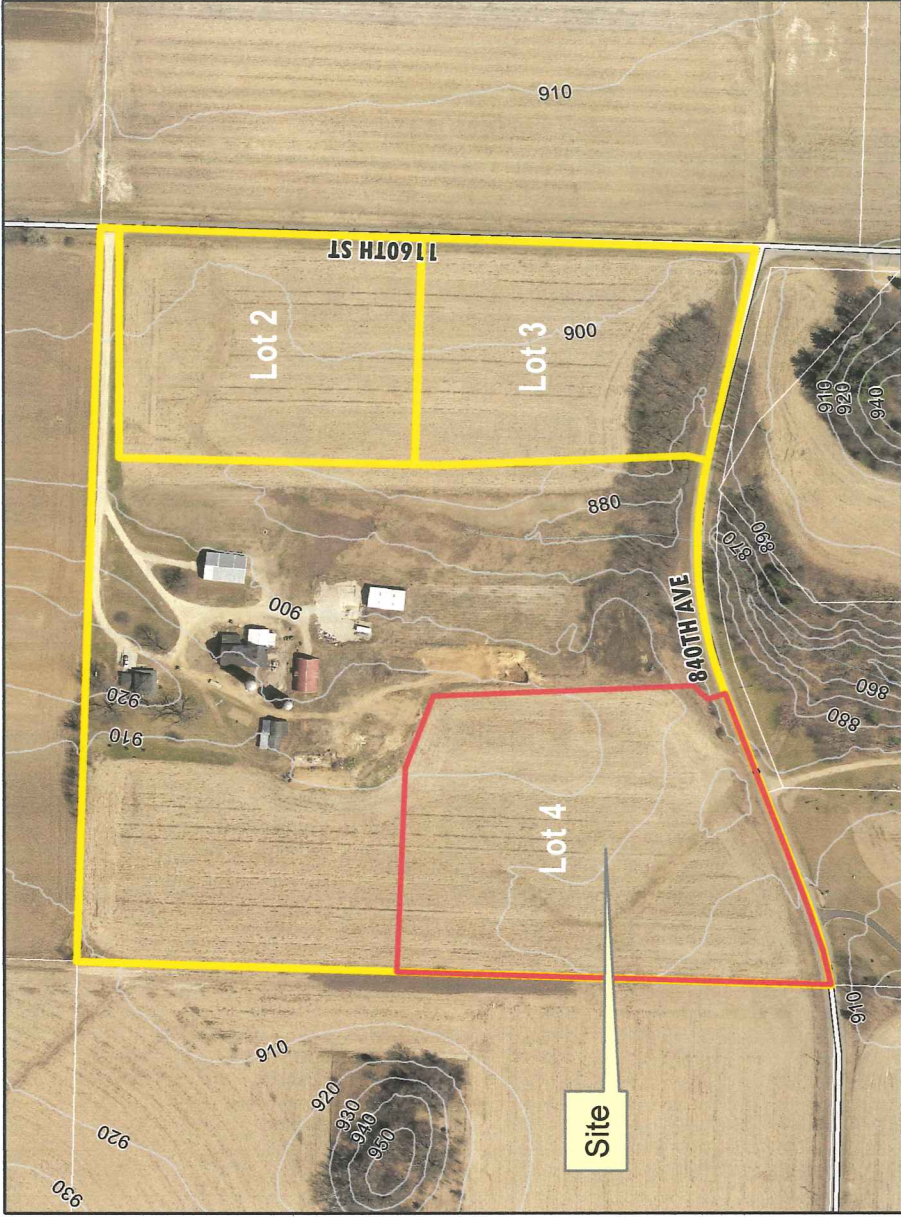
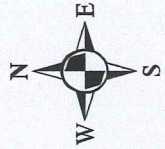
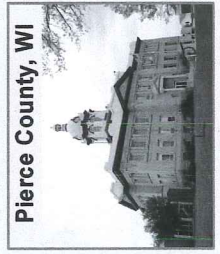
Legend

-  Dwellings
-  Site
-  Parcels
-  Contours (10ft)

