

Dane County Rezone Petition

Application Date	Petition Number
05/28/2021	DCPREZ-2021-11727
Public Hearing Date	
08/24/2021	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME GONZALO ANDRES REINA CARRATU	PHONE (with Area Code) (608) 338-8070	AGENT NAME <input type="checkbox"/>	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 898 SHERMAN DR		ADDRESS (Number & Street) <input type="checkbox"/>	
(City, State, Zip) MARSHALL, WI 53559		(City, State, Zip)	
E-MAIL ADDRESS GONZALOREINA@HOTMAIL.COM		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
898 SHERMAN DR					
TOWNSHIP MEDINA	SECTION 28	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0812-281-8550-9					

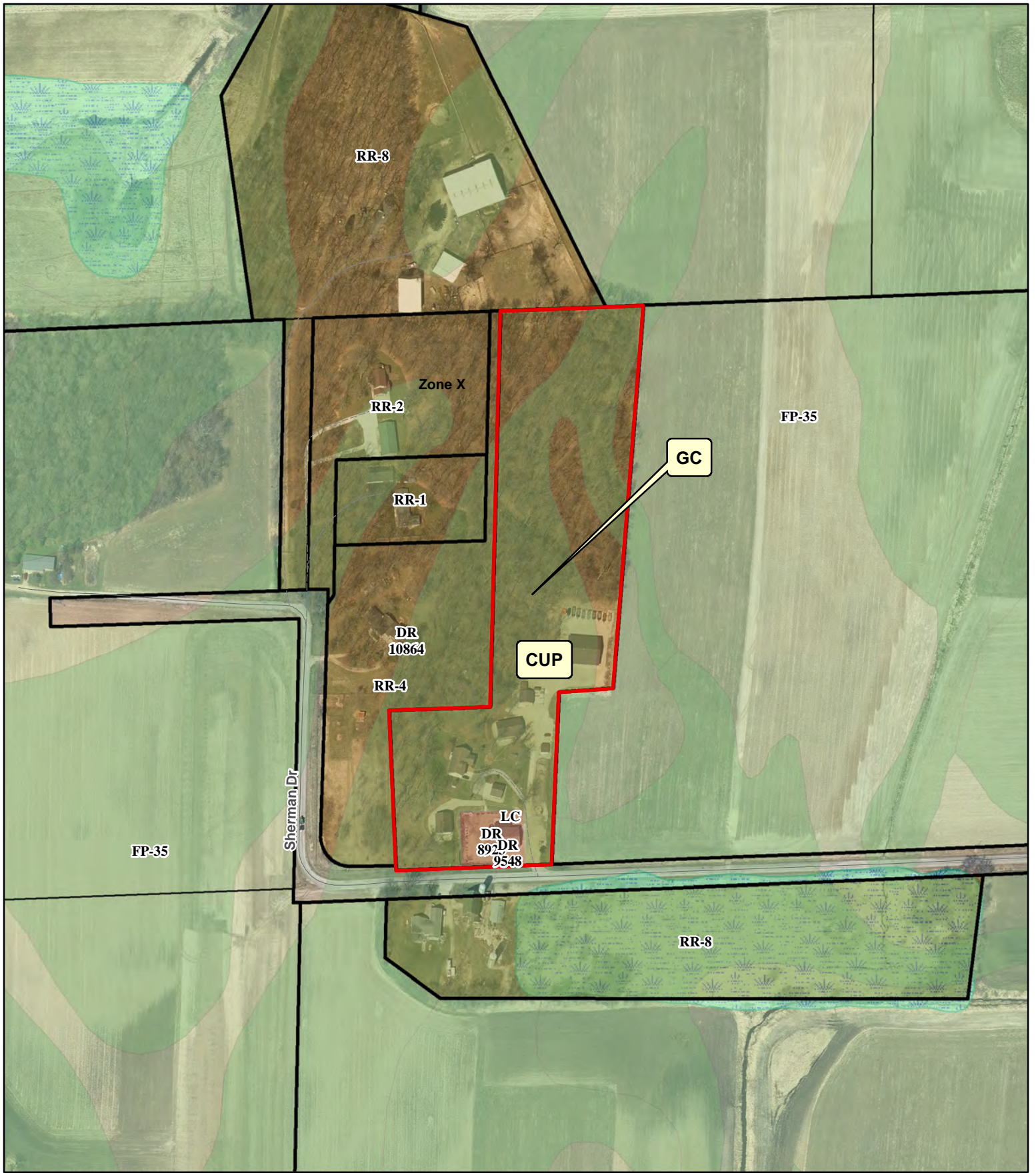
REASON FOR REZONE

COMPLIANCE FOR EXISTING USES AND STRUCTURES



FROM DISTRICT:	TO DISTRICT:	ACRES
LC Limited Commercial District	GC General Commercial District	0.46
RR-8 Rural Residential District	GC General Commercial District	9.287

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS SLJ3	SIGNATURE:(Owner or Agent) PRINT NAME: DATE:
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COMMENTS: CONDITIONAL USE PERMIT APPLICATION FOR OUTDOOR STORAGE AND RESIDENTIAL USE HAS ALSO BEEN SUBMITTED TO CORRECT EXISTING ZONING VIOLATIONS ON THE PROPERTY. THE PROPERTY ALSO HAS EROSION CONTROL AND STORMWATER MANAGEMENT VIOLATIONS WITH DANE COUNTY LAND AND WATER RESOURCES DEPARTMENT. THESE VIOLATIONS WILL NEED TO BE CORRECTED.




Legend

- | | |
|---|---|
|  Wetland | Significant Soils |
|  Floodplain |  Class 1 |
| |  Class 2 |



0 75 150 300 Feet



Petition 11727
 GONZALO ANDRES
 REINA CARRATU



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:	\$395
Farmland Preservation:	\$495
Commercial:	\$545
<ul style="list-style-type: none"> • PERMIT FEES DOUBLE FOR VIOLATIONS. • ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION. 	

