

# Dane County Conditional Use Permit Application

<b>Application Date</b>	<b>C.U.P Number</b>
11/08/2021	DCPCUP-2021-02549
<b>Public Hearing Date</b>	
01/25/2022	

OWNER INFORMATION	AGENT INFORMATION
-------------------	-------------------

OWNER NAME LJC PROPERTIES LLC	Phone with Area Code (608) 279-5584	AGENT NAME WILLIAMSON SURVEYING AND ASSOCIATES	Phone with Area Code (608) 255-5705
BILLING ADDRESS (Number, Street) 6729 PATTON RD		ADDRESS (Number, Street) 104A W MAIN ST	
(City, State, Zip) WAUNAKEE, WI 53597		(City, State, Zip) WAUNAKEE, WI 53597	
E-MAIL ADDRESS james@homecomfortheatingllc.com		E-MAIL ADDRESS CHRIS@WILLIAMSONSURVEYING.COM	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
--------------------	--------------------	--------------------

<b>ADDRESS OR LOCATION OF CUP</b>	<b>ADDRESS OR LOCATION OF CUP</b>	<b>ADDRESS OR LOCATION OF CUP</b>
6729 Patton Road		-
TOWNSHIP VIENNA	SECTION 28	TOWNSHIP
		SECTION
<b>PARCEL NUMBERS INVOLVED</b>	<b>PARCEL NUMBERS INVOLVED</b>	<b>PARCEL NUMBERS INVOLVED</b>
0909-284-9501-8	---	0909-284-9200-2

CUP DESCRIPTION
-----------------

Limited Family Business - Heating Contractor

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
---------------------------------------	-------

10.234(3)	3.01
-----------	------

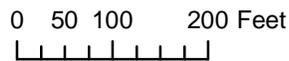
<b>DEED RESTRICTION REQUIRED?</b>  <input type="checkbox"/> Yes <input type="checkbox"/> No  Applicant Initials _____	<b>Inspectors Initials</b>  RWL1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>   
---	--	---

COMMENTS: SUBMITTED TO CORRECT A PENDING VIOLATION.



**Legend**

- |  |            |   |
|--|------------|---|
|  | Wetland    | <b>Significant Soils</b>  |
|  | Floodplain |  Class 1 |
|  |            |  Class 2 |



**CUP 02549**  
**LJC PROPERTIES LLC**



**Dane County**  
**Department of Planning and Development**  
 Zoning Division  
 Room 116, City-County Building  
 210 Martin Luther King Jr. Blvd.  
 Madison, Wisconsin 53703  
 (608) 266-4266

Application Fees  
 General: \$495  
 Mineral Extraction: \$1145  
 Communication Tower: \$1145  
 (+\$3000 RF eng review fee)  
**PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS  
 STARTED PRIOR TO ISSUANCE OF PERMIT**

## CONDITIONAL USE PERMIT APPLICATION

### APPLICANT INFORMATION

Property Owner Name: LJC Properties, LLC  
 Mailing Address: 6729 Patton Rd, Waunakee  
 Email Address: james@homecomfortheatingllc.com  
 Phone#: 608-279-5584

Agent Name: Williamson Surveying & Assoc. LLC - Chris Adams  
 Mailing Address: 104A W. Main St, Waunakee  
 Email Address: chris@williamsonsurveying.com  
 Phone#: 608-255-5705

### SITE INFORMATION

Township: Vienna Parcel Number(s): 090928495018 & 090928492002  
 Section: 28 Property Address or Location: 6729 Patton Rd, Waunakee  
 Existing Zoning: SFR-1 Proposed Zoning: RM-16 CUP Code Section(s): 10.234(3)

### DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):

Limited Family Business

Is this application being submitted to correct a violation?

Yes  No

Provide a short but detailed description of the proposed conditional use:

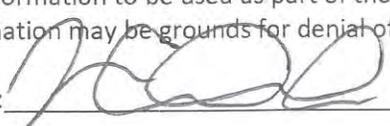
James currently runs a small business out of his home/shop for HVAC services. He did not realize that a special permit was necessary to do this. In the process of working out details for his shop location, the inspector explained this violation. We are submitting this CUP to correct this and ask for the approval to allow for the business and 2 storage/workshop locations which will be within the current seasonal storage facility located on Jame's site. The rezone will allow his current home site to be combined with the remaining lands he owns, which will connect the building we propose his shop to be located as well.

### GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department 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.

