



Jamie Kuhn
Dane County Executive

Dane County Planning & Development

Division of Zoning

April 15, 2025

David and Lori Yelk
5247 Otto Kerl Rd
Cross Plains WI 53528

RE: Navigability Determination – 5247 Otto Kerl Rd, Section 27, Town of Berry
DCPWTR-2025-00004
Parcel: 0807-272-9501-8

The Dane County Zoning Division has processed your request for a navigability determination for a waterway mapped on your property.

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 the waterway. The map showed an intermittent stream originating south and east of Otto Kerl Road and flowing west to a confluence to a intermittent tributary to Black Earth Creek. An intermittent stream is one that has a periodic or recurrent flow.

A site inspection was conducted on April 14, 2025. It was observed that the waterway had no defined bed nor banks and could be described as an apparent drainage pattern through the farm yard.

After further review of the waterway, it has been determined that it is non-navigable for its entire reach. The confluence of this waterway into an intermittent tributary to Black Earth Creek is in a reach where the tributary has been converted to a grassed waterway. This tributary remains navigable, as it has navigable reaches both up and down stream, however the navigability of the tributary does not have an impact on the proposed development.

This letter serves as notice that the future development that will occur on the above-described lot 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,

Jason Hilbert
Assistant Zoning Administrator

Cc:
Land & Water Resources