REZONE APPLICATION

APPLICANT INFORMATION

Property Owner Name:	Gonzalo Andres Reina Carratu	Agent Name:	
Address (Number & Street):	898 Sherman Dr	Address (Number & Street):	
Address (City, State, Zip):	Marshall, WI 53559	Address (City, State, Zip):	
Email Address:	gonzaloreina@hotmail.com	Email Address:	
Phone#:	608-338-8070	Phone#:	

PROPERTY INFORMATION

Township:	Medina	Parcel Number(s):	036/0812-281-8550-9
Section:	28-8-12	Property Address or Location:	898 Sherman Dr., Marshall, WI 53559

REZONE DESCRIPTION

Reason for the request. In the space below, please provide a brief but detailed explanation of the rezoning request. Include both current and proposed land uses, number of parcels or lots to be created, and any other relevant information. For more significant development proposals, attach additional pages as needed.

Is this application being submitted to correct a violation?
 Yes No

Request to rezone the property to GC for use in landscaping and snow removal business and have a conditional use permit approved for residential use of the house and garage on the property. The property was used for this purpose by the former owner and leased to the current owner prior to purchase. The rezone would bring the property into compliance. The current property owner lives in the house located on the property. The Town of Medina zoning commission gave a favorable opinion to move forward with this process.

LOT 1 CSM 9185 CS52/20&21-1/25/99 DESCR AS SEC 28-8-12 PRT NE1/4NE1/4, NW1/4NE1/4, SW1/4NE1/4 & SE1/4NE1/4 (9.747 ACRES)

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
LC-1	GC	.46
RR-8	GC	9.287
		Total 9.747

Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine 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 commercial development proposals, or as may be required by the Zoning Administrator.

