

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
07/09/2018	DCPREZ-2018-11328
Public Hearing Date	C.U.P. Number
08/28/2018	

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

OWNER NAME RICHARD L KLINGER III	PHONE (with Area Code) (608) 444-1832	AGENT NAME MICHAEL MARTY	PHONE (with Area Code) (608) 821-3955
BILLING ADDRESS (Number & Street) 2731 GUST RD		ADDRESS (Number & Street) 999 FOURIER DR STE 201	
(City, State, Zip) VERONA, WI 53593		(City, State, Zip) MADISON, WI 53717	
E-MAIL ADDRESS lawnworksmadison@gmail.com		E-MAIL ADDRESS nmar@viebicher.com	

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

ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
2731 GUST RD		GUST RD			
TOWNSHIP SPRINGDALE	SECTION 12	TOWNSHIP	SECTION 12	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0607-124-9441-0		0607-124-9412-9			

REASON FOR REZONE	CUP DESCRIPTION
-------------------	-----------------

ZONING CHANGE TO ALLOW A LANDSCAPING BUSINESS	
---	--

FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1 Agriculture District	LC-1 Limited Commercial Dist	0.64		

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS SSA1	SIGNATURE:(Owner or Agent)
--	---	---	----------------------------------	----------------------------

COMMENTS: PETITION REVISED ON JULY 9TH TO REFLECT A SMALLER ZONING BOUNDARY AND REMOVING THE REQUEST FOR A SEPARATE LOT. ZONING BOUNDARY JUST BEING CREATED.

PRINT NAME:

DATE:

