



Joe Parisi  
Dane County Executive

# Dane County Planning & Development

## Division of Zoning

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July 11, 2023

LUCEY TR, DEAN M & MARGUERITE M  
APT 313 5150 ANTON DR  
FITCHBURG WI 53719

RE: Navigability Determination – Fesenfeld Rd at County Highway KP, Section 27, Town of Black Earth  
Parcels: 0806-272-9000-6, 0806-281-9500-0

The Dane County Zoning Division has processed your request for a navigability determination for a waterway that originates on your property and flows east to Black Earth Creek.

Before conducting the site inspection, the County G.I.S., aerial photography, and the Wisconsin Surface Water Data Viewer were used to determine the categorization of this waterway. The map shows that there is an intermittent stream located on the property. An intermittent stream is one that has a periodic or recurrent flow.

A site inspection was conducted on July 11, 2023. A vegetated corridor containing a defined streambed was observed from the waterways origin through the property. The streambed lacked adequate banks and did not exhibit evidence of erosive forces to indicate the presence of water capable of floating a small craft. The stream crossing at County Highway KP was also observed. A culvert carries the waterway under the County highway to the east where a defined bed and bank exist at which point it is of the opinion that a small craft could be floated.

After further review of the intermittent stream, it has been determined that it is non-navigable at all points west of County Highway KP.

This letter serves as notice that the future development that will occur on the above-described lots is NOT within the Shoreland Zoning District as defined under Chapter 11, Dane County Code of Ordinances.

I hope you find this information helpful. If you have any questions regarding this matter, or if I may be of further assistance, please feel free to contact me directly.

Sincerely,

Hans Hilbert  
Assistant Zoning Administrator

Cc:

Land & Water Resources  
Mike Lucey