- Scaled drawing of proposed property boundaries
- Legal description of zoning boundaries
- Information for commercial development (if applicable)
- Pre-application consultation with town and department staff
- Application fee (**non-refundable**), payable to the Dane County Treasurer

I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

Owner/Agent Signature

Date 05-27-2021

SUPPLEMENTAL INFORMATION FOR COMMERCIAL DEVELOPMENT

A scaled site plan and detailed operations plan must be submitted for commercial rezone applications. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach the relevant maps and plans listed below to your application form.

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

OPERATIONAL 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 PROPERTY OWNERS. Provide contact information for additional property owners, if applicable.

Additional Property Owner Name(s): Jennifer Reina

Address (Number & Street): 898 Sherman Dr

Address (City, State, Zip): Marshall, WI 53559

Email Address: Jen@prairiepros.com

Phone Number: 608-338-2277

Operational Narrative

1. Hours of operation

General hours of operation: 7am to 5pm. Mon – Sat. Mowing and Landscape crews arrive at 7am, load trucks and equipment, and depart before 8 am. Crews then trickle back in the afternoon into the evening.

During snow removal season hours of operation vary based on weather events. Off hour on site operation is limited to departing and returning crews during a snow event.

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

There are currently 14 Full Time employees. It is rare to have all 14 employees on site at any given time due to the staggering of crews. After crews depart, there are generally 4-6 people on site during the workday.

3. Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.

Due to complaints from neighbors regarding noise at night during winter snow removal, we have placed all equipment and vehicle backup alarms on switches and will no longer utilize them on site.

Rainwater drainage is being addressed and we are working with an engineering company to find a solution to a problem created by the previous property owner who added gravel areas to the site without permission.

4. Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building

Landscaping materials will be stored both inside and outside. There are now concrete bins located behind building 7 for mulch and bulk stone. Patio pavers and retaining wall block will be store outside adjacent to building 7 along the fence line. This fence will be extended to block the view of the storage area from the road. Some waste material from landscaping operations may be stored to the north of building 1 in two bins to the right of the proposed parking area. Outside operations are limited to loading and unloading materials from the yard.

There are two 40' shipping containers on site that are used for winter storage. These containers are located north of building one. There is a 20'x40' concrete pad and a canopy between them. This area is used to store bulk road salt in the winter and topsoil during landscaping season,

5. Compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane CountyCode

The previous owner of this property added a significant amount of gravel to the property without proper permitting. We are currently working with an engineering firm (AES) to find the most efficient and cost-effective way to bring the property in compliance with storm water control standards.

6. 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.

The house on the property is serviced by an onsite septic system. The business utilizes a contracted portable restroom serviced weekly.

7. Facilities for managing and removal of trash, solid waste and recyclable materials.

Waste is contracted and there is a dumpster on site and serviced bi weekly. Waste landscape material is currently hauled either to the Dane County Landfill or to Purple Cow. Concrete material free of rebar is taken to several different concrete companies for recycling.

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

Employees drive and park personal vehicles on site. ¾ ton trucks with trailers carrying mowers are the primary traffic in summer. There are deliveries of mulch on average twice monthly during the summer months. There are also deliveries of bulk decorative stone by dump truck and patio pavers/retaining wall blocks on an as needed basis. This end of Sherman Dr. is a dead end road with limited residential traffic. 898 is the first property accessed from Hwy 73 so our traffic will not drive past the other houses. We see no traffic improvements needed.

9. A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken

There are no bulk hazardous, toxic, or explosive materials stored on site. There are some materials used in maintenance operations stored on shelves in building 7. These are limited to daily use and not stored in bulk. Fertilizer and weed control products are not stored on site but rather are purchased and used as needed and stored at a off site location. Any waste oil produced is taken to our auto repair shop in Sun Prairie and burned in our waste oil heater.

10. Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties

Outdoor lighting is limited to lights on building 1 and building seven. Building 1's lamp is on the west end facing the woods and hillside. Building 7's lamp is on the east end facing the farm field. Neither lamp has significant impact on neighboring properties.