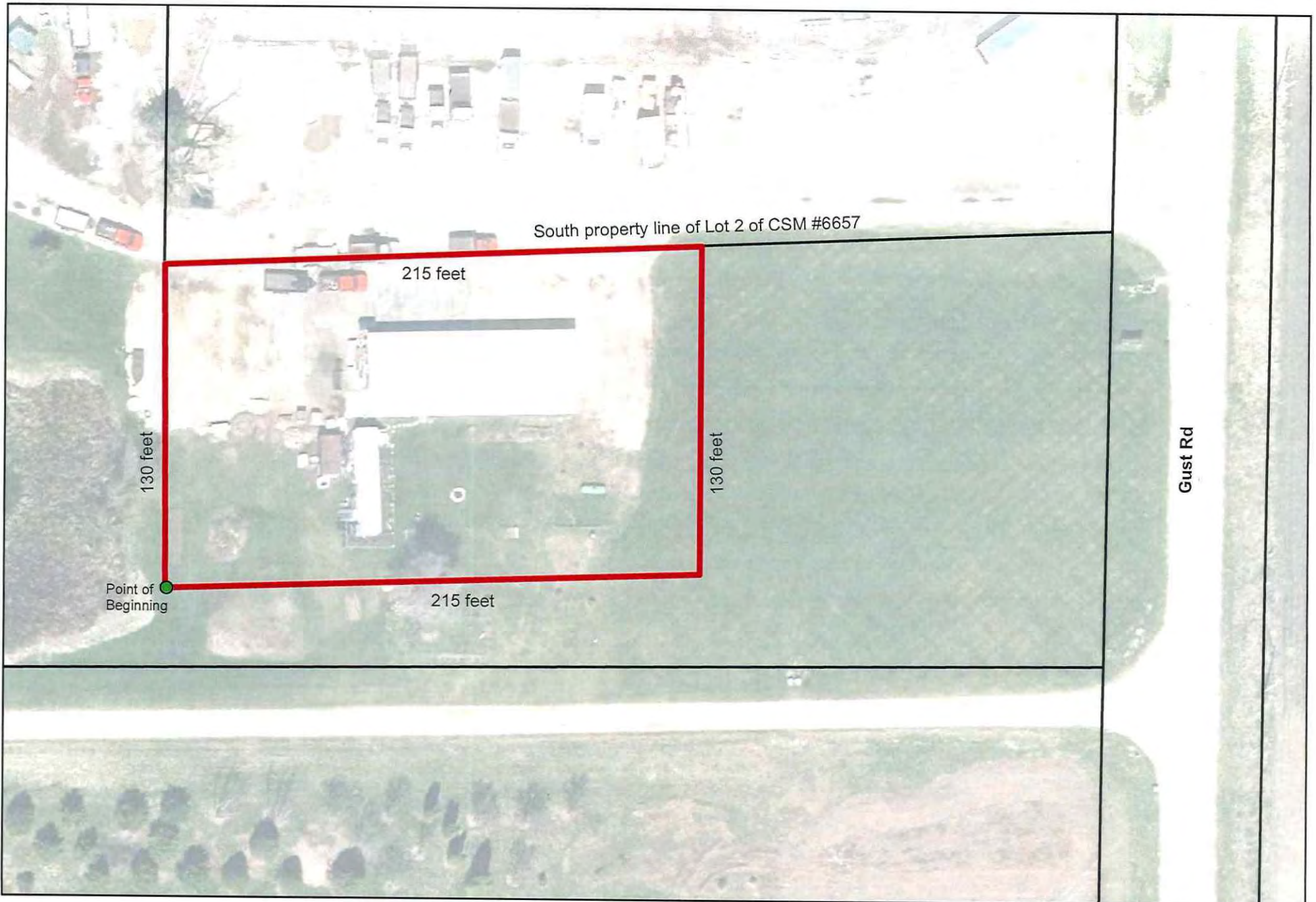
PLAN OF OPERATION

(JULY 9, 2018)

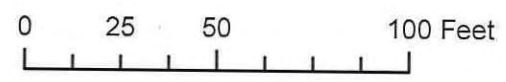
Name of business:	Lawn Works Madison LLC
Address:	2731 Gust Road, Verona WI 53593 (Town of Springdale)
Type of business:	Our company provides professional lawn care, mulch and stone installation, concrete flatwork, and snow plowing/removal services.
Description of customers served:	Lawn Works Madison LLC has been serving residential and commercial customers in the Madison, Verona, Fitchburg, and Middleton, WI, areas since 2005. We are a locally owned company that strives to provide quality workmanship.
Buildings/facilities used in the business:	30'x80' pole building – used for storing vehicles, equipment and supplies. A portion of the building (approximately 8'x20') is used as an office for the business.
Description of any outdoor storage related to the business:	NONE
Number of employees:	Approximately 4-6 (varies by season),
Typical hours of operation:	Summer: typical hours are approx. 7 a.m. to 5 p.m. Mon.-Sat. Winter: winter hours vary (depends on snow fall)
Description of driveways/street access:	The business is accessed via a gravel driveway off of Gust Road, which is shared with the neighboring business (Bassett)
Description of available parking:	Parking for employees and company-owned vehicles is available on the gravel area that surrounds the building to the east and west. NO MORE THAN 12 VEHICLES OUTSIDE.
Description of deliveries:	Approximately 1-2 deliveries per week or materials and parts.
Description of business signage:	The business does not currently have a sign. We would like to place a small sign along Gust Road at some point in the future.
Description of exterior lighting used in the business:	Overhead lighting above the doors reflecting down.

Petition 11328 Zoning Boundary

Part of the SW1/4 of the SE1/4 of Section 12, T06N, R07E, Town of Springdale, Dane County, Wisconsin, more fully described as the following: Commencing at the Southeast corner of said Section 12, thence S89°46'26"W along the South line of said SE1/4 of Section 12, 1324.84 feet to a point of intersection with the East Line of the SW1/4-SE1/4 of said Section 12; thence N00°49'02"E along said East line, 439.20 feet; thence S89°04'26"W 424.99 feet; thence N00°50'05"E, 33.97 feet to the point of beginning; thence N00°50'05"E, 130 feet; thence N88°10'08"E, 215 feet; thence S00°50'05"W, 130 feet, thence S88°10'08"W, 215 feet to the point of beginning. Contains approximately 0.64 acres



 A-1 Agriculture to
LC-1 Limited Commercial



Petition 11328
Zoning boundaries

Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
06/21/2018	DCPREZ-2018-11328
Public Hearing Date	C.U.P. Number
08/28/2018	DCPCUP-2018-02433

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

OWNER NAME RICHARD L KLINGER III	PHONE (with Area Code) (608) 444-1832	AGENT NAME MICHAEL MARTY	PHONE (with Area Code) (608) 821-3955
BILLING ADDRESS (Number & Street) 2731 GUST RD		ADDRESS (Number & Street) 999 FOURIER DR STE 201	
(City, State, Zip) VERONA, WI 53593		(City, State, Zip) MADISON, WI 53717	
E-MAIL ADDRESS lawnworksmadison@gmail.com		E-MAIL ADDRESS nmar@viebicher.com	

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

ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
2731 GUST RD		GUST RD			
TOWNSHIP SPRINGDALE	SECTION 12	TOWNSHIP	SECTION 12	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0607-124-9441-0		0607-124-9412-9			

