

# Dane County Conditional Use Permit Application



<b>Application Date</b>	<b>C.U.P Number</b>
02/06/2020	DCPCUP-2020-02495
<b>Public Hearing Date</b>	
04/28/2020	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME PETERSON TR, PHILIP L & CAROL L	Phone with Area Code (608) 835-3768	AGENT NAME MADISON COMMERCIAL LANDSCAPES INC.	Phone with Area Code (608) 835-7700
BILLING ADDRESS (Number, Street) 1275 LATHERS RD		ADDRESS (Number, Street) 1871 CO RD MM	
(City, State, Zip) OREGON, WI 53575		(City, State, Zip) Fitchburg, WI 53575	
E-MAIL ADDRESS		E-MAIL ADDRESS sheena635@yahoo.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
5900 County Highway D					
TOWNSHIP OREGON	SECTION 5	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0509-054-9000-0					

CUP DESCRIPTION
proposed landscape business

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.111	4.87

COMMENTS: MADISON COMMERCIAL LANDSCAPES INC	DEED RESTRICTION REQUIRED?	Inspectors Initials	SIGNATURE: (Owner or Agent)
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials: 	SCW1	
	PRINT NAME:		
	DATE:		
			Sheena Amble
			2-6-2020



DANE COUNTY  
**PLANNING & DEVELOPMENT**

## Conditional Use Application

Application Fee: \$495 Mineral Extraction: \$1145 Cell Tower: \$1145

**Zoning Division**  
Room 116, City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, Wisconsin 53703-3342  
Phone: (608) 266-4266  
Fax: (608) 267-1540

**Items required to be submitted with application:**

- **Written Legal Description of Conditional Use Permit boundaries**
- **Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.**
- **Scaled map showing neighboring area land uses and zoning districts**
- **Written operations plan describing the items listed below (additional items needed for mineral extraction sites)**
- **Written statement on how the proposal meets the 8 standards of a Conditional Use**

Owner	<u>madison commercial landscapes inc</u>	Agent	<u>Sheena Amble</u>
Address	<u>1871 Co Rd MM, Fitchburg, WI 53575</u>	Address	<u>1871 Co Rd MM, Fitchburg, WI 53575</u>
Phone	<u>(608) 835-7700</u>	Phone	<u>(608) 835-7700</u>
Email	<u>madisoncommercial@frontier.com</u>	Email	<u>sheena635@yahoo.com</u>

Parcel numbers affected: 042/0509-054-9000-0 Town: Oregon Section: 05  
Property Address: 5900 County Rd D Oregon, WI 53575

Existing/ Proposed Zoning District : Existing FP-35 Proposed LC

**Separate checklist for mineral extraction or cell tower uses must be completed.**

- **Type of Activity proposed:** Outdoor Storage, Caretaker's Residence, Storage of 16 vehicles and pieces of construction equipment
- **Hours of Operation** - 6:30 am- 7:00 pm (winter snow removal hours may vary, the majority of snow equipment is stored downtown madison during snow season)
- **Number of employees** -8-10 employees, including office staff (2-3 onsite staff)
- **Anticipated customers** -There will be no on site customer interaction
- **Outside storage** -See map (material storage will be behind the main building on the existing concrete area)
- **Outdoor activities** -Lighting (If allowed/approved), MCL would add a single outdoor light onto building ends to aid in safety. All lighting will be directed downwards towards the ground
- **Outdoor lighting** -No Loudspeakers
- **Outside loudspeakers** -Proposed sign (s): There will be one free standing, non-lighted sign (see map)
- **Proposed signs** -Trash removal: 1 Dumpster contracted with local trash removal company. Will be located behind the oversized car port (see map)
- **Trash removal**
- **Eight Standards of CUP (see page 2)**

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: \_\_\_\_\_

Date: \_\_\_\_\_

# **Eight Standards of a Conditional Use Permit**

Provide an explanation on how the proposed land use will meet all eight standards.