11. Signage, consistent with section 10.800

The business currently has no signage at this time. Any future signage will be in accordance with 10.800.

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

Provide a brief written statement explaining the current use(s) of the property on which the rezone is proposed.

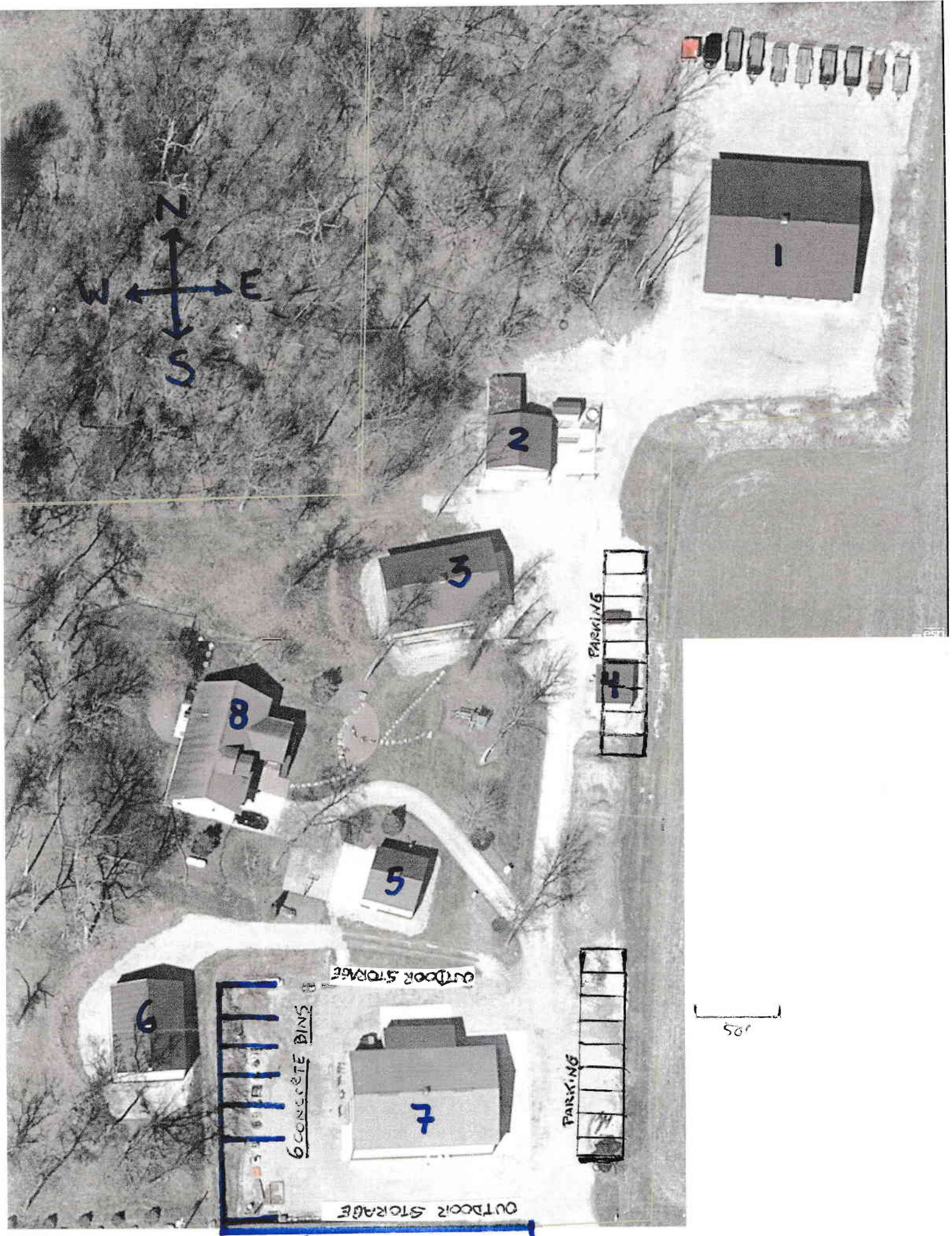
This property has historically been used by the previous owner for the purposes we are requesting the rezoning for. It was leased to us one year ago for these same purposes after the previous owner sold off his business. We were not aware of the zoning and stormwater violations until they were brought to our attention just weeks prior to the purchase of the property being made. We went to a Town of Medina board meeting and listened to local neighbors concerns regarding noise and traffic coming from the property. We have since addressed the concerns regarding noise complaints. It seems the neighbors were not aware we were a new business on the property, stating the property has a history of drug related police and ambulance calls and they seemed relieved there will be a family-oriented business working on the property. With that regard, we will work hard to address any neighbors concerns about the business.

