



CONDITIONAL USE PERMIT APPLICATION

Village of Rochester

300 W. Spring St., Rochester, WI 53167
(262) 534-2431

APPLICANT INFORMATION

Property Owner Name:	Oakes + Jung LLC	Agent/Architect Name:	Tom Jung / Dan Oakes
Address (Number & Street):	2000 Oakes Rd.	Address (Number & Street):	"
Address (City, State, Zip):	Racine, WI 53406	Address (City, State, Zip):	"
Email Address:	N/A	Email Address:	eddiejung4@gmail.com / doakes@awoakes.com
Phone #:	N/A	Phone #:	262-886-6817

SITE INFORMATION

Legal Description:	Parcel ID: 176-03-19-04-003-000		
Zoning District:	M 4	Property Address or Location:	32610 Washington Ave. Burlington, WI 53105

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (For example: manufactured home community, quarry, wind turbine, amendment, or any other listed conditional use. Include Code section, if known.):	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Quarry	
Provide the project name and a short summary of the proposed conditional use: Oakes + Jung Quarry - Proposed 2 year conditional use permit to continue quarry operations.	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with Village staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

<input type="checkbox"/> Complete attached planning overview	<input type="checkbox"/> Site Plan drawn to scale	<input type="checkbox"/> Detailed operational plan	<input type="checkbox"/> Agreement for Reimbursable services form	<input type="checkbox"/> Detailed written statement of intent	<input type="checkbox"/> Application fee (non-refundable), payable to Village of Rochester. See current fee schedule for fee amounts
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Village of Rochester to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature:

Date:

12/20/23

WRITTEN STATEMENT OF INTENT

Applicants must provide a detailed written statement of intent describing the proposed conditional use. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe **in detail** the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.

Please see attached plans / application.

APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages. (Parentheses indicate Code references.)

☐ **SCALED SITE PLAN. Sufficiently detailed on paper no larger than 11" x 17". Include the following, as applicable:**

- ☐ Date plan created, scale, and north arrow.
- ☐ Existing subject property lot lines and dimensions.
- ☐ Location of all existing and proposed structures and use area. (35-22 B-D)
- ☐ Existing topography shown at a contour interval not less than two feet, or where not readily available elevations at appropriate locations, as well as proposed changes in topography. (Ch. 32; 35-22 D)
- ☐ The type, size, location, height, and dimensions of all structures including fences and walls showing conformance with all provisions of the underlying zoning district, such as lot width and area, setbacks, yards, building heights, etc. (35-90; 35-22 B-D)
- ☐ Location and number of parking stalls and loading and storage areas. (35-160; 35-161; 35-162; 35-22 D)
- ☐ Location and size of existing and proposed sanitary sewers, septic tanks and disposal fields, holding tanks, storm sewers, and water mains. (Ch. 10; 32; 35-15)
- ☐ Location and dimensions of any existing utilities, easements or rights-of-way, including existing and proposed public right-of-way widths. (35-160; 30-82)
- ☐ Location of proposed solid waste (refuse) and recycling storage areas. (35-22 D)
- ☐ Location of pedestrian sidewalks and walkways. (35-22 D)
- ☐ Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- ☐ Location and extent of existing trees, and type of proposed plantings including type and extent of erosion control. (Ch. 32; 35-22 D)
- ☐ Location, type, height and intensity of proposed lighting. (35-22 D)
- ☐ A graphic delineation of any planned development staging.
- ☐ Any other site or use information, such as 100 year internal flood lines, which will assist the Plan Commission in making a determination and recommendation on the proposal.

☐ **CONSTRUCTION PLAN. Include with site plan the following, as applicable:**

- ☐ Primary building materials used in construction of all structures. (35-190; 35-22 C)
- ☐ Architectural plans, elevations, and perspective drawings/sketches illustrating the design and character of proposed structures. (35-190; 35-22 C, D)

☐ **OPERATIONS PLAN. Describe in detail the following characteristics of the operation, as applicable: (Attach as addendum to this application.)**

- ☐ Specific use of site and building(s). (See 35-250 for general use restrictions.)
- ☐ Hours of operations.
- ☐ Number of full and part time employees.
- ☐ Type of materials and equipment to be stored on site.
- ☐ Method of handling solid and liquid waste disposal.
- ☐ Method of exterior maintenance (site and buildings).
- ☐ Method of site and building security other than local police.
- ☐ Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- ☐ Copies of all special use permits issued by state or county agencies.
- ☐ Any other information which will assist the Plan Commission in making a determination and recommendation of the proposal.