- Complete attached information sheet for standards
- Site Plan drawn to scale
- Detailed operational plan
- Written legal description of boundaries
- Detailed written statement of intent
- Application fee (**non-refundable**), payable to Dane County Treasurer

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 Dane County Department of Planning and Development 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: 10-1-2021

## STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections 10.220(1) and 10.103 of the code.

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

- |  |
|--|
| <p>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.<br/>There will be no change from current conditions. The heating company will only use the space for storage. All work is done at construction sites and not at this location. The seasonal storage will all be located indoors except for staging items that are being shuffled in or out of the storage area.</p>  |
| <p>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.<br/>There will be no change from current conditions, except for major clean up of the site. The building and all exterior areas have been and will continue to be cleared and organized.</p>  |
| <p>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.<br/>This CUP will not affect the adjoining properties in any way.</p>  |
| <p>4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.<br/>All utilities are existing and running to the buildings. No changes are proposed except for modifying the driveway access for a safer entrance and exit to the storage site.</p>  |
| <p>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.<br/>Yes, the driveway access has been improved and moved to a safer location allowing safe access to and from this site.</p>   |
| <p>6. That the conditional use shall conform to all applicable regulations of the district in which it is located.<br/>Yes, with this conditional use and the subsequent rezone/csm, this site will conform to all current regulations.</p>  |
| <p>7. The conditional use is consistent with the adopted town and county comprehensive plans.<br/>Yes, with this conditional use and the subsequent rezone/csm, this site will conform to all current regulations.</p>   |
| <p>8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.</p> <ul style="list-style-type: none"><li>• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:<br/>N/A</li><li>• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:<br/>N/A</li><li>• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:<br/>N/A</li><li>• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:<br/>N/A</li><li>• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:<br/>N/A</li></ul> |

## WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. 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.

List the proposed days and hours of operation.

Monday - Friday 7am - 5pm

List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.

1 full time employee and the owner (James Chancellor)

List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.

None

Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.

The heating company will have the employee parking a vehicle during business hours outside.

The seasonal storage will have some staging of items during organization periods outside (nothing will be long term)

For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.

An erosion control permit will be filed for approval

List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.

N/A

List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.

One 4 yard waste container and One 4 yard recycling contains both with covers

Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

Daily traffic is anticipated to be 2-4 standard cars/trucks and occasional vendor delivery truck for heating company. No additional measures are being proposed for this small amount of traffic.

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

None

Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.

None - there is existing exterior lighting that has not been used and will not be used during the night time hours.

Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. [10.800](#).

One 3'x5' sign hangs on the building (not visible from the street)

Briefly describe the current use(s) of the property on which the conditional use is proposed.

The heating company stores items like Furnaces/AC units/tools/van/etc.

Seasonal storage is typically boats, campers, motorcycles, trucks and cars, etc.

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

Farm land and operations surround this parcel. Across the street are residential homes with a paint business and a horse boarding business.

## 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.

### **SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:**

- Scale and north arrow.
- Date the site plan was created.
- Existing subject property lot lines and dimensions.
- Existing and proposed wastewater treatment systems and wells.
- All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- All dimension and required setbacks, side yards and rear yards.
- Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- Location and dimensions of any existing utilities, easements or rights-of-way.
- Parking lot layout in compliance with s. [10.102\(8\)](#).
- Proposed loading/unloading areas.
- Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- Any lighting, signs, refuse dumpsters, and possible future expansion areas.

### **NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:**

- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

### **OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:**

- Hours of operation.
- Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- Facilities for managing and removal of trash, solid waste and recyclable materials.
- Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- Signage, consistent with section [10.800](#).

### **ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):**

- Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an [event plan](#).
- [Domestic pet](#) or [large animal boarding](#) must provide additional information in site and operations plans.
- Communication towers must submit additional information as required in s. [10.103\(9\)](#).
- Farm residences proposed in the FP-35 district must submit additional information as required in s. [10.103\(11\)](#).
- Mineral extraction proposals must submit additional information as required in s. [10.103\(15\)](#).



# WILLIAMSON SURVEYING & ASSOCIATES, LLC

104A WEST MAIN STREET, WAUNAKEE, WI 53597

NOA T. PRIEVE and CHRIS W. ADAMS

PHONE: 1-608-255-5705 WEB: WILLIAMSONSURVEYING.COM

## CONDITIONAL USE PERMIT REQUEST

Dear Town of Vienna & Dane County Zoning

November 2, 2021

### NEIGHBORHOOD CHARACTERISTICS:

The current use of this site is as requested in the CUP. James has been running his Heating business out of his home/shop for several years. He was unaware that he needed a CUP for this intended use. He also has been renting his shed/barn out as seasonal storage for boats, campers, motorcycles, cars, trucks etc. No change to these uses is proposed, just clean-up of the site/buildings and the zoning and permits.