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.  
See attached
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.  
See Attached
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.  
The conditional use will not affect any of the surrounding agricultural land. Phil and Carol Peterson will retain ownership of the remaining farm land and continue to run their operations.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.  
The east driveway meets highway Dept. standards for a residence and will be primarily used for the caretakers residence. The West driveway will be improved to meet any highway Dept. standards that need to be met. The existing utilities are sufficient for the operations of MCL.
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.  
The West Driveway will be improved to meet the Type C intersection standards and the plans will be approved by the county Highway Dept. MCL will generate some traffic in the morning and evenings. The majority of our vehicles are trucks and we have a couple of mid-sized dump trucks.
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.  
Landscape screening could be installed along Highway D to screen the yard if the township or county makes it a requirement.
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.  
It is consistent with the Town Ship's plan. The Town of Oregon allows rural commercial if it is Ag related. The Township considers landscaping to fit their definition of Ag related business.
8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220(1)  
Currently it is in FP-35, but in the process of rezoning to LC. The rezoning petition number is: DCPREZ-2020-11530 and up for public hearing on March 24,2020.

## **Eight Standard of a Conditional Use Permit**

- 1) The operations of Madison Commercial Landscapes (MCL) will blend in with the surrounding homes and farms. The only additional outdoor lighting (if approved) will be for safety purposes and will not be projected outward. Vehicle traffic will be limited to morning and evening commute times with minimal traffic during the day, with the exception of snow season. There may be times during the winter due to weather that employees may need to load additional pieces of equipment. This will be limited due to the fact that most snow equipment is stored downtown madison during the snow season. Most outside activities like loading trucks for jobs would be done in the morning and unload at the end of the day.
- 2) The operation of MCL will not affect the surrounding farm and agricultural operations. Traffic will be limited to morning and evening commute hours. Although the office staff will be present on site during the day, they will not generate much traffic. The employee parking lot will be maintained and well kept. There will be no outdoor storage of parts, tires and other non essential equipment or materials. The material piles will be behind the main building so the will not be noticeable from Highway D.
- 3)The conditional use will not affect any of the surrounding agricultural land. Phil and Carol Peterson will retain ownership of the remaining farm land and continue to run their operations.
- 4)The east driveway meets highway Dept. standards for a residence and will be primarily used for the caretakers residence. The West driveway will be improved to meet any highway Dept. standards that need to be met. The existing utilities are sufficient for the operations of MCL.
- 5) The West Driveway will be improved to meet the Type C intersection standards and the plans will be approved by the county Highway Dept. MCL will generate some traffic in the morning and evenings. The majority of our vehicles are trucks and we have a couple of mid-sized dump trucks.
- 6) Landscape screening could be installed along Highway D to screen the yard if the township or county makes it a requirement.
- 7) It is consistent with the Town Ship's plan. The Town of Oregon allows rural commercial if it is Ag related. The Township considers landscaping to fit their definition of Ag related business.
- 8)Currently it is in FP-35, but in the process of rezoning to LC. The rezoning petition number is: DCPREZ-2020-11530 and up for public hearing on March 24,2020.



**BIRRENKOTT  
SURVEYING, INC.**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI. 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

SCALE 1" = 100'