☐ **ADDITIONAL MATERIALS. Additional information is required for certain conditional uses:**

- ☐ Conditional uses in the shoreland-wetland and floodplain districts must provide plans showing conformance with Code Ch. 36 and 37, respectively.
- ☐ Applications for Manufactured Home Communities must provide additional information. (35-100 D)
- ☐ Applications for quarrying operations must submit additional information. (35-100 F 3)
- ☐ Applications for solid waste facilities; scrap iron, steel or nonferrous metal processing facilities; recycling facilities; auto junkyards; and auto scrap metal salvage yards must submit additional information. (35-100 F 4)
- ☐ Applications for adult-oriented entertainment businesses must provide additional information. (35-100 G)
- ☐ Applications for Non-Agricultural Businesses in agricultural zoning districts must provide additional information. (35-100 I)

CONDITIONAL USE PERMIT PLANNING OVERVIEW

Applicants must provide adequate evidence demonstrating to the Village of Rochester Plan Commission that the proposed conditional use complies with the following standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in Chapter 35 of the Village of Rochester Code.

Please explain how the proposed land use will comply with the following (attach additional pages, if necessary):

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.

The proposed application will not be detrimental or endanger the public health, safety, comfort, or general welfare.

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. Briefly describe the current uses of surrounding properties in the neighborhood.

Residential and Farmland surround the mining operation. No one has expressed any concerns with us. We are self contained in the property.

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.

Correct.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

Yes. See attached.

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.

Yes. Signage on Hwy D. Should minimally impact traffic.

6. The conditional use shall conform to all applicable regulations of the district in which it is located. Briefly describe the current use(s) of the property on which the conditional use is proposed.

Mining operation. Crushing material and trucking out.

7. The conditional use is consistent with the adopted Village land use plans.

Yes.

8. Any signage required by the conditional use will comply with the provisions of Ord. 35-170 through 35-179.

Yes.

Village of Rochester
Agreement for Reimbursable Services
By Petitioner/Applicant/Property Owner

Any person or applicant presenting a proposal, petition, or project, whether or not a permit or license is required, will be charged costs and fees equivalent to the cost to the Village for reviews and/or other work performed by the consulting Village Engineer, Village Attorney, Zoning Administrator, and any other consultants engaged by the Village.

Such persons or applicants shall be required to pay fees equivalent to the cost to the Village for any work associated with the drafting of agreements or other documents associated with any project, proposal, petition, permit, license, review or approval required, including but not limited to engineering, design, and/or inspection fees for public improvements that are associated with the review.

The Village may require a person or applicant to sign an agreement for payment, and to make a deposit toward such costs and fees. If a deposit is required, the deposit shall be in an amount reasonably estimated by the Village Clerk to cover the anticipated costs and fees, however, the person or applicant shall be liable for the full amount of the Village's costs and fees regardless of the amount of the deposit, unless otherwise prohibited by law. If the deposited amount falls below the amount reasonably estimated to complete the work, the Clerk may require an additional deposit. Any portion of the deposit that is not used by the Village for costs and fees shall be returned to the applicant.

Review fees which are charged to a person or applicant, but which are not paid, may be assigned by the Village as a special assessment to the subject property.

Dan Oakes / Tom Jung, the applicant/petitioner/property owner(s) for
Name(s)

Application for Conditional Use / Mining, dated Dec. 20th, 2023,
Nature of application/petition

agree(s) to reimburse the Village of Rochester for all consultant services (e.g. engineering, planning, surveying, legal) required to process this application in addition to those normal costs payable by an applicant/petitioner (e.g. filing or permit fees, publication expenses, recording fees, impact fees, etc.), and, further, agrees to reimburse the Village for other administrative staff review if, in the judgment of the Village Board, such reimbursement is warranted.

