



Neal Czaplewski, Chairman
Ben Kerr
Keith Nielsen
Philip Peterson
Joseph Greeter
William Korducki
James Luedeke

Plan Commission Agenda

May 14, 2026 / 6:30PM

Notice is hereby given that a meeting of the Plan Commission of the Town of Burlington will be held on **Thursday, May 14, 2026 at 6:30 PM** at the Burlington Town Hall, 32288 Bushnell Road, Burlington, Racine County, Wisconsin.

If you would like to join via conference call, **please call 701.802.5429** and use **Access Code #6330779**.

1. Call to order,
 - a. Roll Call
 - b. Pledge to the flag
 - c. Verification of Posting
2. Approval of the minutes for the Plan Commission meeting held on March 12, 2026
Action: *Approve/Deny*
3. Land Division
 - a. Petitioner Dylan Rusch
Owner: Kathleen Mundo
Parcel: 002-02-19-11-032-010 / Wheatland Rd
Action: *Discussion and possible recommendation*
4. Land Use Variance
 - a. Petitioner Dylan Rusch
Owner: Kathleen Mundo
Parcel: 002-02-19-11-032-010 / Wheatland Rd
Action: *Discussion and possible recommendation*
5. Adjournment

Rachel Naber, Deputy Clerk
2026 May 7

-
- Agenda is subject to change
 - Discussion and action may occur on any agenda item
 - All meetings are subject to the Open Meetings law and will be recorded
 - If you are disabled and have accessibility needs or need information interpreted for you, please call Town Office at 262.763.3070 at least 24 hours to the meeting
 - Limited citizen comments on agenda items will be allowed at the discretion of the chairman/acting chairman as they are announced before board discussion.



Neal Czaplewski, Chairman
Larry Lettow
Keith Nielsen
Philip Peterson
Joseph Greeter
William Korducki
James Luedeke

Plan Commission Minutes

March 12, 2026

Call to order/ Roll Call / Pledge to the flag / Verification of Posting

Chairman Neal Czaplewski called the meeting of the Plan Commission to order at 6:31PM. The meeting was held in the auditorium of the Town Hall at 32288 Bushnell Road, Burlington. Everyone in attendance stood and recited the pledge of allegiance.

Roll Call:

In attendance were: Czaplewski, Larry Lettow, Keith Nielsen, Phil Peterson, Joe Greeter, and Bill Korducki. Absent: Jim Luedeke

Also in attendance were: Administrator Rachel Naber, Planner Bryce Hembrook, and Attorney Peter Ludwig.

Approval of the minutes for the Plan Commission meeting held on February 12, 2026

Korducki motioned to approve the minutes as presented. The motion was seconded by Greeter. Motion carried. Peterson abstained.

Conceptual Land Division: Parcel: 002-03-19-350-07-000 and 002-03-19-260-09-000 – 29286 Durand Ave
Petitioner/Owner: Kurt Petrie

Bryce Hembrook of SEH highlighted his report.

Robert Wielgos of raSmith was not in attendance but provided a written report, which highlighted 3 items to be addressed: access provisions to Lot 3 of CSM E to include wetland delineation if cross-access is proposed near the existing wetland boundary; dedicated right-of-way off existing town roads; and access to the existing parcels between lots 3 and 4 of CSM W should be perpetuated via a cross access easement.

The board discussed the conceptual plan with the petitioner and planner. There was a consensus that the application is conceptually a sound plan.

Land Division: Parcel: 002-02-19-08-004-000 – Yahnke Road
Petitioner/Owner: Eric Lundstrom

Petitioner Eric Lundstrom addressed the commission regarding his request to divide his parcel into a 3.88-acre lot and a 16.69-acre lot.

Hembrook reviewed his report. The parcels appear to meet the minimum area requirements of the C-2 zoning. He highlighted that driveway access is a key consideration. The Commission discussed the application with the petitioner and planner. The discussion included the current and proposed driveways and if both lots had the required road frontage. Hembrook requested a confirmation from surveyor that there was adequate frontage for both lots. He recommended to approve the land division contingent on adding existing and proposed driveway and access points to

the certified survey map and subject to any conditions required by the Town Engineer or other approving authorities.

Wielgos provided a written report, which recommended Town engineering approval of Lot 1 access and right-of-way designations within the CSM for the overlapping boundaries.

Korducki motioned to table the application to allow the petitioner to modify the certified survey map to show the existing and proposed driveway access points that are consistent with WIDOT Facilities Development Manual and subject to conditions required by the town engineer. The motion was seconded by Greeter. Motion carried.

Adjournment

Peterson motioned to adjourn at 7:13 PM. The motion was seconded by Lettow. Motion carried.