The current uses of surrounding properties are: this site is surrounded by farm land and farm operations. There is also across the street are standard residential sites along with residential sites which one has a painting business and another has horse boarding.

### OPERATIONS PLAN AND NARRATIVE:

James is the owner of this property under LJC Properties LLC which he plans to continue renting space out for seasonal storage and he lives in the home on this site. He also owns and operates Home Comfort Heating LLC, which he has been running out of his home and storing the work vehicles, equipment and other related items in the shop buildings. His plan, if approved, is to create a separate space within the building that will allow separation between his business and personal storage items and the seasonal storage items within this building. The business hours are from 7am to 5pm Monday through Friday. The heating business has only James as the owner and 1 full time employee. There is no work done on this site for the heating company, for all work is done on construction sites or private homes/business elsewhere. No materials will be stored outside of the proposed Heating business areas, except for the employees vehicle will be parked in a designated spot while he is out on sites with the work van or truck. Any work done on site that needs stormwater approval will have an erosion control permit filed with the county. The sanitary system is only for the residential home and not the shop/business use. The business will utilize trash and recycling bins with lids that are picked up weekly. The daily traffic will be minimal with only 2-4 standard cars/trucks and the occasional vendor delivery truck entering the site. There will be no hazardous, toxic or explosive materials and no use of exterior lighting for this business. There is an existing 3'x5' sign on the building which is not visible from the street.

Any further questions about his request, fell free to contact:

Property owner: James Chancellor  
6729 Patton Rd  
Waunakee, WI 53597  
608-279-5584

Agent: Chris Adams or Noa Prieve  
Williamson Surveying and Associates LLC  
104A W. Main St, Waunakee, WI 53597  
608-255-5705





# CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS  
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE, SW & NE 1/4's of the SE 1/4 of Section 28, T9N, R9E, Town of Vienna, Dane County, Wisconsin, including all of Lot 1, C.S.M. No. 7756

WCCS - DANE COUNTY ZONE

BEARINGS ARE REFERENCED TO THE SOUTH LINE OF THE SE 1/4 OF SECTION 28 WHICH BEARS S 89°40'56" W

EAST 1/4 CORNER  
28-9-9  
FND. SURVEY NAIL

TOTAL SECTION LINE S 00°15'24" W 2647.89'