Dated this 20th day of December, 2023.

 / 
Signature of Applicant/Petitioner

Signature of Property Owner, if different from Applicant/Petitioner

TO: Village of Rochester, Wisconsin
Village of Rochester Plan Commission
300 W. Spring Street, PO Box 65
Rochester, WI 53167

FROM: Oakes & Jung, LLC
2000 Oakes Road
Racine, WI 53406

RE: Application for Conditional Use Permit

DATE: December 20, 2023

Please see attached report and visual maps as our application for a conditional use permit and zoning permit. We are requesting to be put on the Village of Rochester's agenda for the January 24th, 2024, meeting for the Village Planning Commission meeting.

In general, this is the same application we submitted 2 years ago. Last year we didn't sell much material out of the pit, and this past year we didn't even quote anything because of the construction on Hwy D. We didn't do any crushing the past 2 years, and still have some stockpiles from a few years back.

We have followed the format outlined in the Village of Rochester Code of Ordinances. If you have any questions, please let us know and we will be happy to assist you in answering.

Thank you for your time and consideration.

Sincerely,

Oakes & Jung, LLC
Dan Oakes/Tom Jung

Application for Conditional Use Permit

(1) Completed zoning and conditional use applications forms.

- See attached.

(2) A written report and site plan outlining the following issues:

(a) Name and address of the applicant.

Oakes & Jung, LLC
2000 Oakes Road
Racine, WI 53406

(b) Name and address of the owner of the site on which use is taking place.

Dan Oakes
2000 Oakes Road
Racine, WI 53406

Tom Jung
9825 Durand Ave.
Sturtevant, WI 53177

(c) Description of site for use by lot, block, and recorded subdivision or by metes or bounds.

Tax Parcel ID Number: 176-03-19-04-003-000

PT S1/2NW1/4 COM CEN SEC N1315 W1238 SW1428 E1815 TO POB & PT SW1/4
COM CEN SEC S1486 SW530 N1623 E515 TO POB EXC HWY EXC #2381933 PT TO
176031904025002 IN 2014 FOR 2015 ROLL PT FROM 176031904009000 IN 2019
FOR 2020 ROLL **TOTAL ACRES** 64.00

(d) Address of site.

Site Address:
Oakes and Jung, LLC
32610 Washington Ave.
Burlington, WI 53105 – Village of Rochester

(e) Statement of the nature of the proposed operation, and appropriate exhibits, including:

[1] List of equipment and machinery to be used to conduct operations.

Crushing Equipment (Only when Needed): Primary Crusher, Secondary Crusher, 2 End Loaders, 6 Conveyors (4 regular, 2 stack), Generator, Job-Site Trailer

On-Site Equipment: End Loader, Backhoe, Dozer

Other: Portable Scale, Scale House/Trailer

[2] Type and amount of explosives to be used or stored, if any.

N/A – No explosives used

[3] Size, location, and use of the buildings to be constructed on the site.

N/A – No buildings to be constructed

[4] Smoke and dust control devices to be utilized, if any.

We have an employee with Opacity Training. Entrance to pit is also paved so dust out into roadway shouldn't be an issue.

[5] Highways to be used for the truck traffic to and from the subject site.

All truck traffic will flow in and out on County Hwy D. A "Truck Entrance" sign is visible on Hwy D.

[6] Deodorants or odor control devices.

N/A – No deodorants or odor control used

[7] Proposed devices for muffling of noise.

N/A – No noise muffling devices used – All noise will be stay below local standard decibel threshold tolerance (loudest noise will be backup alarm on end loaders)

[8] The employment of safety devices to protect the public from dangers inherent to the proposed use.

N/A – No inherent dangers to public with proposed use

[9] Method of concealing unsightly deposits, if any.

N/A – No unsightly deposits with proposed use

[10] Employee and machinery/equipment parking areas.

See Site Plans attached

[11] Any other pertinent data which the applicant deems material, or as requested by the Village.

N/A – no other information requested – let us know if you would like additional information

(f) Zoning of the site to be used. Existing land use and zoning abutting subject property.