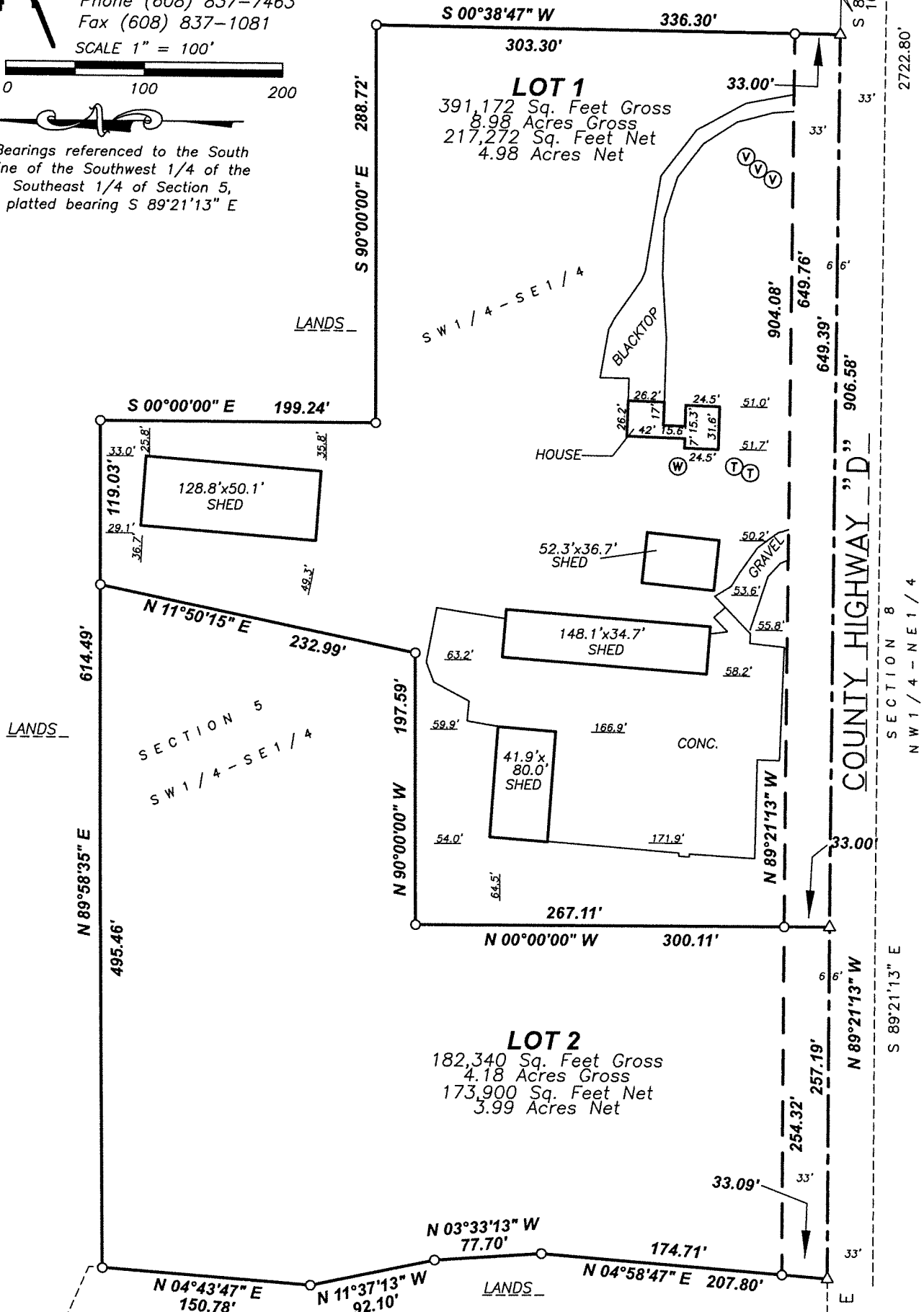
0 100 200

Bearings referenced to the South  
line of the Southwest 1/4 of the  
Southeast 1/4 of Section 5,  
platted bearing S 89°21'13" E

**PRELIMINARY CERTIFIED SURVEY MAP**

Located in the Southwest 1/4 of the Southeast  
1/4 Section 5, T5N, R9E, Town of Oregon,  
Dane County, Wisconsin

Southeast Corner of  
Section 5-5-9  
Found Alum Mon.



**Legend:**

- △ = Set Mag Nail
- = Section Corner
- = 3/4"x24" Iron Bar set  
min.wt.=1.50#/ln.ft.
- ⊙ = Well
- Ⓢ = Septic Tank
- Ⓢ = Septic Vent
- South 1/4 Corner  
Section 5-5-9  
Found Survey Nail

PAGE 1 OF 2

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_

DOCUMENT NO. \_\_\_\_\_

Office Map No. **180187CSM**



# CERTIFIED SURVEY MAP

DATED: Feb 6, 2020

**Birrenkott  
Surveying, Inc.**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, Wisconsin 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

Surveyor's Certificate:  
I, Daniel V. Birrenkott, herby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

Daniel V. Birrenkott, Registered Land Surveyor No. S-1531

**Description:**

Located in the Southwest 1/4 of the Southeast 1/4 of Section 5, T5N, R9E, Town of Oregon, Dane County, Wisconsin more fully described as follows: Commencing at the South 1/4 of Section 5, thence S89°21'13"E along the South line of Southeast 1/4 of Section 5, 194.24 feet to the point of beginning. thence N04°58'47"E, 207.80 feet; thence N03°33'13"W, 77.70 feet; thence N11°37'13"W, 92.10 feet; thence N04°43'47"E, 150.78 feet; thence N 89°58'35" E, 614.49 feet; thence S 00°00'00" E, 199.24 feet; thence N90°00'00"E, 288.72 feet; thence S00°38'47"W, 336.30 feet; thence N89°21'13"W, 906.58 feet to the point of beginning Containing 421,048 square feet or 9.66 acres gross (391,172 square feet, 8.98 acres net)

