

# Certified Survey Map (CSM) Submittal

Updated: 11/12/13

## Town of Middleton

7555 W. Old Sauk Road

Verona, WI 53593-9700

Phone: 608-833-5887

Fax: 608-833-8996

info@town.middleton.wi.us

The Town of Middleton Plan Commission\* meets on the first Wednesday of the month at 7 p.m. at the Town Hall, 7555 W. Old Sauk Road. **Certified Survey Maps and accompanying information (see checklist below) must be submitted 21 days prior to the Commission meeting where action is requested, for review and agenda placement.** In addition to the required hard copies, electronic copies are required – contact the Town Clerk and Town Engineer for desired formats. Incomplete applications will not be considered to be filed. They may be returned which could result in a delay of your project. See Town of Middleton Ordinances – Chapter 315: Land Division and Subdivision for a complete list of definitions, standards, and requirements.\*\*

\* Note: Application reviews begin with the Plan Commission. Review by the Park Commission and approval by the Town Board are also required. The Park Commission and Town Board meetings will be scheduled after the Plan Commission has considered the application.

\*\* Town of Middleton Design Requirements for Public Improvements' shall be used where applicable. Copies can be obtained from the Town of Middleton website ([www.town.middleton.wi.us](http://www.town.middleton.wi.us)).

### Project:

<b>Name or site description:</b>	<b>Location:</b>
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### Checklist – Check boxes at left with ‘✓’ or ‘n/a’ as applicable

	<p><b>If there are variances</b> from Town ordinances for this CSM, please attach 4 hard copies* plus 1 electronic copy (.pdf or .doc as appropriate) of a complete description of each variance requested, stating fully all facts relied upon by the applicant, supplemented with maps, plans, or other additional data which may aid the Town Board and the Plan Commission in the analysis and evaluation of the requested variance. Variances requested include: (Check all sections that apply and the number of different variances from that section being requested. Attach detailed information.)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><input type="checkbox"/> Section 315-52</td> <td style="width: 50%;">Number of variances requested ____</td> </tr> <tr> <td><input type="checkbox"/> Section 315-12</td> <td>Number of variances requested ____</td> </tr> <tr> <td><input type="checkbox"/> Section 315-43A(1) and Section 315-43A(3)(b)</td> <td>Number of variances requested ____</td> </tr> <tr> <td><input type="checkbox"/> Section 315-43A(3)(d)</td> <td>Number of variances requested ____</td> </tr> <tr> <td><input type="checkbox"/> Other _____</td> <td>Number of variances requested ____</td> </tr> </table> <p>If there are no variances, mark the box at left “n/a”. See pages 2-5 of this form for more information.</p>	<input type="checkbox"/> Section 315-52	Number of variances requested ____	<input type="checkbox"/> Section 315-12	Number of variances requested ____	<input type="checkbox"/> Section 315-43A(1) and Section 315-43A(3)(b)	Number of variances requested ____	<input type="checkbox"/> Section 315-43A(3)(d)	Number of variances requested ____	<input type="checkbox"/> Other _____	Number of variances requested ____
<input type="checkbox"/> Section 315-52	Number of variances requested ____										
<input type="checkbox"/> Section 315-12	Number of variances requested ____										
<input type="checkbox"/> Section 315-43A(1) and Section 315-43A(3)(b)	Number of variances requested ____										
<input type="checkbox"/> Section 315-43A(3)(d)	Number of variances requested ____										
<input type="checkbox"/> Other _____	Number of variances requested ____										
	Completed <b>Application Form</b> (this document)										
	<b>Deposit:</b> Pursuant to Town Fee Schedule is included with the application.										
	<b>Contact Information - Land Division/Site Plan/CUP</b> form must be submitted with this application.										
	<b>CSM</b> – 4 hard copies* plus 1 electronic copy										
	<b>Evidence of title or control of property</b> by Owner/Applicant or Land Divider - 4 hard copies* plus 1 electronic copy (.pdf or .doc as appropriate). Title Commitment or Registered Property report.										
	<b>Property Owner’s Association/Restrictive Covenant Text</b> (if proposed CSM contains areas of public interest, such as stormwater management areas, parks, or landscaped buffers) 4 hard copies* plus 1 electronic copy (.pdf or .doc as appropriate)										
	<b>Existing Restrictive Covenants</b> that could impact the proposed land division shall be submitted if they exist.										