Jeanne Rennie, Clerk

LAND DIVISION APPLICATION

(4 LOTS OR LESS)

Town of Burlington

32288 Bushnell Road / Burlington, WI 53105

262.763.3070

Petitioner

Name	Dylan Rusch
Address	3290 Creekwood CIR
	Jackson, WI 53037
Phone	262-600-3888

Owner (if different from above)

Name	Kathleen Mundo
Address	1444 W. Altgeld Street
	Chicago, IL 60614
Phone	(312) 519-5228

Parcel Information

Tax Key	002 021911032010
Present Zoning	A-2 GENERAL FARMING AND RESIDENTIAL DISTRICT II
Current Land Use	Agricultural Preservation
Address of Property and/or Legal Description	PT SE1/4 BEG SW COR SE1/4 SW1/4 N TO NW COR SE1/4 SW1/4 E TO CL RD SLY TO PT 317 NE OF S LN SE1/4 SW1/4 W SW317 W626 TO POB FROM PT 002021911032000 IN 91 FOR 92 ROLL **TOTAL ACRES** 18.20
Reason for land division and future usage	Petitioner is under contract to purchase the 18+ acre parcel to create (3) parcels via CSM: 7.46 acres, 5.11 acres, & 6.26 acres. These parcels would likely be used to build homes in the future.
Did you or someone else divide property in the past 5 years?	No

Documentation Required – 16 copies each

- ✓ Certified Survey Map with location of Soil Evaluation and existing buildings
- ✓ Soil Evaluation Test results (if not in a sewered district)
- ✓ Plat Map with property location identified

Fees – make check payable to the Town of Burlington - \$1,850.00

\$200.00 for Land Division application

\$1,500.00 Professional Fee payment Deposit (refunded upon payment of fees)

\$150.00 for Sign (refunded upon return of sign)

Paid 4/23 Check # 154

**Town of Burlington**

32288 Bushnell Road · Burlington, WI 53105

Phone: (262) 763-3070 x102 · **Fax:** (262) 763-2118**E-Mail:** office@townofburlington.com/www.TownofBurlington.com**Application for Land Use Plan Waiver**

Petitioner's Name	Dylan Rusch	Owner, if different	Kathleen Mundo
Address	3290 Creekwood CIR Jackson, WI 53037	Address	1444 W. Altgeld Street Chicago, IL 60614
Phone	262-600-3888	Phone	(312) 519-5228
Email	dylanrusch@gmail.com	Email	kathleenmmundo@gmail.com

Address of property	Burlington, WI 53105
Tax key number	002 021911032010
Current zoning	A-2 - General Farming District
Current land use designation	Agricultural Preservation

Reason for waiver Petitioner is under contract to purchase the 18+ acre parcel.Petitioner would create (3) parcels via CSM: 7.46 acres, 5.11 acres, 6.26 acres

Please provide 16 copies of: Plat Map with property location identified

Fees payable to the **Town of Burlington**

\$400 Application fee

* \$1,500 Professional fee payment deposit

**\$150 for sign – must be posted 3 weeks prior to meeting date.

*Professional fee deposit will be refunded less any fees incurred to the Petitioner unless otherwise noted.
Engineering and legal review will be billed at amount charged to Town of Burlington

**Sign deposit will be refunded once sign is returned in good condition to the Petitioner unless otherwise noted.

Date Paid	4/23	Check #	154	Amount	
Meeting					

CERTIFIED SURVEY MAP #

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 19 EAST,
TOWN OF BURLINGTON, RACINE COUNTY, WISCONSIN

OWNER: VACANT LAND SQUAD LLC
Dylan Rusch, Member
3290 CREEKWOOD CIR
JACKSON, WI 53037-8927

TAX PARCEL NUMBER: 002-02-19-11-032-010

TOTAL SURVEYED AREA: 858,248 SQ. FT.
19.7027 ACRES

PRELIMINARY

FEMA FIRM MAP
COMMUNITY: RACINE COUNTY
NUMBER: 550347
MAP NUMBER: 55101C0163E
EFF. DATE: 1/11/2024
FLOOD SOURCE: HOOSIER BRANCH CANAL
BASE FLOOD EL: 754.9 FEET