Zoning

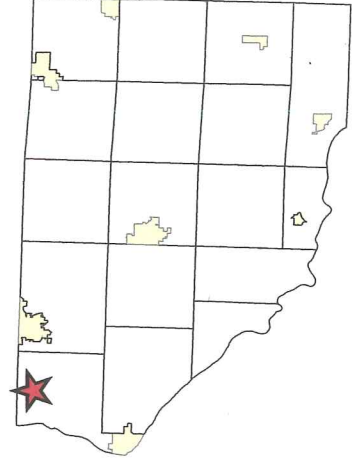
-  Commercial
-  General Rural
-  General Rural Flexible - 8
-  Primary Agriculture
-  Rural Residential - 8

Orthophotography - 2015 Pierce County



Site Location

N8511 1160TH ST
TOWN OF CLIFTON



STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting December 6, 2017

Agenda Item 6

Applicant: Reed & Rebecca Sponsler

Request: Approval for a 1-Lot Major Certified Survey Map (CSM)

Background:

Mr. & Mrs. Sponsler previously created Lot 2 & 3 CSM Volume 14 Page 129 on 8-9-2017. They are now proposing to create their 3rd parcel within a five-year period, which is considered a Major CSM and requires LMC review. A rule exception to the requirement that an erosion control plan be completed as part of a Major CSM was requested by the applicant.

Issues Pertaining to the Request:

- The property is located in the NW ¼ of the NW ¼ of Sec. 8, T27N, R.19W, Town of Clifton.
- Surrounding land use is mostly agricultural and some residential. The zoning district on the property is General Rural Flexible-8. Density calculation shows (27.16 ac) x (8 lots / 40 ac) = 5.4 lots. Rounding per Ch. 240-25.C(2) allows for 5 lots. Existing residences count against maximum residential density per ch. 240-25.C(4) for residence N8511 1160th St, which allows 4 lots to be created.
- The proposed lot is 8.00 acres. Road frontage requirement for this CSM is met with 410 feet adjoining 840th Avenue.
- The CSM meets slope requirements (at least one acre of net area with slopes less than 20%, of which ½ acres shall be less than 12% slopes).
- Per §237-17 (B)3, staff reviewed if the land was subject to any hazards to life, health, or property; no such hazards were found.
- Mary Jo Huppert completed a soil test on 9-20-2017 and a mound septic system is recommended.
- Property is not in the Farmland Preservation Program per Land Conservation Department.
- Pierce County Surveyor, Louie Filkins, reviewed and approved the CSM on 11-9-2017.
- Survey review fees were paid on 11-8-2017.
- Clifton Town Board reviewed and approved the CSM on 11-7-2017. Town issued a driveway permit off of 840th Avenue on 9-22-2017. Town of Clifton's minimum lot size of 3-acres is met.

Recommendation:

If a rule exception has been granted for the erosion control plan requirement, staff recommends the Land Management Committee approve this major CSM.

If a rule exception was not granted to the erosion control plan requirement, staff recommends the Land Management Committee either deny or defer action on this request until an approved erosion control plan is submitted for this CSM.

Submitted By: Emily Lund
Assistant Zoning Administrator

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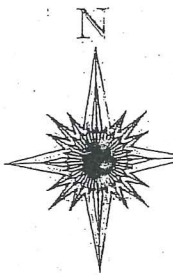
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Unplatted Lands

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S 00°04'03"W 2652.00' R(S 00°21'13"W 2651.84' and S 00°04'25"W 2652.18')

N 00°04'03"E 761.08'

727.40'

W Line NW 1/4

33.68'

1333.14' R(1333.17')

West 1/4 Cor. Sec. 18,
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Land Management Committee

Reed & Rebecca Sponsler
(December 6th, 2017)