**Owners Certificate:**

As owner, Philip L. and Carol L. Peterson Trust, it hereby certifies that it has caused the lands described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this Certified Survey Map. It also certifies that this Certified Survey Map is required by S.75.17 (1)(a), Dane County Code of Ordinances to be submitted to the Dane County Zoning and Land Regulation Committee for approval.

Philip L. Peterson, Trustee

Carol L. Peterson, Trustee

**State of Wisconsin)**

**Dane County) ss** Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.

My Commission Expires

Printed name

**Town of Oregon Certificate**

This Certified Survey Map is hereby acknowledged, accepted and approved for recording by the Town Board of the Town of Oregon.

Jennifer Hanson, Clerk, Town of Oregon

Dated

**Notes:**

- Utilities Easement: No poles or buried cables are to be placed on any lot line or corner.
- The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.
- Wetlands, if present, have not been delineated, as part of this survey.
- This survey is subject to any and all easements and agreements both recorded and unrecorded.
- This survey shows above-ground improvements only. No guarantee is made for below-ground structures.

Approved for recording per Dane County Zoning and Land Regulation Committee  
action of \_\_\_\_\_, 2020 by \_\_\_\_\_  
Daniel Everson, Authorized Representative

**Surveyed For:**  
Philip L. and Carol L. Peterson  
Trust  
1275 Lathers Road  
Oregon, WI 53575

Surveyed: TAS  
Drawn: BTS  
Checked: DVB  
Approved: DVB  
Field book: 369/40  
Tape/File: J:\2018\Carlson\180187

**Register of Deeds Certificate:**  
Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 2020  
at \_\_\_\_\_ o'clock \_\_\_\_\_ m and recorded in Volume \_\_\_\_\_ of Certified Survey  
Maps of Dane County on Pages \_\_\_\_\_.

Kristi Chlebowski, Register of Deeds

Document No. \_\_\_\_\_



# BIRRENKOTT SURVEYING, INC.

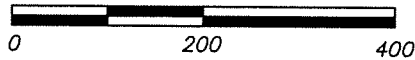
P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI. 53590  
Phone (608) 837-7463