PATTON RD

SE CORNER  
28-9-9

CUP Boundary

### PREPARED FOR:

LJC PROPERTIES, LLC  
6729 PATTON RD.  
WAUNAKEE, WI 53597

### LEGEND

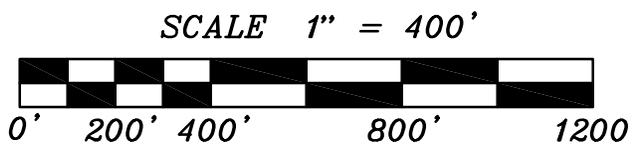
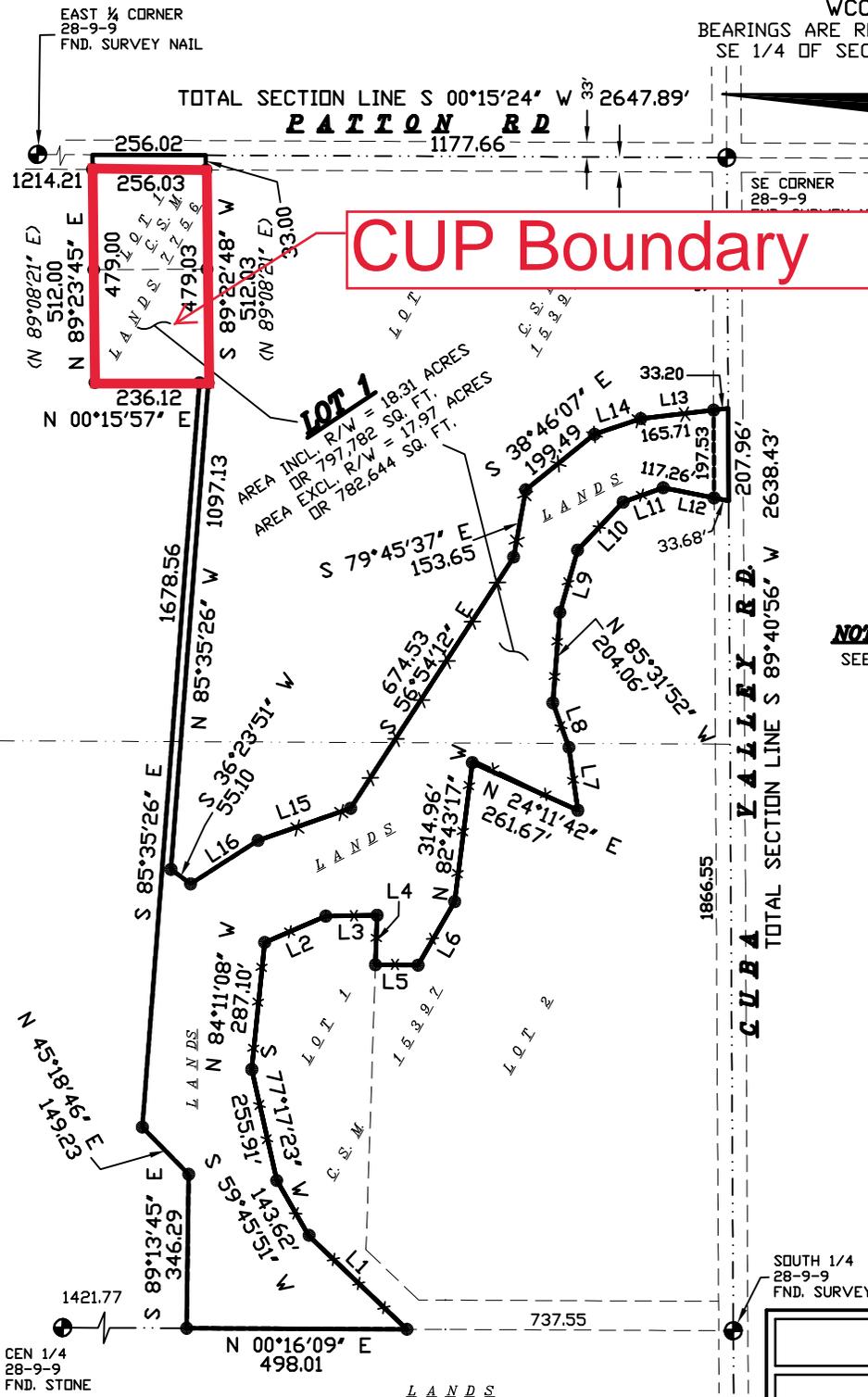
- = SET 3/4"x24" REBAR  
WT 1.5 LB PER LIN FT
- = FOUND 1 1/4" PIPE
- ⊙ = FOUND SECTION CORNER  
(TYPE NOTED)
- x-x- = FENCE
- (<##>) = RECORDED AS

### NOTES:

SEE SHEET 3 FOR ALL NOTES

### LINE TABLE

LINE#	BEARING	DISTANCE
L1	S 43°27'45" W	306.25'
L2	N 23°09'47" W	150.37'
L3	N 00°54'29" W	115.96'
L4	S 88°05'30" E	111.32'
L5	N 00°33'16" E	96.46'
L6	N 60°00'35" W	165.17'
L7	S 81°52'38" W	143.12'
L8	S 70°00'36" W	106.50'
L9	N 74°02'38" W	145.60'
L10	N 46°19'57" W	149.39'
L11	N 19°36'00" W	95.99'
L12	N 11°14'38" E	150.94'
L13	S 06°40'23" E	198.92'
L14	S 18°34'54" E	110.44'
L15	S 19°02'14" E	221.43'
L16	S 32°38'25" E	181.06'



### SURVEYORS SEAL

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

## **Area of requested Conditional Use Permit**

A parcel of land being located in the northeast and southeast  $\frac{1}{4}$ 's of the southeast  $\frac{1}{4}$  of Section 28, T9N, R9E, in the Town of Vienna, Dane County, Wisconsin more particularly described as follows:

Commencing at the East  $\frac{1}{4}$  corner of said Section 28; thence S  $00^{\circ}15'24''$  W, 1214.21 feet to the point of beginning.

Thence continue S  $00^{\circ}15'24''$  W, 256.02 feet; thence S  $89^{\circ}22'48''$  W, 512.03 feet; thence N  $00^{\circ}15'57''$  E, 255.76 feet; thence N  $89^{\circ}23'45''$  E, 512.00 feet to the point of beginning. This description contains 3.01 acres and is subject to a road right of way of 33.00 feet over the most easterly part thereof.