Zoning of the site is M-4 (mining) – Abutting properties are agricultural and some residential

(g) Depth of existing and proposed excavations.

Varies by location. See Site Plans Attached.

(h) Commencement and completion dates of each type of operation proposed.

To be determined - based on current market conditions.

(i) Hours and days of operation.

Monday through Friday – 6:00 AM to 6:00 PM
Saturday – 6:00 AM to 3:00 PM

(j) Number of employees.

0 to 8

(k) Method and manner of draining surface water and accumulated water from the premises.

See site plans for dewatering operation.

(l) Method and manner of restoring the areas of the operation after the cessation of operation to a condition of practical usefulness and reasonable physical attractiveness.

See Site Plans attached – Generally we will restore and slope banks as we complete mining in those areas – Some areas have already been restored

(m) Topographic mapping of the site showing existing and proposed contours, with a contour interval no greater than two feet. (12 copies)

See Site Plans attached

(n) Existing trees four inches or more in diameter, measured four feet from the existing elevation and proposed tree plantings; provided, however that, for heavily wooded areas, the perimeter of the heavily wooded area may be delineated and the types of trees and range of diameters may be provided.

See attached Phasing Plan

(o) Landscaping berms, fencing and gates.

One gate on paved drive at entrance to the property

(p) Sign locations and sizes

A "Truck Entrance" sign is visible on Hwy D.

(q) Existing and proposed access roads.

Existing access roads shown on attached Site Plans – No new access roads proposed

(r) Water supply facilities, including the source quantity and disposition of the water to be used.

N/A – Minimal water used for dust control only if needed

(s) Proposed sanitary facilities (obtain Racine County sanitary approval for on-site sanitary facilities).

N/A – only portable/rental port-o-johns

(t) Test results of area water wells, and proposed testing plans, where the proposed use includes excavation below the water table, along with sureties to insure performance of continued testing and resolution of issues identified, in a form determined by the Village Plan Commission upon the Village Plan Commission finding that such condition or conditions are proper for protection of health, safety and or welfare of the public.

General locations of monitoring wells shown on plans. We will coordinate with the Village for requirements.

(u) Highway access restrictions, deed restrictions, and traffic control, along with repair plans for Village roads affected by the operation. Where determined necessary by the Village Plan Commission, the applicant shall submit a financial surety for the projected road repair.

N/A – Only truck traffic in and out will be on County Hwy. D which is rated for loaded truck traffic

(v) Letter of Agreement from the applicant agreeing to restore the subject site in accordance with the approved reclamation plan (see subsection **(5.07.c.(1))**).

Working with the county.

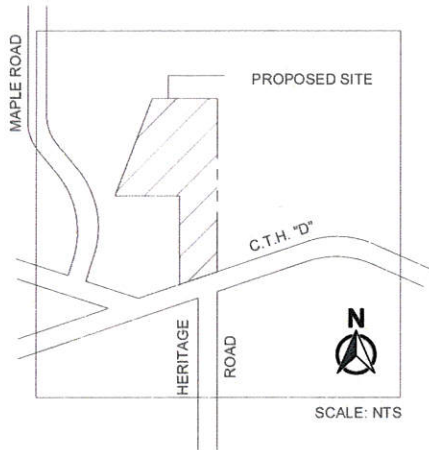
(w) The Village Plan Commission may also as a condition precedent to the issuance of the zoning permit and conditional use permit, require an agreement with the applicant and owner whereby they agree to restore the site to a condition of practical usefulness and reasonable physical attractiveness.

Additional Information

There is a possibility that in the future, Oakes and Jung could apply for a variance on the mining boundary along the northern and southern edges of the mining area, as Tom Jung owns the abutting properties. Mining closer to the boundary in these areas, can lead to better end use and restoration. These are not part of this application, but it is information we thought the committee should be aware of.

LOCATION MAP

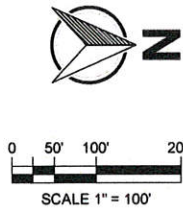
SECTION 4-3-19



NOTES

AERIAL ORTHOPHOTO TAKEN FROM DRONE FLIGHT PERFORMED BY A.W. OAKES & SON, INC. ON DECEMBER 3RD, 2021.