REASON FOR REZONE	CUP DESCRIPTION
-------------------	-----------------

ZONING CHANGE TO ALLOW A LANDSCAPING BUSINESS	OUTSIDE STORAGE OF EQUIPMENT AND SALES
---	--

FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
A-1 Agriculture District	LC-1 Limited Commercial Dist	1.6	10.111(1)(2)(a)	1.6

C.S.M REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS SSA1	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
--	---	---	----------------------------------	--

**SEE
REVISED**



DANE COUNTY
PLANNING & DEVELOPMENT

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

Zoning Change Application

Items that must be submitted with your application:

- o **Written Legal Description of the proposed Zoning Boundaries**
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- o **Scaled Drawing of the location of the proposed Zoning Boundaries**
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name	<u>Richard Klinger III</u>	Agent's Name	<u>Michael Marty</u>
Address	<u>2731 Gust Road, Verona, WI 53593</u>	Address	<u>999 Fourier Drive, Suite 201</u>
	<u>Verona, WI 53593</u>		<u>Madison, WI 53717</u>
Phone	<u>(608) 444-1832</u>	Phone	<u>(608) 821-3955</u>
Email	<u>lawnworksmadison@gmail.com</u>	Email	<u>mmar@vierbicher.com</u>

Town: Springdale Parcel numbers affected: 054/0607-124-9441-0, 054/0607-124-9412-9

Section: 12 (T06NR07E) Property address or location: 2731 Gust Road, Verona, WI 53593

Zoning District change: (To / From / # of acres) A-1/LC-1/1.6 acres

Soil classifications of area (percentages) Class I soils: 75 % Class II soils: 25 % Other: %

Narrative: (reason for change, intended land use, size of farm, time schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

The property is currently zoned A-1. We intend to conduct a land division of a 7.6 acre parcel to create a 6.0 acre parcel and a 1.6 acre parcel. We are seeking a rezone of the newly created 1.6 acre parcel from A-1 to LC-1. The property is currently used for a landscaping business and outdoor equipment storage, so these uses would be conditional uses under the LC-1 designation. A separate conditional use application is also being filed.

SEE REVISED

I authorize that I am the owner or have permission to act on behalf of the owner of the property.
Submitted By: _____

Date: 6/19/18

WITHDRAWN NULL & VOID



DANE COUNTY
PLANNING & DEVELOPMENT

Conditional Use Application

Application Fee: \$486 Mineral Extraction: \$1136

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:

- o Written Legal Description of Conditional Use Permit boundaries
- o 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.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner	<u>Richard Klinger III</u>	Agent	<u>Michael Marty</u>
Address	<u>2731 Gust Road</u>	Address	<u>999 Fourier Drive</u>
Phone	<u>Verona, WI 53593</u>	Phone	<u>Madison, WI 53717</u>
	<u>(608)444-1832</u>		<u>(608) 821-3955</u>
Email	<u>lawnworksmadison@gmail.com</u>	Email	<u>mmar@vierbicher.com</u>

Parcel numbers affected: 054/0607-124-9441-0, 054/0607-124-9412-9 Town: Springdale Section: 12 (T06NR07E)
SW1/4 SE1/4 Property Address: 2731 Gust Road, Verona, WI 53593

Existing/ Proposed Zoning District : Existing: A-1, Proposed: LC-1

o Type of Activity proposed:
Separate checklist for mineral extraction uses must be completed.

- o Hours of Operation
- o Number of employees
- o Anticipated customers
- o Outside storage (See attached Plan of Operation)
- o Outdoor activities
- o Outdoor lighting
- o Outside loudspeakers
- o Proposed signs
- o Trash removal
- o Six Standards of CUP (see back)

SEE REVISED

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: 6/19/18

Six Standards of a Conditional Use Permit

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

The property will continue its current use, which is a landscaping business. The property is located in a rural township and the adjacent road has low traffic volume. The use does not create substantial amounts of waste, traffic, or noise, and is not a nuisance to surrounding property owners - (other existing businesses and a tree farm).

- 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.

The proposed landscaping business will be entirely contained within the property and will not obstruct or otherwise impair the use or enjoyment of adjacent properties. All equipment storage will be contained on the property, as shown on the attached site plan. The landscaping business will not cause loud noise or heavy traffic, other than pick-up trucks.

- 3. That 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 proposed landscaping business will be contained entirely within the property. It will have no bearing on the uses of adjacent properties and will coincide with regulations of the LC-1 District.