LINE TABLE

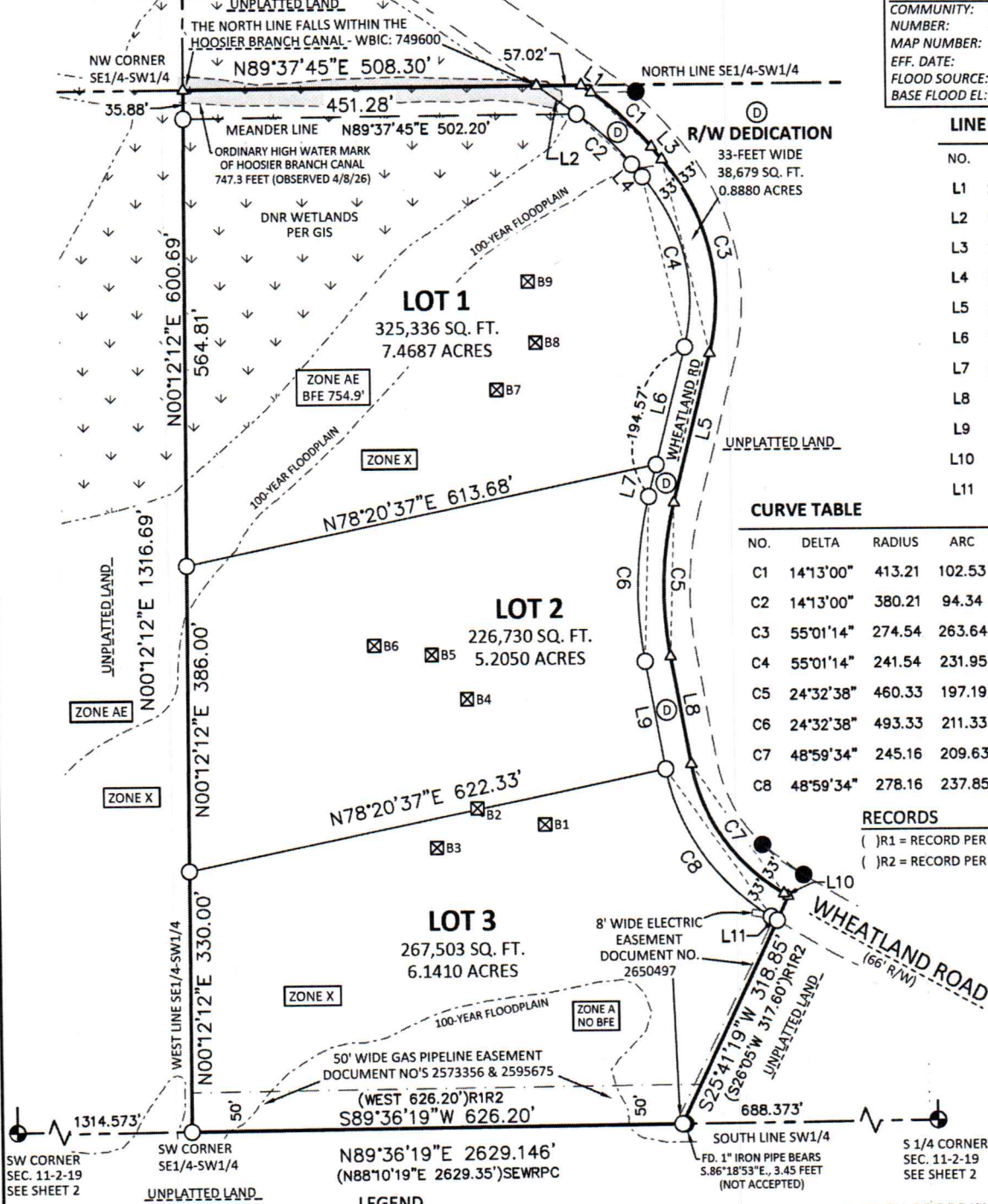
NO.	BEARING	DISTANCE
L1	S55°00'38"E	15.49
L2	S55°00'38"E	62.00
L3	S40°47'38"E	20.44
L4	S40°47'38"E	20.44
L5	S14°13'36"W	194.57
L6	S14°13'36"W	153.04
L7	S14°13'36"W	41.53
L8	S10°19'02"E	136.61
L9	S10°19'02"E	136.61
L10	S59°18'36"E	6.04
L11	S59°18'36"E	8.93

CURVE TABLE

NO.	DELTA	RADIUS	ARC	BEARING	CHORD
C1	14°13'00"	413.21	102.53	S47°54'08"E	102.27
C2	14°13'00"	380.21	94.34	S47°54'08"E	94.10
C3	55°01'14"	274.54	263.64	S13°17'01"E	253.62
C4	55°01'14"	241.54	231.95	S13°17'01"E	223.14
C5	24°32'38"	460.33	197.19	S01°57'17"W	195.69
C6	24°32'38"	493.33	211.33	S01°57'17"W	209.71
C7	48°59'34"	245.16	209.63	S34°48'49"E	203.30
C8	48°59'34"	278.16	237.85	S34°48'49"E	230.67

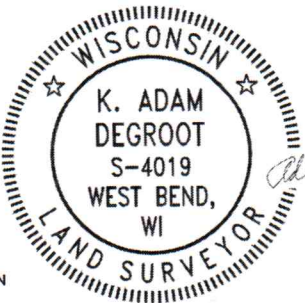
RECORDS

() R1 = RECORD PER DEED DOC. NO. 2563162
() R2 = RECORD PER DEED DOC. NO. 2526992



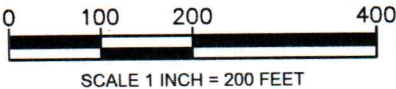
LEGEND

- FOUND PLSS MONUMENT PER SEWRPC
- FOUND 1" IRON PIPE
- SET 3/4" x 18" (NO.6) REBAR - 1.502 LBS/FT
- △ COMPUTED POINT - NOTHING SET
- ⊠ B# - SOIL BORING NUMBER
- Ⓢ PUBLIC ROAD RIGHT-OF-WAY DEDICATION