BACKGROUND IMAGE PROVIDED BY MICROSOFT BING MAPS.



BEARING BASE: GRID NORTH,
WISCONSIN COORDINATE SYSTEM,
SOUTH ZONE.

ALL ELEVATIONS REFER TO NORTH
AMERICAN VERTICAL DATUM OF 1988.



CLIENT:
OAKES & JUNG, LLC.

CLIENT ADDRESS:
2000 OAKES ROAD
RACINE, WI 53406

ONSITE PLANS
FOR
ROCHESTER GRAVEL PIT 2022 RENEWAL
VILLAGE OF ROCHESTER
PLANS PREPARED FOR
OAKES & JUNG, LLC.



REVISIONS:		
NO.	DESCRIPTION	DATE

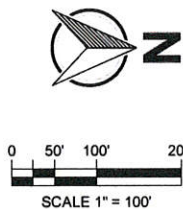
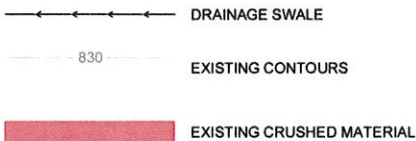
DRAWN BY: V.VELAZQUEZ
CHECKED BY: M.KROK
DATE: 12/22/2021

SHEET TITLE:
AERIAL IMAGE

SHEET NUMBER:
C1.1

SCALE: 1" = 100'





BEARING BASE: GRID NORTH,
WISCONSIN COORDINATE SYSTEM,
SOUTH ZONE.

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AERIAL ORTHOPHOTO TAKEN FROM DRONE FLIGHT
PERFORMED BY A.W. OAKES & SON, INC. ON DECEMBER 3RD
2021.

BACKGROUND IMAGE PROVIDED BY MICROSOFT BING MAPS

Oakes & Son
A.V. SINCE 1948

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PHONE: (262) 886-4474 • FAX: (262) 886-4475
WWW.AVIOAKES.COM

CLIENT:
OAKES & JUNG, LLC.

CLIENT ADDRESS:
2000 OAKES ROAD
RACINE, WI 53406

ON-SITE PLANS
FOR
ROCHESTER GRAVEL PIT 2022 RENEWAL
VILLAGE OF ROCHESTER
PLANS PREPARED FOR
OAKES & JUNG, LLC.

DIGGERSHOTLINE
CALL 811 OR (800) 242-8511
MILWAUKEE AREA (414) 250-1181
HEARING IMPAIRED TDD (800) 542-2289
WWW.DIGGERSHOTLINE.CO

REVISIONS:

[illegible]

DRAWN BY:	V.VELAZQUEZ
CHECKED BY:	M.KROK
DATE:	12/22/2021

SHEET TITLE:
EXISTING
CONDITIONS

SHEET NUMBER:

C1.2

SCALE: 1" = 100'

RESTORATION PLAN

PHASE 1: SOUTHWEST AREA OF OPERATION (COMPLETE)
COMPLETE RESTORATION OF THE SOUTHWEST AREA.

PHASE 2: NORTHWEST AREA OF OPERATION
(CONTINUING OPERATION)

CLEAR AND GRUB EXISTING TREES AND OVERBURDEN. REMOVE/EXCAVATE AVAILABLE GRAVEL. THE REMOVAL RATE IS DEPENDENT ON THE ECONOMY—RESTORATION TO COINCIDE WITH REMOVAL. PLACE RECLAIMED TOPSOIL FROM THE SITE, AS AVAILABLE, SEED, FERTILIZE, AND MULCH. EROSION CONTROL METHODS MAY INCLUDE EROSION MATTING, EROSION BALES, OR OTHER OPTIONS AS IS WARRANTED BASED UPON SITE CONDITIONS.