	<b>Stormwater Management Plan/Erosion Control Plan</b> – 4 hard copies* plus 1 electronic copy of report, if required. (A stormwater plan is required if more than 20,000 square feet of impervious area is proposed. An erosion control plan is required if more than 4,000 square feet of disturbance is proposed.)
	<b>Letter of Application</b> – 4 hard copies* plus 1 electronic copy (.pdf or .doc as appropriate), including:
	– A written description of the proposed land division.
	– Lot use(s) statement concerning the use of the proposed lots.
	– Proposed zoning change details.
	– Concept plan for land adjacent to the CSM owned by the Applicant, Owner or Land Divider.
	– Record of recent land divisions adjacent to proposed CSM.
	– Street plans and profiles (if new public street rights-of-way are proposed).
	– Soil testing report or data. The soil testing report should list the types of soils in the proposed Land Division and their effect on the Land Division and their effect on the Land Division.. A soil conservation service map is acceptable for meeting this requirement.
	– Environmental Assessment Checklist (attached).

*\*Note: Copies of each document shall be submitted as follows: one hard copy directly to the Town Attorney and Town Clerk, two hard copies directly to the Town Engineer. The electronic copy shall be delivered to the Town Clerk at the Town Hall using [info@town.middleton.wi.us](mailto:info@town.middleton.wi.us) as the email address. If any document submitted is larger than 11" x 17", 25 hard copies shall be submitted. Addresses for these parties below.*

<b>Town Clerk</b> David Shaw Middleton Town Hall 7555 W. Old Sauk Road Verona, WI 53593	<b>Town Attorney</b> Tom Voss Erbach & Voss, SC 6255 University Ave, #101 Middleton, WI 53562	<b>Town Engineer</b> Rod Zubella, PE Vierbicher Associates, Inc. 999 Fourier Drive, Suite 201 Madison, WI 53717
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I hereby certify the above is true and complete AND I hereby agree to pay for any and all costs and charges borne by the Town of Middleton as related to and for the purposes of review of the Land Division listed above, including engineering and legal review that may exceed the required deposit. Fees incurred by the Town in excess of the deposit shall be due within 30 days of receipt of invoice from the Town of Middleton.

Applicant/Land Divider Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Variations

Guidelines for issuing the variations are addressed in section 315-52. Variations to three sections of Section 315 are handled within that section; 315-12, Hillside Protection (20% Slopes); 315-43, Lot Design Standards (minimum lot size). These three sections are reproduced below (*note: variations to other ordinances may be requested*):

### Section 315-52 Variations and Exceptions

- A. Where, in the sole judgment of the Town Board, it would be inappropriate to apply literally the provisions of this Title because exceptional or undue hardship would result, the Town Board may waive or modify any requirements to the extent deemed just and proper by the Town Board.
- B. Application for any such variance shall be made in writing by the Land Divider on a form prescribed by the Town. Such application for variance shall be made at the time when the Preliminary Plat or Certified Survey map is filed with the Town Clerk for consideration, stating fully all facts relied upon by the Land Divider, and shall be supplemented with maps, plans or other additional data which may aid the Town Board and the Plan Commission in the analysis and evaluation of the requested variance.

- C. The Town Board shall not grant variations or exceptions to the regulations and provisions of this Title unless it determines based upon the evidence presented to it in each specific case that all of the following apply:
  - (1) The granting of the variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements;
  - (2) The conditions upon which the request for a variance is based are unique to the property for which the variation is sought and are not applicable generally to other property;
  - (3) Because of the particular surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the Owner or Land Divider would result, as distinguished from a mere inconvenience, financial hardship or self-imposed hardship, if the regulations contained in this Title were strictly enforced.
- D. The Plan Commission shall forward any recommendation regarding a requested variance or exception to the Town Board. The Town Board, if it approves of the request for variance, shall do so by resolution. The Town Clerk shall notify the Land Divider of the action of the Town Board.
- E. Such relief shall be granted without detriment to the public good, without impairing the intent and purpose of this Chapter or the desirable general development of the Town in accordance with any Town Master or Land Use Plan or component thereof, this Title, or Zoning Code of Dane County.
- F. A majority vote of the entire membership of the Town Board (3 votes) shall be required to grant any variance of this Chapter. Such vote shall be by roll call of the members present and the reasons for granting or denying the variance from the requirements of this Chapter shall be entered in the minutes of the Board.
- G. The Town Board may waive the placing of monuments, required under § 236.15(1), (b), (c) and (d), Wisconsin Statutes, for a reasonable time on condition that the Land Divider execute a letter of credit to ensure the placing of such monuments within the time required.