- 4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

No changes will be made to grading of the land, no additional roads are being proposed, and no changes are being made to utilities. This application is strictly seeking conditional use designation for outdoor storage of landscaping equipment contingent upon a rezone to a LC-1 District.

- 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.

There is an existing 66' wide private driveway to access the site off of Gust Road.

SEE

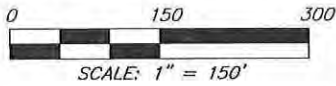
REVISED

- 6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

The proposed conditional use for a landscaping business and outdoor storage area adheres to all applicable regulations under Section 10.111 of the Dane County Code of Ordinances regulating LC-1 zoning districts.

CERTIFIED SURVEY MAP No.

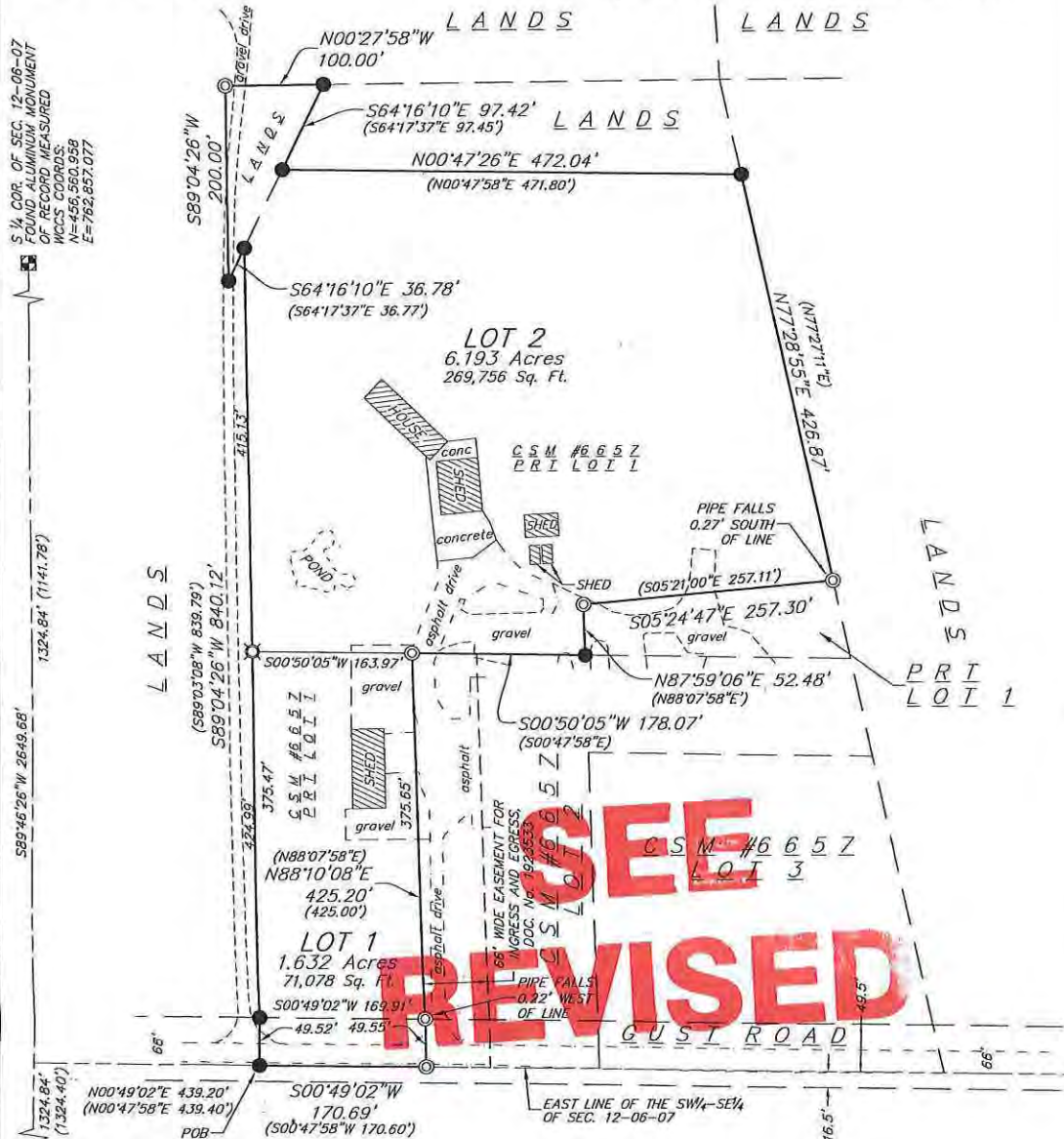
PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 6657, AS RECORDED IN VOLUME 33 OF CERTIFIED SURVEY MAPS, ON PAGES 3-4, AS DOCUMENT NUMBER 2323178, DANE COUNTY REGISTRY, LOCATED IN THE SW $\frac{1}{4}$ -SE $\frac{1}{4}$ OF SECTION 12, ALSO PART OF THE SW $\frac{1}{4}$ -SE $\frac{1}{4}$ OF SECTION 12, ALL IN TOWNSHIP 06 NORTH, RANGE 07 EAST, TOWN OF SPRINGDALE, DANE COUNTY, WISCONSIN