The property owner is living in the house located on the property with his wife and two children. The property will be kept neat, clean, and organized.

Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

There are 4 residential properties that are adjacent to this property. The closest is directly across Sherman Dr. The other three are blocked by a hill and woodland and cannot be seen from the property.

Building	Description
#1 – 60X75' (4500 sq ft)	Vehicle and equipment storage garage with some material storage.
#2 – 24X31' (775 sq ft)	Indoor storage for weather sensitive landscape material.
#3 – 35X50' (1750 sq ft)	Indoor storage for weather sensitive landscape material and maintenance building for equipment and vehicles.
#4 – 18X19' (342 sq ft)	Indoor storage for weather sensitive landscape material.
#5 – 26X27' (700 sq ft)	2 Car garage for Residential Home
#6 – 40X35' (1400 sq ft)	Storage for seasonal equipment. Snow plow, salters, snow blowers, will be stored during the summer season. Mowers and summer season equipment will be stored during winter.
#7 – 50X75' (3750 sq ft)	Office, Storage & work shop.
#8 – Residential Home	Residential Home.



OUTDOOR STORAGE

6 CONCRETE BINS

OUTDOOR STORAGE

FENCE

PARKING

PARKING

BRUSH BIN

BRUSH BIN

PARKING

TOP SOIL
SALT STORAGE

CONTAINERS

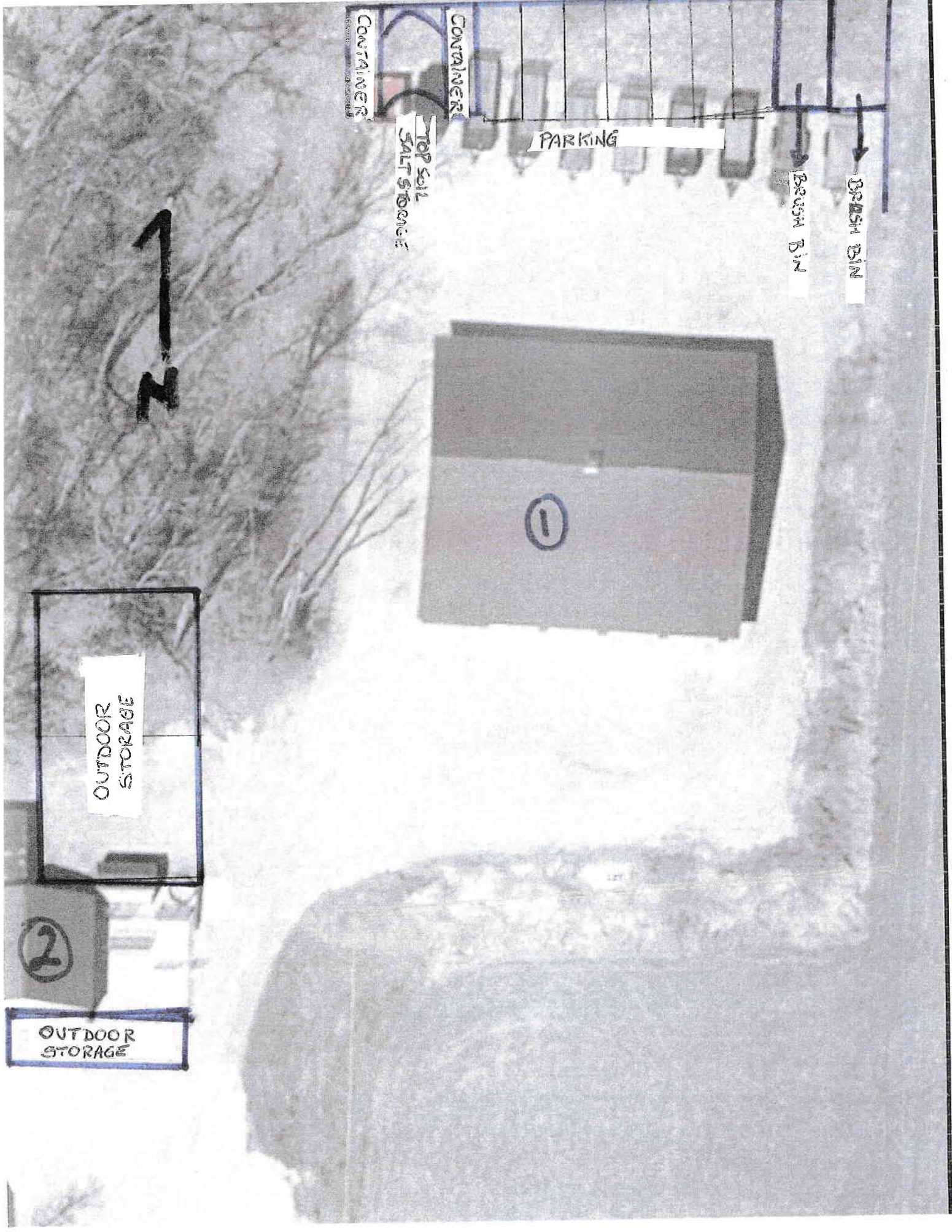
CONTAINERS

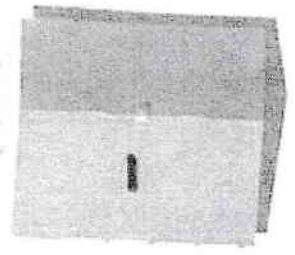


OUTDOOR
STORAGE

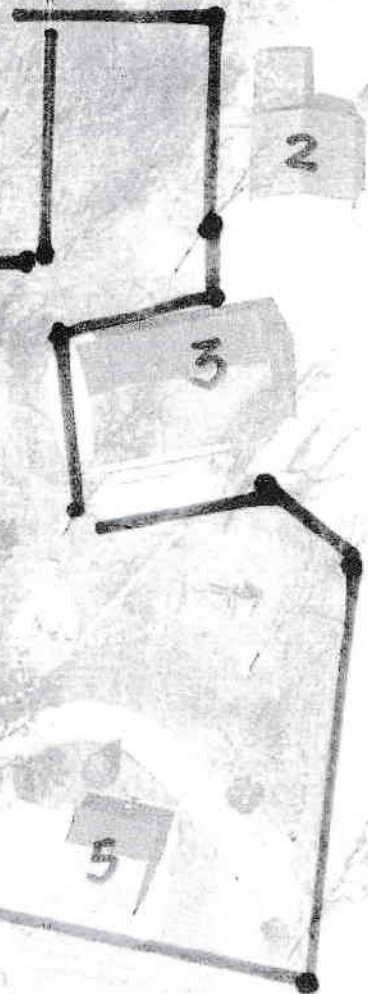
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OUTDOOR
STORAGE