### **Section 315-12 Hillside Protection**

- A. Except if provided a variance by the Board, no Land Division for residential, commercial, or industrial purposes shall be approved which would result in, or authorize a use or disturbance of land, including the construction of private roads and driveways, on hillsides with a natural or manmade slope of twenty percent (20%) or more. An exception will be made for slopes in excess of twenty percent (20%) created as part of previously installed public street or drainage improvement.
- B. Individual Lots containing some slopes in excess of twenty percent (20%) are not permitted, unless the entire Building Envelope and areas to be disturbed by driveway and septic system installation have no slopes in excess of fifteen percent (15%).
- C. The Town Board may approve a variance to this Section 11-3-6 provided any one or more of the following conditions exist, in substantial part:
  - (1) The area with slopes greater than twenty percent (20%) for which all or part of this area will be disturbed is smaller than 2,500 square feet.
  - (2) It is necessary to cross the area with slopes greater than twenty percent (20%) to access developable portions of the property or Lot.
  - (3) Other unusual situations exist.

### **Section 315-43 A(1) – 315-43 A(3)(b) Lot Design Standards**

#### **A. General Requirements**

- (1) **Size.** Lot sizes shall be appropriate for the location, zoning, type of sewerage or septic system to be utilized, and for the type of Land Division contemplated.
- (2) **Maximum Development Density.** There shall be a ratio of (1) Dwelling Unit per seventy-five thousand (75,000) square feet of land for Traditional Subdivisions and one (1) Dwelling Unit per sixty thousand (60,000) square feet of land for Cluster Subdivisions inclusive of public streets (including up to the centerline of abutting

roads but counting only one (1) lane of divided highways), dedicated parkland, and open space if included within the limits of the proposed subdivision. These ratios shall not be exceeded.

**(3) Minimum Lot Sizes; Open Space.**

**(a) Sewered Subdivisions**

- [1] In areas to be served by public sewers, the minimum Lot sizes shall be twelve thousand (12,000) square feet, with an additional two thousand (2,000) square feet required for each additional Dwelling Unit.
- [2] In areas to be served by public sewers, which are also Cluster Subdivisions, as detailed below, the open space required per Lot shall be 60,000 square feet, minus the Lot size.

**(b) Unsewered Traditional Subdivisions**

- [1] In unsewered Traditional Subdivisions, minimum Lot sizes shall be sixty-five thousand (65,000) square feet. In its discretion if the Town Board finds a variance to be in the best interest of the Town, it may allow a variance to this minimum Lot size if all the following conditions are met:
  - [a] The Owners of a minimum of 51% of the abutting Lots, built on or buildable, agree to permit the Land Division if the average size of the proposed Lots is less than 85% of the average size of the abutting Lots. Each abutting Lot shall receive one vote.
  - [b] In the a rezoning is necessary, the land shall be rezoned to R-1 or A-1.
  - [c] There shall be a maximum density of one Dwelling Unit per 75,000 square feet (60,000 square feet in the Transition Area defined in 11-2-2) of land inclusive of public streets (including up to the centerline of abutting roads but counting only one (1) lane of divided highways), dedicated parkland, and open space if included within the limits of the proposed subdivision.
  - [d] Covenants and Restrictions shall be created and recorded that are compatible, in substantial part, with the abutting Plats.
  - [e] There shall not be any privately owned Outlots unless required by the Town.
  - [f] The proposed Land Division includes all of the abutting property of the Land Divider, or Owner of the property within the proposed Land Division, and related parties.
  - [g] The proposed Land Division receiving a variance shall be restricted so that no Lot is smaller than 40,000 square feet with no more than a 2:1 ratio between the largest and smallest Lots.
- [2] In determining whether a variance is in the best interest of the Town, the Town will consider impacts of the proposed Land Division to the following. The Town will review its Land Use Plan and approved neighborhood plans in reviewing the impacts to these areas of concern.
  - [a] Public safety
  - [b] Public infrastructure
  - [c] Adequacy of access to Parcel
  - [d] Adequacy of access to adjoining Parcels
  - [e] Potential future Development of adjacent Parcels
  - [f] Building setbacks
  - [g] Land use (including connectivity to adjoining Parcels or conformance to approved neighborhood plans)
  - [h] Aesthetics (proposed development should be consistent with surrounding development in terms of Lot dimensions, building placement, and building spacing)
- [3] An application for any such variance shall be made in writing by the Land Divider on submittal checklist forms provided by the Town. Such application for variance shall be made at the time when the Preliminary Plat or Certified Survey is filed with the Town Clerk for consideration, stating fully all facts relied upon by the Land Divider, and shall be supplemented with maps, plans or other additional data

which may aid the Town Board and the Plan Commission in the analysis and evaluation of the requested variance.