Major CSM Approval

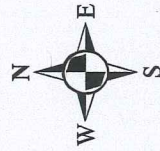
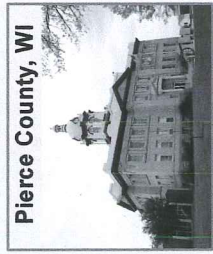
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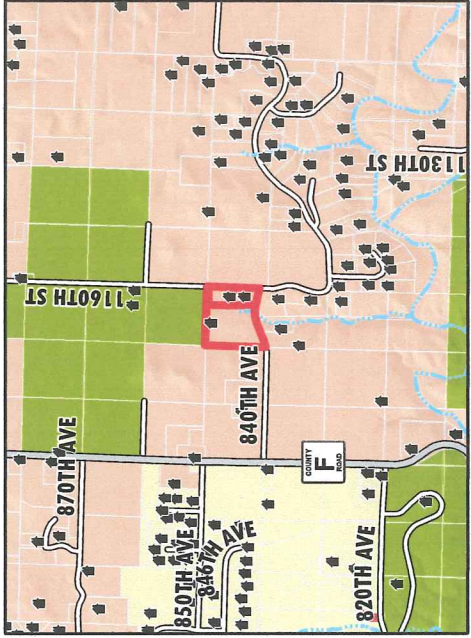
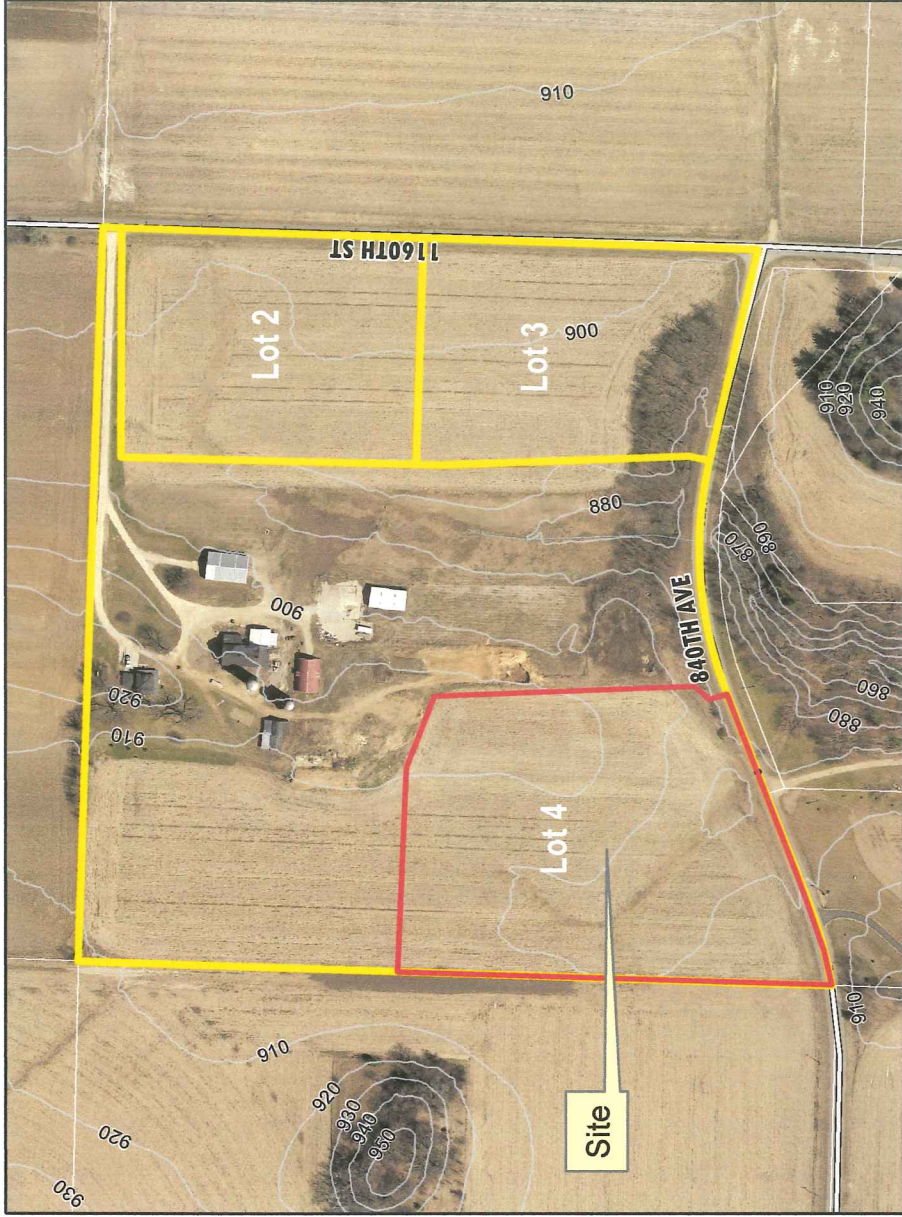
Zoning

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Prepared by the Department of Land Management



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