SURVEY COORDINATE SYSTEM
GEODETIC DATUM: NAD83 (NSRS 2011)
PROJECTION: WISCONSIN RACINE CO. ZONE
VERTICAL DATUM: NAVD'88 (GEOID 18)
UNITS: U.S. SURVEY FEET

THE SOUTH LINE OF THE SW 1/4 S11-02-19
BEARS N.89°36'19"E., 2629.146'



PSE

Digitally signed
by K. Adam
DeGroot
Date: 2026.05.05
15:50:29 -05'00'

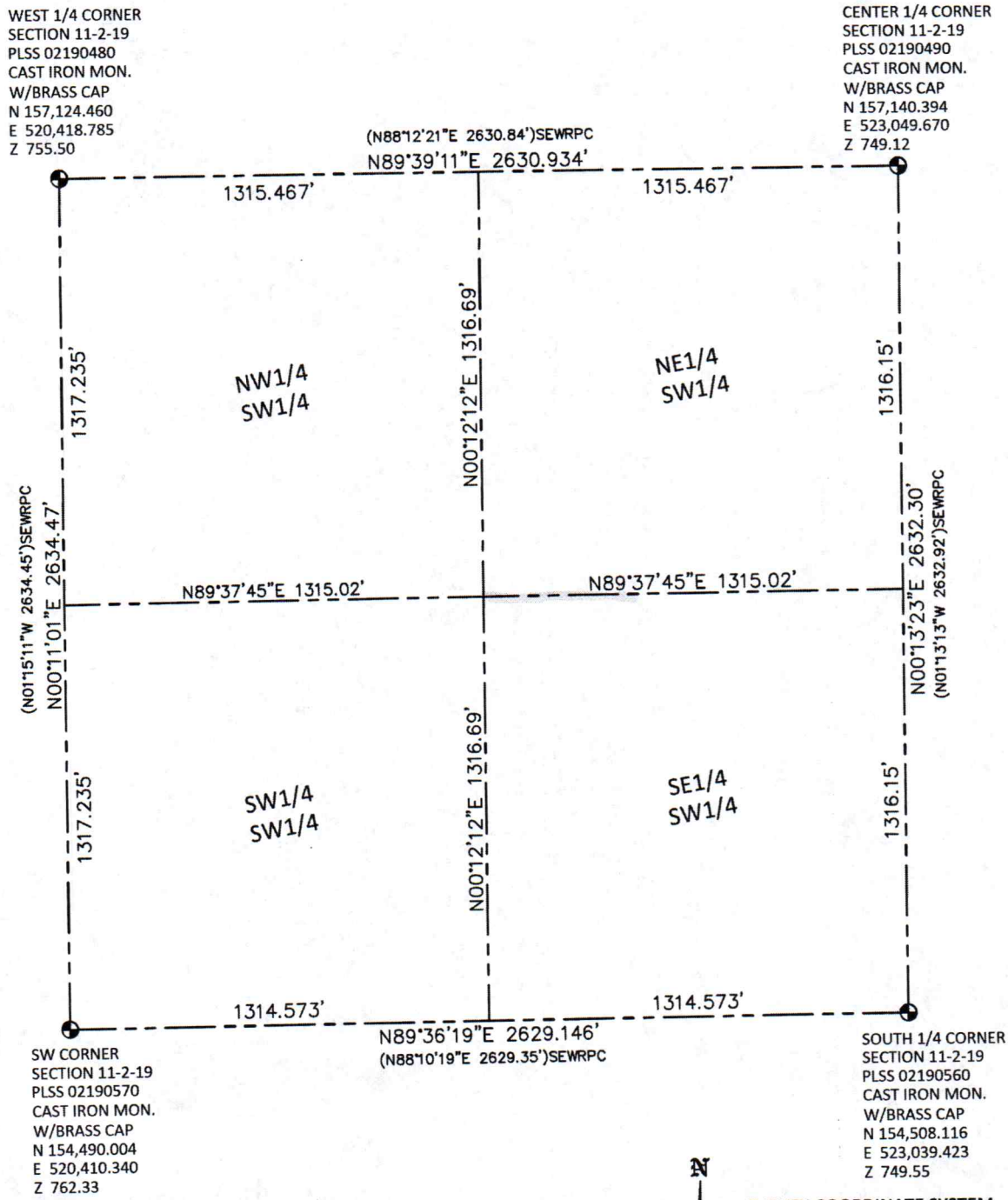
REVISED:
05/05/2026

PARISH SURVEY & ENGINEERING, LLC
122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com
FN: DR-08-26 DATE: 04/23/2026