SURVEY LEGEND

- ⊙ FOUND 1" \varnothing IRON PIPE
- ⊠ PUBLIC LAND CORNER AS NOTED
- FOUND 3/4" \varnothing IRON ROD
- ⊠ SET 3/4" x 18" SOLID IRON RE-ROD, WT. 1.50 lbs./ft. MIN.
- () RECORDED AS INFORMATION

BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, THE SOUTH LINE OF THE SE $\frac{1}{4}$ OF SECTION 12-06-07 MEASURED AS BEARING S89°46'26"W



SE COR. OF SEC. 12-06-07 FOUND 2" IRON PIPE OF RECORD MEASURED WCCS COORDS: N=456,560.958 E=762,857.077

21 Jun 2018 - 10:42a M:\Klinger, Rick\170093_2731 Gust Rd, Verona\CADD\170093_CSM.dwg by: mmo

	FN: 170093 DATE: 06/18/2018 REV: Drafted By: MMAR Checked By: PKNV	SURVEYED FOR: Rick Klinger III 2731 Gust Road Verona, WI 53593	C.S.M. No. _____ Doc. No. _____ Vol. _____ Page _____	SHEET 1 OF 3
	Phone: (800) 261-3898			

CERTIFIED SURVEY MAP No.

PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 6657, AS RECORDED IN VOLUME 33 OF CERTIFIED SURVEY MAPS, ON PAGES 3-4, AS DOCUMENT NUMBER 2323178, DANE COUNTY REGISTRY, LOCATED IN THE SW $\frac{1}{4}$ -SE $\frac{1}{4}$ OF SECTION 12, ALSO PART OF THE SW $\frac{1}{4}$ -SE $\frac{1}{4}$ OF SECTION 12, ALL IN TOWNSHIP 06 NORTH, RANGE 07 EAST, TOWN OF SPRINGDALE, DANE COUNTY, WISCONSIN

NOTES:

1. The boundary for this Certified Survey Map is based upon a Plat of Survey prepared by Vierbicher Associates, Inc., drawing number S-691, dated May 16, 2017 and on file with the Dane County Surveyor's Office, map number 2017-01463.
2. Lot 1 & Lot 2 as shown on this CSM shall not be further subdivided per the Town of Springdale Land Use Plan.
3. Lot 2 shall have access to Gust Road over the existing 66' wide ingress and egress easement recorded as Document Number 1923533.
4. I found a 2" iron pipe monument and ties representing the Southeast Corner of Section 12, T06N, R07E, Town of Springdale, County of Dane, State of Wisconsin as established on tie sheet by Chris Adams, dated August 17, 2016, and that the points as referenced on said tie sheet are still intact.
5. I found an aluminum monument and ties representing the South $\frac{1}{4}$ Corner of Section 12, T06N, R07E as established on tie sheet by Michael J. Ziehr, dated June 1, 2017, and that the points as referenced on said tie sheet are still intact.

LEGAL DESCRIPTION

Part of Lot 1, Certified Survey Map Number 6657, as recorded in Volume 33 of Certified Survey Maps, on Pages 3-4, as Document Number 2323178, Dane County Registry, located in the SW $\frac{1}{4}$ -SE $\frac{1}{4}$ of Section 12, also part of the SW $\frac{1}{4}$ -SE $\frac{1}{4}$ of Section 12, all in Township 06 North, Range 07 East, Town of Springdale, Dane County, Wisconsin, more fully described as follows:

Commencing at the Southeast corner of said Section 12; thence S89°46'26"W along the South line of said SE $\frac{1}{4}$ of Section 12, 1324.84 feet to a point of intersection with the East line of the SW $\frac{1}{4}$ -SE $\frac{1}{4}$ of said Section 12; thence N00°49'02"E along said East line, 439.20 feet to the southeasterly most corner of said Lot 1 and the point of beginning; thence S89°04'26"W along the South line of said Lot 1, 840.12 feet; thence S64°16'10"E, 36.78 feet; thence S89°04'26"W, 200.00 feet; thence N00°27'58"W, 100.00 feet; thence S64°16'10"E, 97.42 feet to the West line of said Lot 1; thence N00°47'26"E along said West line, 472.04 feet to the Northwest corner thereof; thence N77°28'55"E along the North line of said Lot 1, 426.87 feet; thence S05°24'47"E, 257.30 feet; thence N87°59'06"E, 52.48 feet to an easterly line of said Lot 1; thence along the boundary of said Lot 1 for the next three (3) courses; 1-thence S00°50'05"W, 178.07 feet; 2-thence N88°10'08"E, 425.20 feet to the said East line of the SW $\frac{1}{4}$ -SE $\frac{1}{4}$ of Section 12; 3-thence S00°49'02"W along said East line, 170.69 feet to the point of beginning. Subject to Gust Road over the easterly 49.5 feet thereof.

Containing 340,834 square feet or 7.825 acres, more or less.

SURVEYOR'S CERTIFICATE

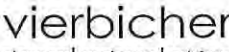

I, Michael S. Marty, Professional Land Surveyor, No. S-2452, do hereby certify to the best of my knowledge and belief, that I have surveyed, divided and mapped the lands described herein under the direction of Richard L. Klinger III, Owner, and that the map on sheet one (1) is a correct representation of the exterior boundaries of the land surveyed and the division of that land in accordance with the information provided. I further certify that this Certified Survey Map is in full compliance with Section 236.34 of the Wisconsin State Statutes, Chapter A-E7 of the Wisconsin Administrative Code and the Subdivision Ordinance of the Town of Springdale in surveying, dividing and mapping the same.

Vierbicher Associates, Inc.
By: Michael S. Marty

Date: _____

Signed: Michael S. Marty, P.L.S. No. S-2452

SEE
REVISED

 <p style="font-size: 8pt;">planners engineers advisors</p> <p style="font-size: 8pt;">Phone: (800) 261-3898</p>		FN: 170093 DATE: 06/18/2018 REV: Drafted By: MMAR Checked By: PKNU	SURVEYED FOR: Rick Klinger III 2731 Gust Road Verona, WI 53593	C.S.M. No. _____ Doc. No. _____ Vol. _____ Page _____	<p style="font-size: 12pt; margin: 0;">SHEET</p> <p style="font-size: 14pt; margin: 0;">2 OF 3</p>

SUSAN M MAHER
EDWARD L MAHER
W9209 SCHOFIELD RD
POYNETTE WI 53955

DALE N CHESTNUT
DEBRA J CHESTNUT
2149 DAHLK CIR
VERONA WI 53593

STEVEN S LINGARD
SUSAN M LINGARD
2717 GUST RD
VERONA WI 53593

DALE N CHESTNUT
DEBRA J CHESTNUT
2149 DAHLK CIR
VERONA WI 53593

SUSAN M MAHER
EDWARD L MAHER
W9209 SCHOFIELD RD
POYNETTE WI 53955

BERGLUND LIVING TR KEITH W
BERGLUND LIVING TR CAROL A
2684 BERGLUND DR
VERONA WI 53593

STEVEN S LINGARD
SUSAN M LINGARD
2717 GUST RD
VERONA WI 53593

STEVEN S LINGARD
SUSAN M LINGARD
2717 GUST RD
VERONA WI 53593

DALE N CHESTNUT
DEBRA J CHESTNUT
2149 DAHLK CIR
VERONA WI 53593

JOHN P SCHULTING
LORI A SCHULTING
2713 GUST RD
VERONA WI 53593

RICHARD L KLINGER III
2731 GUST RD
VERONA WI 53593

DALE N CHESTNUT
DEBRA J CHESTNUT
2149 DAHLK CIR
VERONA WI 53593

BERGLUND LIVING TR KEITH W
BERGLUND LIVING TR CAROL A
2684 BERGLUND DR
VERONA WI 53593

RUSSELL R DOCKEN
LORETTA R DOCKEN
2808 GUST RD
VERONA WI 53593

RICHARD L KLINGER III
2731 GUST RD
VERONA WI 53593