### **Section 315-43 A(3)(d) –Lot Design Standards – Minor Subdivisions**

#### **(d) Unsewered Traditional Subdivisions**

- [1] Conditions 1-7 and the criteria for determining if it is in the best interest of the Town under Section 11-7-3(a)(3)B.
- [2] For all new Certified Survey maps having one or more Lots smaller than 5 acres and one or more Lots 5 acres or larger, the Lots 5 acres or larger in size shall at a minimum be subject to the restrictions of RH-1 zoning in the restriction of animal units.
- [3] For all Lots less than 5 acres in size, Covenants and Restrictions shall be created and recorded which are compatible, in substantial part, with those of nearby developments.

APPENDIX A

<p><b>Preliminary Checklist for Environmental Assessment of Land Divisions and Community Development Plans</b></p> <p>Updated: 4/30/12</p>	<p><b>Town of Middleton</b> 7555 W. Old Sauk Road Verona, WI 53593-9700 Phone: 608-833-5887 Fax: 608-833-8996 info@town.middleton.wi.us</p>
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**Project Location:**

Name or Site Description:	Type: ___ Plat ___ Replat ___ CSM ___ Site Plan
Comments:	

	Yes	No	Uncertain
<b>A Land Resources-</b>			
Does this project site involve:			
1) Changes in relief and drainage patterns?	___	___	___
2) A landform or topographical feature of local or regional interest?	___	___	___
3) An area having importance for wild plants and animals of community interest?	___	___	___
4) An area of soil instability--greater than 12% slope or organic soils, peats or mucks at or near the surface?	___	___	___
5) An area of bedrock within 6 feet of the surface?	___	___	___
6) An area with the groundwater table within 10 feet of the soil surface?	___	___	___
7) An area with fractured bedrock within 10 feet of the soil surface?	___	___	___
8) A drainage way for 5 or more acres of land?	___	___	___
9) More than 50% impermeable surface?	___	___	___
10) Prime agricultural land?	___	___	___
11) Wetlands and marshes?	___	___	___
12) Removal of over 25% of the present trees or removal of any native canopy tree(s) in excess of 8" in diameter?	___	___	___
 <b>B Water Resources.</b>			
Does the proposed project involve:			
1) Location within an area traversed by a navigable stream, intermittent stream or dry run?	___	___	___
2) Greater than 10% change in the capacity of a water storage facility or flow of a waterway within one mile?	___	___	___

- |    |   |       |       |       |
|----|---|-------|-------|-------|
| 3) | The use of septic tank-soil absorption fields for on-site waste disposal? | _____ | _____ | _____ |
| 4) | Lowering of water table by pumping or drainage?                           | _____ | _____ | _____ |
| 5) | Raising of water table by altered drainage patterns?                      | _____ | _____ | _____ |

**C Biological Resources.** Yes No Uncertain  
Does the site involve:

- |    |   |       |       |       |
|----|---|-------|-------|-------|
| 1) | Critical habitat for plants and animals of community interest?  | _____ | _____ | _____ |
| 2) | Endangered, unusual or rare species of:   |       |       |       |
| a. | Land animals?   | _____ | _____ | _____ |
| b. | Birds?  | _____ | _____ | _____ |
| c. | Plants?   | _____ | _____ | _____ |
| 3) | Any land described in the <u>Kailing and Zimmerman Report</u> as a sensitive site?<br>If "Yes", please attach additional materials with this description. | _____ | _____ | _____ |

**D Human and Scientific Interest.** Yes No Uncertain  
Does the project site involve:

- |    |  |       |       |       |
|----|--|-------|-------|-------|
| 1) | An area of archaeological interest?                              | _____ | _____ | _____ |
| 2) | An area of geological interest?                                  | _____ | _____ | _____ |
| 3) | An area of hydrological interest?                                | _____ | _____ | _____ |
| 4) | An area of historical interest?                                  | _____ | _____ | _____ |
| a. | Historic buildings or monuments?                                 | _____ | _____ | _____ |
| b. | Buildings or monuments of unique architecture?                   | _____ | _____ | _____ |
| 5) | An area of identified community recreational use?                | _____ | _____ | _____ |
| 6) | An area adjacent or near planned or established parks or trails? | _____ | _____ | _____ |

**E Energy, Transportation and Communications.** Yes No Uncertain

- |    |  |       |       |       |
|----|--|-------|-------|-------|
| 1) | Does the development increase the traffic flow in any collector system by more than 10%?   | _____ | _____ | _____ |
| 2) | Is the development traversed by an existing or planned utility corridor (gas, electricity, water, sewer interceptor, communications, storm sewer)? | _____ | _____ | _____ |
| 3) | Is safe access and exit provided?  | _____ | _____ | _____ |

**F Population.** Yes No Uncertain

- |  |   |       |       |       |
|--|---|-------|-------|-------|
|  | Is the proposed development likely to increase the population of any school serving the development by more than 10%? | _____ | _____ | _____ |
|--|---|-------|-------|-------|