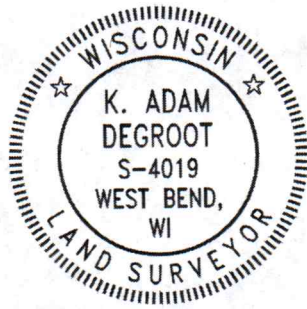
CERTIFIED SURVEY MAP # _____

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 19 EAST,
TOWN OF BURLINGTON, RACINE COUNTY, WISCONSIN

SUBDIVISION OF THE SOUTHWEST 1/4
OF SECTION 11, T. 02 N., R. 19 E.
SCALE 1" = 500'



SURVEY NOTE:
ALL CONTROLLING PLSS MONUMENTS
WERE FOUND IN GOOD CONDITION PER
THE SEWRPC DOSSIER SHEETS, AND ARE
ACCEPTED IN THEIR CURRENT SURVEYED
POSITIONS TO CONTROL THE SUBDIVISION
OF THE SOUTHWEST 1/4 OF SECTION 11.



SURVEY COORDINATE SYSTEM
GEODETTIC DATUM: NAD83 (NSRS 2011)
PROJECTION: WISCRS RACINE CO. ZONE
VERTICAL DATUM: NAVD'88 (GEOID 18)
UNITS: U.S. SURVEY FEET

THE SOUTH LINE OF THE SW 1/4 S11-02-19
BEARS N.89°36'19"E., 2629.146'

0 250 500 1000
SCALE 1 INCH = 500 FEET

PSE

PARISH SURVEY & ENGINEERING, LLC
122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com
FN: DR-08-26 DATE: 04/23/2026

CERTIFIED SURVEY MAP #

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 19 EAST,
TOWN OF BURLINGTON, RACINE COUNTY, WISCONSIN

SURVEY NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO DIVIDE THE SUBJECT PROPERTY DESCRIBED IN WARRANTY DEED DOCUMENT NO. 2563162. DILIGENT FIELD SEARCH WAS PERFORMED FOR CONTROLLING MONUMENTS OF RECORD. I ACCEPT THE FOUND MONUMENTS SHOWN AND NOTED ON SHEET 1 AND SHEET 2 AS GOOD AND FAITHFULLY SURVEYED, CONTROLLING THE BOUNDARY AS FOLLOWS:

NORTH, SOUTH, WEST BOUNDARY LINES - I SUBDIVIDE THE SOUTHWEST 1/4 OF SECTION 11, T. 02 N., R. 19 E., AS SHOWN ON SHEET 2, TO ESTABLISH THE NORTH, SOUTH, AND WEST BOUNDARY LINES OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4. IT IS MY OPINION THAT THE NORTH BOUNDARY IS CONTROLLED BY THE ALIQUOT-PART LINE PER THE DEED, AND IS NOT A WATER BOUNDARY. HOOSIER BRANCH CANAL IS A MANMADE DRAINAGE CANAL. I DO NOT ACCEPT THE FOUND 1" IRON PIPE NEAR THE SOUTHEAST CORNER AS CONTROLLING THE BOUNDARY.

EAST BOUNDARY WHEATLAND ROAD - I SURVEY THE EXISTING AS-BUILT CENTERLINE OF WHEATLAND ROAD, RESOLVING A BEST-FIT TANGENT ALIGNMENT. I HOLD THE CENTERLINE ALIGNMENT AT 33.00 FEET FROM THE FOUND MONUMENTS OF CERTIFIED SURVEY MAP NO. 1124 ON THE SOUTH END, AND HOLD THE BEGINNING NORTH TANGENT 33.00 FEET FROM AND PARALLEL TO THE FOUND MONUMENTS OF THE SURVEY DATED 7/18/1984 BY KENNETH R. REESMAN, PLS 1351.

SURVEYOR'S CERTIFICATE

I, K. ADAM DEGROOT, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED THE FOLLOWING PARCEL OF LAND AS DIRECTED BY THE OWNER DYLAN RUSCH - VACANT LAND SQUAD LLC:

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 19 EAST, IN THE TOWN OF BURLINGTON, RACINE COUNTY, WISCONSIN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 11, T. 02 N., R. 19 E.; THENCE ALONG SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 11 N.89°36'19" E., 1314.573 FEET TO THE SOUTHWEST CORNER OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 11 AND THE **POINT OF BEGINNING**; THENCE ALONG THE WEST LINE OF THE SAID SE 1/4 OF THE SW 1/4 N.00°12'12"E., 1316.69 FEET TO THE NORTHWEST CORNER OF THE SAID SE 1/4 OF THE SW 1/4; THENCE ALONG THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 N.89°37'45"E., 508.30 FEET TO THE CENTERLINE OF WHEATLAND ROAD; THENCE S.55°00'38"E., 15.49 FEET TO A POINT OF CURVE; THENCE 102.53 FEET ALONG THE ARC OF A 413.21 FOOT RADIUS CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 14°13'00", THE LONG CHORD OF WHICH BEARS S.47°54'08"E., 102.27 FEET TO A POINT OF TANGENT; THENCE S.40°47'38"E., 20.44 FEET TO A POINT OF CURVE; THENCE 263.64 FEET ALONG THE ARC OF A 274.54 FOOT RADIUS CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 55°01'14", THE LONG CHORD OF WHICH BEARS S.13°17'01"E., 253.62 FEET TO A POINT OF TANGENT; THENCE S.14°13'36"W., 194.57 FEET TO A POINT OF CURVE; THENCE 197.19 FEET ALONG THE ARC OF A 460.33 FOOT RADIUS CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 24°32'38", THE LONG CHORD OF WHICH BEARS S.01°57'17"W., 195.69 FEET TO A POINT OF TANGENT; THENCE S.10°19'02"E., 136.61 FEET TO A POINT OF CURVE; THENCE 209.63 FEET ALONG THE ARC OF A 245.16 FOOT RADIUS CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 48°59'34", THE LONG CHORD OF WHICH BEARS S.34°48'49"E., 203.30 FEET TO A POINT OF TANGENT; THENCE S.59°18'36"E., 6.04 FEET TO A POINT; THENCE S.25°41'19"W., 318.85 FEET TO THE SOUTH LINE OF THE SAID SOUTHWEST 1/4; THENCE ALONG THE SOUTH LINE OF THE SAID SOUTHWEST 1/4 S.89°36'19"W., 626.20 FEET TO THE POINT OF BEGINNING.

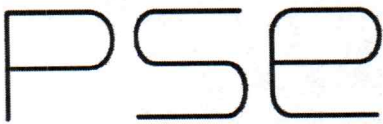
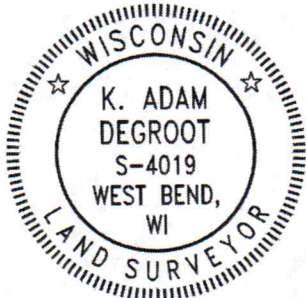
CONTAINING 858,248 SQUARE FEET // 19.7027 ACRES, MORE OR LESS.

I FURTHER CERTIFY THAT THE MAP PREPARED IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES AS SHOWN AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE REVISED WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCES OF THE TOWN OF BURLINGTON IN SURVEYING, DIVIDING, AND MAPPING THE SAME, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS DAY OF , 2026.

PRELIMINARY

K. ADAM DEGROOT, PLS 4019
PARISH SURVEY & ENGINEERING, LLC



PARISH SURVEY & ENGINEERING, LLC
122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com
FN: DR-08-26 DATE: 04/23/2026

REVISED:
05/05/2026

CERTIFIED SURVEY MAP # _____

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 19 EAST,
TOWN OF BURLINGTON, RACINE COUNTY, WISCONSIN

OWNER'S CERTIFICATE OF DEDICATION

I, DYLAN RUSCH, MANAGING MEMBER OF VACANT LAND SQUAD LLC, AS OWNER HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED TO BE SURVEYED, MAPPED, DIVIDED, AND DEDICATED AS REPRESENTED HEREON. I DO ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY WISCONSIN STATUTE 236.34 TO BE SUBMITTED TO THE TOWN OF BURLINGTON, FOR APPROVAL OR OBJECTION.

PRELIMINARY

DYLAN RUSCH, MEMBER _____

STATE OF WISCONSIN) SS.
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, _____, THE ABOVE NAMED DYLAN RUSCH, TO ME KNOW TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN

MY COMMISSION EXPIRES: _____

TOWN OF BURLINGTON TOWN BOARD APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE TOWN BOARD OF THE TOWN OF BURLINGTON

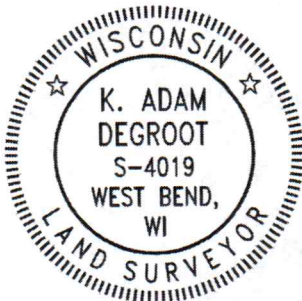
ON THIS _____ DAY OF _____, 2026.

NEAL CZAPLEWSKI, TOWN CHAIRMAN

JEANNE RENNIE, TOWN CLERK

FROM:
002-02-19-11-032-010

TO:
LOT 1, 002-02-19-11-032-XXX
LOT 2, 002-02-19-11-032-XXX
LOT 3, 002-02-19-11-032-XXX



PSE

PARISH SURVEY & ENGINEERING, LLC
122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com
FN: DR-08-26 DATE: 04/23/2026

REVISED:
05/05/2026

Plan Commission Report for May 14, 2026

Applicant: Dylan Rusch
Project: Agricultural Preservation
Requested Action: Approval of Land Division
Existing Zoning: A-2
Location: Parcel # 002-02-19-11-032-010

Report

The applicant for the subject property has submitted an application for Land Division (4 lots or less). The application package includes a Certified Survey Map (CSM) and a Land Use Waiver. The proposed land division would divide the existing parcel into 3 lots of 7.47 acres, 5.21 acres, and 6.14 acres respectively.