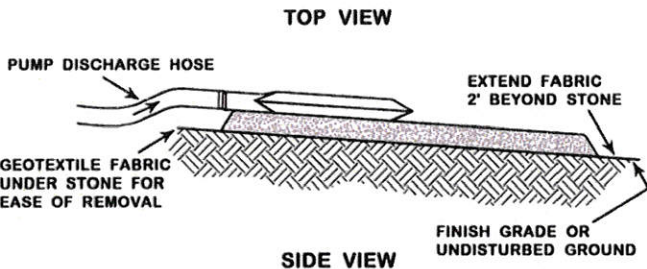
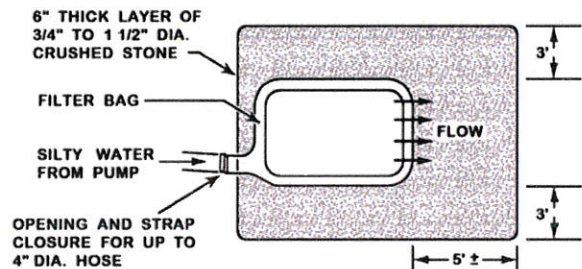
PHASE 3: EASTERN AREA OF OPERATION

RESTORE NORTHEAST SLOPE. PLACE RECLAIMED TOPSOIL FROM THE SITE, AS AVAILABLE, SEED, FERTILIZE, AND MULCH. EROSION METHODS MAY INCLUDE EROSION MATTING, EROSION BALES, OR OTHER OPTIONS AS IS WARRANTED BASED UPON SITE CONDITIONS. REMOVE/EXCAVATE GRAVEL ABOVE ELEVATION 830' AS SHOWN. THE REMOVAL RATE IS DEPENDENT UPON THE ECONOMY.

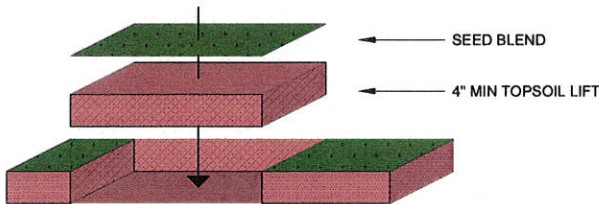
PHASE 4: CENTER OF OPERATION

UPON COMPLETION OF PHASES 1-3, REMOVE/EXCAVATE AVAILABLE GRAVEL BELOW ELEVATION 830' AS SHOWN. THE REMOVAL RATE IS DEPENDENT ON THE ECONOMY. BEFORE COMMENCING, ANY ADDITIONAL REQUIREMENTS NEEDED TO BEGIN PHASE 4 WILL BE RE-EXAMINED WITH THE APPROPRIATE MUNICIPALITY(S) (VILLAGE OF ROCHESTER, RACINE COUNTY).