Parcel No.  
042/0509-054-9000-0

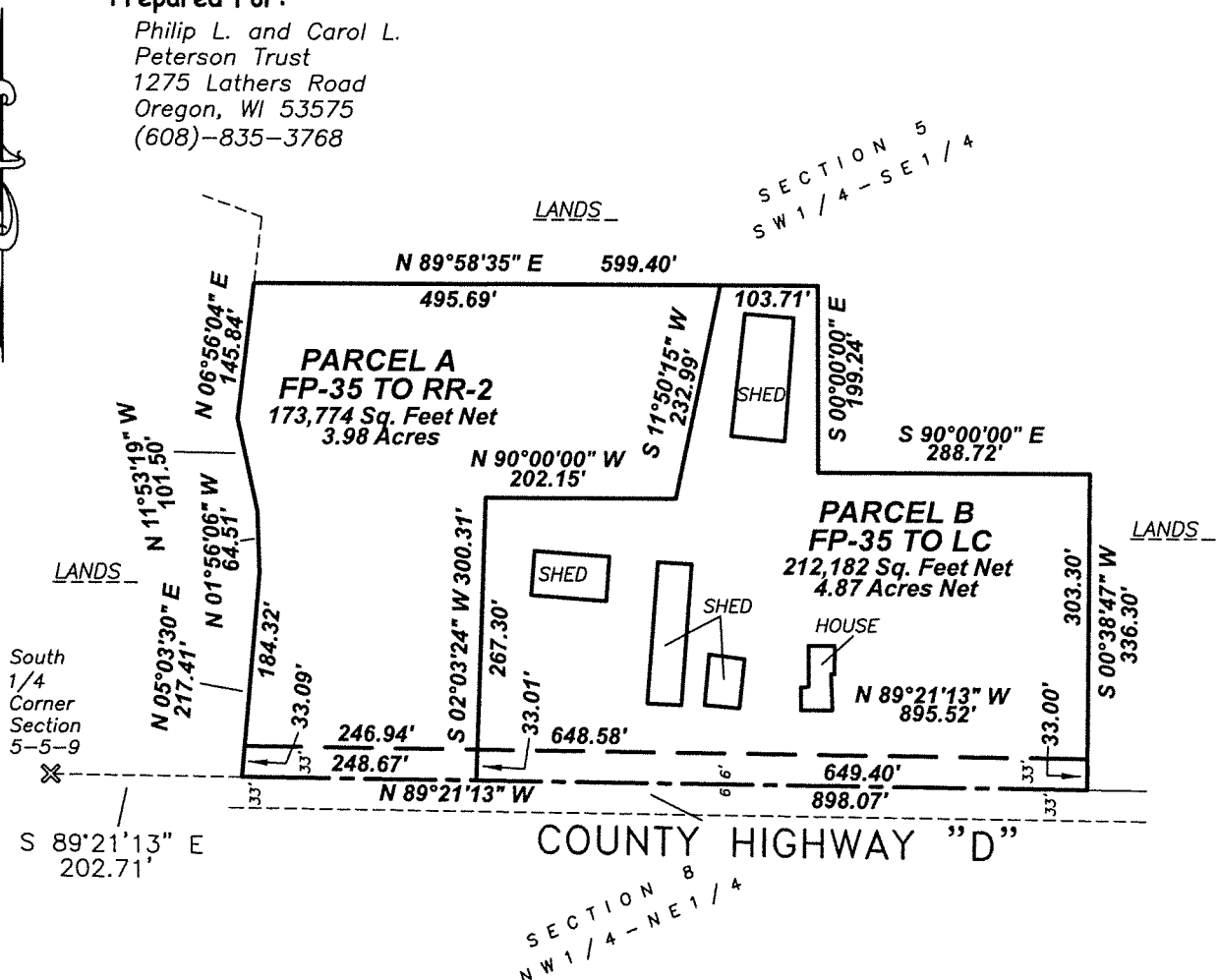
Prepared For:  
Philip L. and Carol L.  
Peterson Trust  
1275 Lathers Road  
Oregon, WI 53575  
(608)-835-3768

## Zoning Map

SCALE 1" = 200'



Soils:  
Type II: 80%  
Type III: 20%



### Parcel A Description:

Located in the Southwest 1/4 of the Southeast 1/4 Section 5, T5N, R9E, Town of Oregon, Dane County, Wisconsin, described as follows: Commencing at the South 1/4 Corner of Section 5, thence S89°21'13"E along the South line of Section 5, 202.71 feet; thence N05°03'30"E, 33.09 feet to the point of beginning; thence N 05°03'30" E, 184.32 feet; thence N 01°56'06"W, 64.51 feet; thence N11°53'19"W, 101.50 feet; thence N06°56'04"E, 145.84; thence N89°58'35"E, 495.69 feet; thence S11°50'15"W, 232.99 feet; thence N90°00'00"W, 202.15 feet; thence S02°03'24"W, 267.30 feet; thence N89°21'13"W along the South line of Section 5, 246.94 feet to the point of beginning. Containing 173,774 square feet net or 3.98 acres net.

### Parcel B Description:

Located in the Southwest 1/4 of the Southeast 1/4 Section 5, T5N, R9E, Town of Oregon, Dane County, Wisconsin, described as follows: Commencing at the South 1/4 Corner of Section 5, thence S89°21'13"E along the South line of Section 5, 451.38 feet; thence N02°03'24"E, 33.01 feet to the point of beginning; thence N02°03'24"E, 267.30 feet; thence S90°00'00"E, 202.15 feet; thence N11°50'15"E, 232.99 feet; thence N89°58'35"E, 103.71 feet; thence S00°00'00"E, 199.24 feet; thence S90°00'00"E, 288.72 feet; thence S00°38'47"W, 303.30 feet; thence N89°21'13"W, 648.58 feet to the point of beginning. Containing 212,182 square feet net or 4.87 acres net.