John Casucci, P.L.S., from my office reviewed the submitted CSM and technical comments were sent to the applicant on April 29, 2026. The applicant re-submitted a revised CSM dated May 5, 2026.

The horizontal alignment of Wheatland Road consists of multiple roadway curves along the frontage of the subject parcel. Coupled with the presence of mature trees and vegetation within private property on the east side of Wheatland Road, and the fact that the subject parcel is farmed which yields crops taller than typical driver eye height, these conditions will likely limit sight distance for future driveway access points to the proposed lots.

The Town's driveway ordinance states that "*The Design Controls for the location of the driveway access point with the public road shall be as determined by the Wisconsin Department of Transportation (WisDOT) Facilities Development Manual (FDM), latest edition.*" The FDM outlines Intersection Sight Distance (ISD) requirements that apply to stop-controlled cross streets as well as driveways. For a driveway to have standard ISD per the FDM, a vehicle exiting the driveway onto the main roadway must have a clear line of sight in both directions down the main roadway for a specified distance. The specified distance varies based on the design speed of the roadway, which is regarded as 5 MPH greater than the posted speed. Wheatland Road is posted at 35 MPH (design speed = 40 MPH) which translates to a minimum required ISD of 445 feet turning left and 385 feet turning right for a passenger vehicle per FDM 11-10 Table 5.2. Driveways located on the west side of Wheatland Road for all of the proposed lots are unlikely provide both of these specified sight distances.

It should be demonstrated that all three proposed lots can be safely accessed. Any direct access off Wheatland Road should comply with the standards noted above. The sight lines for a potential driveway access off Wheatland Road should remain fully within the public right-of-way and should not encroach into private property. The applicant should furnish an exhibit (or exhibits) that detail the location(s) of direct access point(s) off Wheatland Road, the lines of sight for both left and right turning movements, and measurements of those sightlines. If the lengths of the sightlines are greater than or equal to the minimums specified above and do not encroach onto private property, the driveway would be considered in a satisfactory location. Additional design controls are as follows:

- The starting point of the sightline is the driveway driver's decision point which, per FDM 11-10.5.1.4.1.2, is located 14.5 feet from the edge of the roadway travel lane in the center of the driveway exit lane.



Page 2 / May 7, 2026

- The ending point of the sightline is the center of the main roadway travel lane. In this context, the ending point for right-turning vehicles would be the center of the Wheatland Road southbound lane, and the ending point for left-turning vehicles would be the center of the Wheatland Road northbound travel lane.

Staff Recommendation:

I recommend tabling the Land Division Application until such time that documentation can be furnished that demonstrates direct driveway access to the proposed lots off Wheatland Road complies fully with the Town driveway ordinance for Design Controls for the location of the driveway access point.

Robert Wielgos, P.E.
May 7, 2026



Building a Better World
for All of Us®

TOWN OF BURLINGTON PLAN COMMISSION

TO: Plan Commission
FROM: Bryce Hembrook, AICP
Town Planner
REPORT DATE: May 7, 2026
PC MEETING DATE: May 14, 2026

RE: **Rusch/Mundo CSM – Land Division and Land Use Waiver Request**
SEH No. 188914, TASK 4

Applicant: Dylan Rusch
Property Owner: Kathleen Mundo
Application Type: Land Division and Land Use Waiver
Location: West side of Wheatland Road to the south of Hoosier Creek (PIN 002021911032010)
Land Use Plan: Agricultural Preservation and Primary Environmental Corridor (along Hoosier Creek)
Existing Zoning: A-2 General Farming District II

The following report is provided to the Plan Commission for cursory review prior to action. Specifics relating to the submitted documents of this application may be referenced in the Commission's Packet.

Background

The applicant submitted an application requesting approval of a land division through a Certified Survey Map (CSM) and a related land use plan waiver for an approximately 19.70-acre property located in the Town of Burlington. The subject property is currently used as agricultural land and is zoned A-2 General Farming District under the Racine County Zoning Ordinance.

The land division proposes to divide the existing parcel into three parcels, identified as Lot 1 (approximately 7.47 acres), Lot 2 (approximately 5.21 acres), and Lot 3 (approximately 6.14 acres). The proposed land division also includes a 33-foot-wide right-of-way dedication along Wheatland Road, consistent with County and Town roadway standards. The northwest corner of Lot 1 shows wetlands and areas located within the floodplain. These constraints will need to be considered when planning for the buildable area for any future home. Some of the southern portion of Lot 3 is also located within the floodplain. All floodplain boundaries should be mapped on the certified survey map. There is also a 50' wide gas pipeline easement located on the south side of Lot 3 as well.