SILT BAG DETAIL

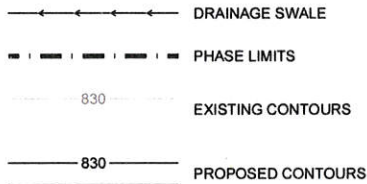
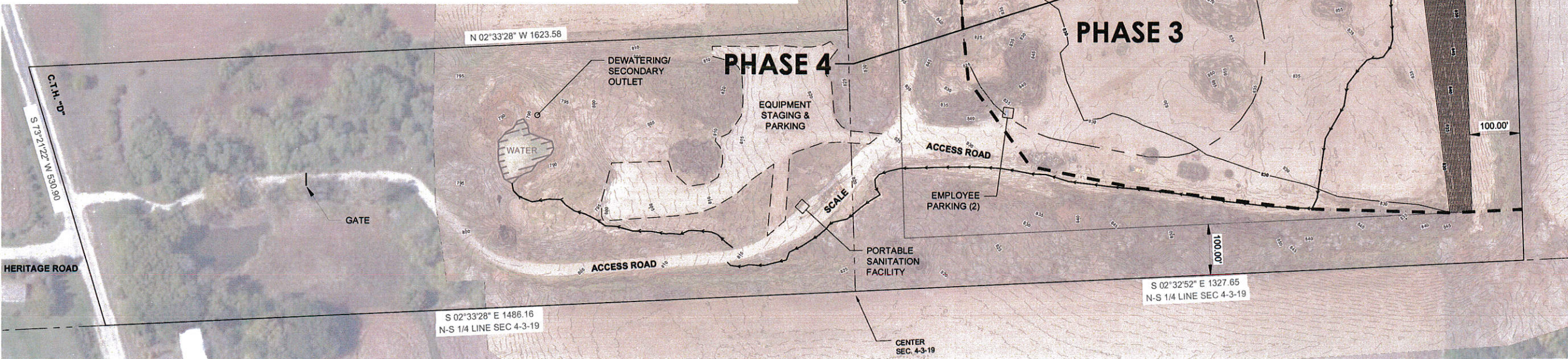
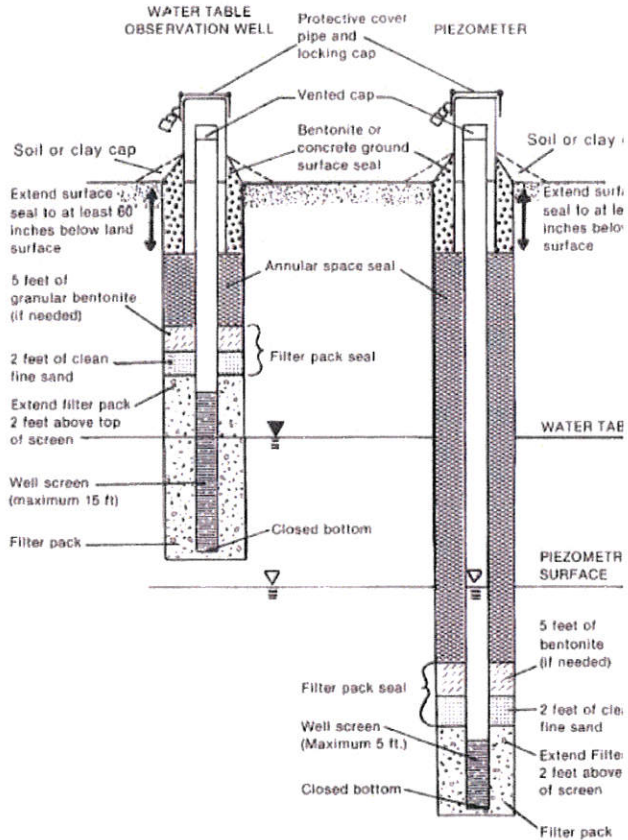


SEEDING OPERATIONS



- Seeding shall occur in topsoiled, finish grade.
- All seeding will be done in accordance with the State of Wisconsin DOT Standard Specifications for Seeding and Mulching, Section 630 and 627.
- Seeding to be completed within 30 days of final topsoil grading.

MONITORING WELL DETAIL



0 50' 100' 200'
SCALE 1" = 100'

BEARING BASE: GRID NORTH,
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REVISIONS:

NO.	DESCRIPTION	DATE

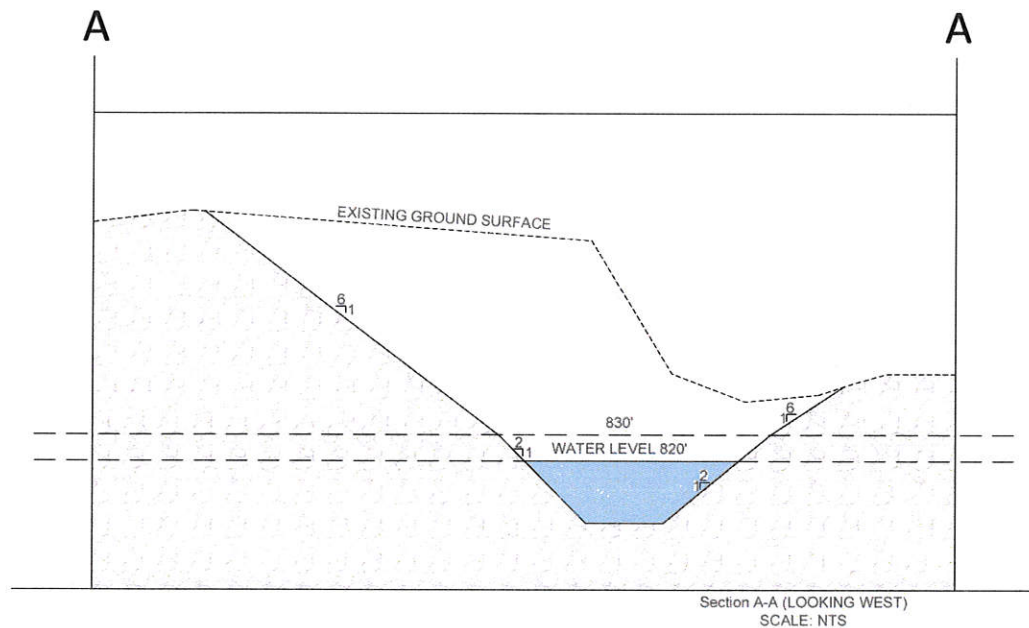
DRAWN BY: V. VELAZQUEZ
CHECKED BY: M. KROK
DATE: 12/22/2021