Concurrent with the land division request, the applicant has submitted a land use plan waiver application. The waiver request is necessary because the proposed land division does not appear to conform to the Town of Burlington Land Use Plan's Agricultural Preservation designation, which generally discourages fragmentation of agricultural lands and limits residential density in agricultural areas.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 501 Maple Avenue, Delafield, WI 53018-9351
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Land Division (CSM)

The proposed CSM appears to meet minimum requirements for both the Town and County subdivision and zoning code ordinances. The A-2 General Farming District permits agricultural uses and limited residential development subject to applicable standards. The proposed lot sizes appear to comply with minimum acreage requirements. Future residential development would be required to comply with all applicable county zoning, sanitary, and driveway access standards. All proposed lots exceed the minimum lot area requirements of the A-2 General Farming District and maintain frontage along Wheatland Road. The proposed land division, however, does not align with the recommendations stated in the Town's Land Use Plan.

Land Use Waiver

The Town of Burlington Land Use Plan designates the subject property as Agricultural Preservation. This designation is intended to preserve agricultural land in the Town and protect existing farm operations and other related agricultural activities. Under the general guidelines for this district, the recommended minimum parcel size is 35 acres and the maximum density is one dwelling unit per parcel. The recommended policies of this district also include the following:

- Only farm-related activities should be permitted within this district.
- Non-farm land divisions under 35 acres should not be permitted, except under limited circumstances related to farm sale or consolidation.
- Existing non-farm parcels and uses may continue as legal nonconformities, but new land divisions that further fragment agricultural land are discouraged.
- Subdivisions that are inconsistent with preservation of agricultural character or that accelerate impacts on farm operations should not be permitted, even if otherwise allowed by law.

The proposed land division would create parcels that are well below the 35-acre minimum lot size recommended by the land use plan which would also include non-farm residential development. Based on the guidance and policies in the land use plan, the request is not consistent with the Agricultural Preservation District and thus requires a land use plan waiver.

While the current zoning district establishes what is permitted on the property today, the Town's Land Use Plan is intended to guide long-term land use decisions and inform how zoning regulations are applied over time. When reviewing land divisions, the Town considers both documents together to evaluate not only whether a request meets current code requirements, but also whether it is consistent with the Town's long-range goals. In this case, although the proposed land division may comply with the dimensional standards of the zoning ordinance, the Land Use Plan designates the property for Agricultural Preservation, which emphasizes maintaining large agricultural parcels and limiting non-farm residential development.

The Town of Burlington Land Use Plan also states that it is a working document and should not be viewed as static. The plan recognizes that unique circumstances or changing conditions may result in individual development proposals that do not fully align with its recommendations. To address these situations, the plan allows applicants to request a land use waiver for specific provisions of the Land Use Plan. A land use waiver provides a process for the Town to consider a proposal on a case-by-case basis without permanently changing the Land Use Plan designation or map. This differs from a land use plan amendment, which involves a formal change to the plan itself.

According to the Land Use Plan, when reviewing a land use plan waiver, the Plan Commission provides a recommendation to the Town Board. The Town Board considers the Plan Commission's recommendation and shall make a determination which shall include consideration, but not necessarily an affirmative finding, of the following factors:

1. Whether the request for an amendment, if granted, would be consistent with the general intent of this Land Use Plan.
2. Whether the request for the amendment, if granted, would adversely affect property owners in the surrounding area.
3. Whether the request for the amendment, if granted, would benefit the petitioner's project in a way that is not inconsistent with the Town's interests.
4. Whether the petitioner is in full compliance with applicable ordinances and agreements with the Town.

Staff Considerations

From a land use policy perspective, the request presents a balance of site-specific considerations and long-term planning objectives. The subject property is designated for Agricultural Preservation, which is intended to limit further fragmentation of agricultural land and maintain the Town's agricultural character. Approval of the request would introduce additional non-farm residential parcels in an area planned for long-term agricultural use and would represent a departure from these policy goals.

At the same time, staff recognizes that the subject area is relatively limited in size compared to other Agricultural Preservation areas within the Town and is influenced by a mix of nearby land use designations and existing rural development patterns. The proposed lots remain relatively large, and no immediate conflicts with surrounding agricultural operations have been identified.

Staff understands the basis for the request and recognizes that the area could reasonably accommodate the proposed land division; however, given the inconsistency between the Land Use Plan and current zoning, staff remains neutral and defers to the Plan Commission and Town Board to determine whether a land use plan waiver is appropriate in this specific instance.

Plan Commission Options

The Commission can make the following recommendations:

1. Recommend approval of the land division and land use plan waiver as proposed with justification stated by the Commission.
2. Same as option 1 with conditions.
3. Denial of the request with justification stated by the Commission.
4. Table the request for further study.

Recommendation

Per the discretion of the Plan Commission.

If recommendation is to approve, the Commission should consider requiring the following conditions:

1. Subject to any conditions or recommendations from the Town Engineer.
2. Subject to review and approval by all applicable jurisdictions.
3. Dedication of right-of-way along Wheatland Road as shown on the CSM.
4. All future development shall comply with Racine County zoning, sanitary, and driveway access standards, including any required permits.