SHEET TITLE:
**PHASING
PLAN**

SHEET NUMBER:

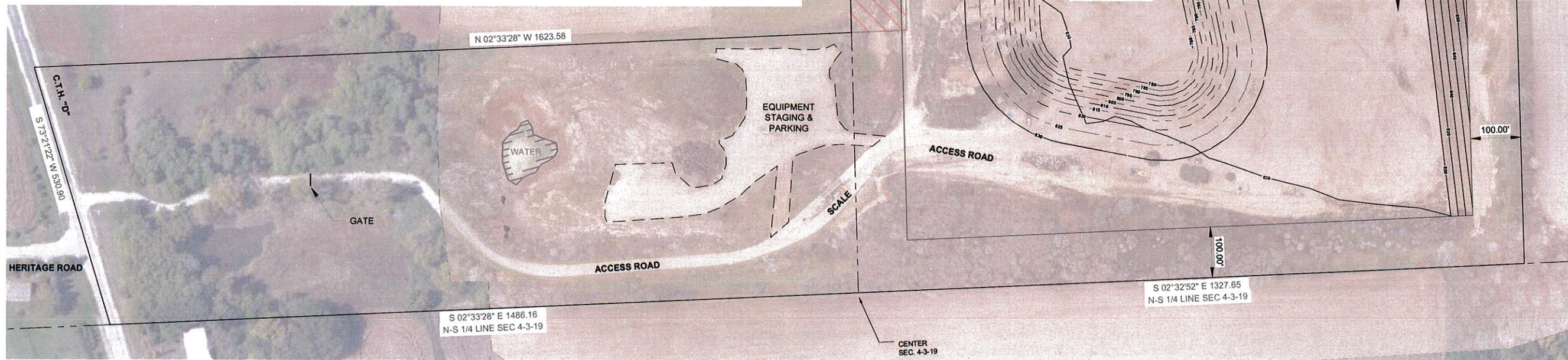
C1.3

SCALE: 1" = 100'



RESTORED AREA

INTERIM AREA



830 FUTURE CONTOURS
830 PROPOSED CONTOURS



0 50' 100' 200'
SCALE 1" = 100'

BEARING BASE: GRID NORTH,
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2000 OAKES ROAD, RACINE, WI 53408
PHONE: (262) 886-4474 • FAX: (262) 886-4475
WWW.AWOKES.COM

CLIENT:
OAKES & JUNG, LLC.

CLIENT ADDRESS:
2000 OAKES ROAD
RACINE, WI 53408

ONSITE PLANS
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ROCHESTER GRAVEL PIT 2022 RENEWAL
VILLAGE OF ROCHESTER
PLANS PREPARED FOR
OAKES & JUNG, LLC.

DIGGERS HOTLINE
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WWW.DIGGERSHOTLINE.COM

REVISIONS:		
NO.	DESCRIPTION	DATE

DRAWN BY: V. VELAZQUEZ
CHECKED BY: M. KROK
DATE: 12/22/2021

SHEET TITLE:
GRADING & RESTORATION PLAN

SHEET NUMBER:

C1.4

SCALE: 1" = 100'