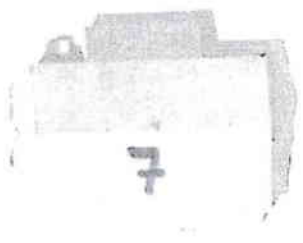




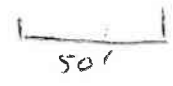
RESIDENTIAL AREA

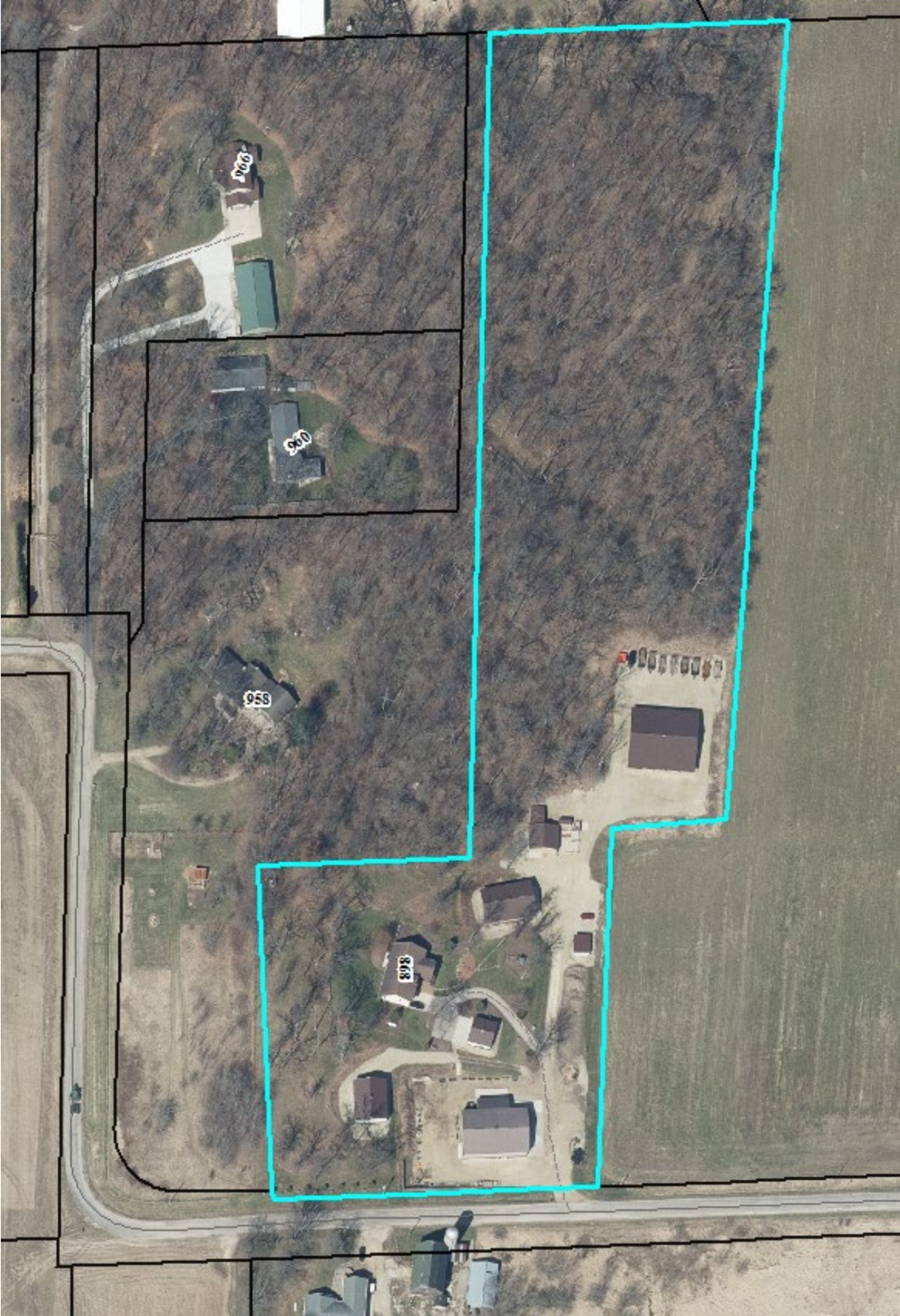


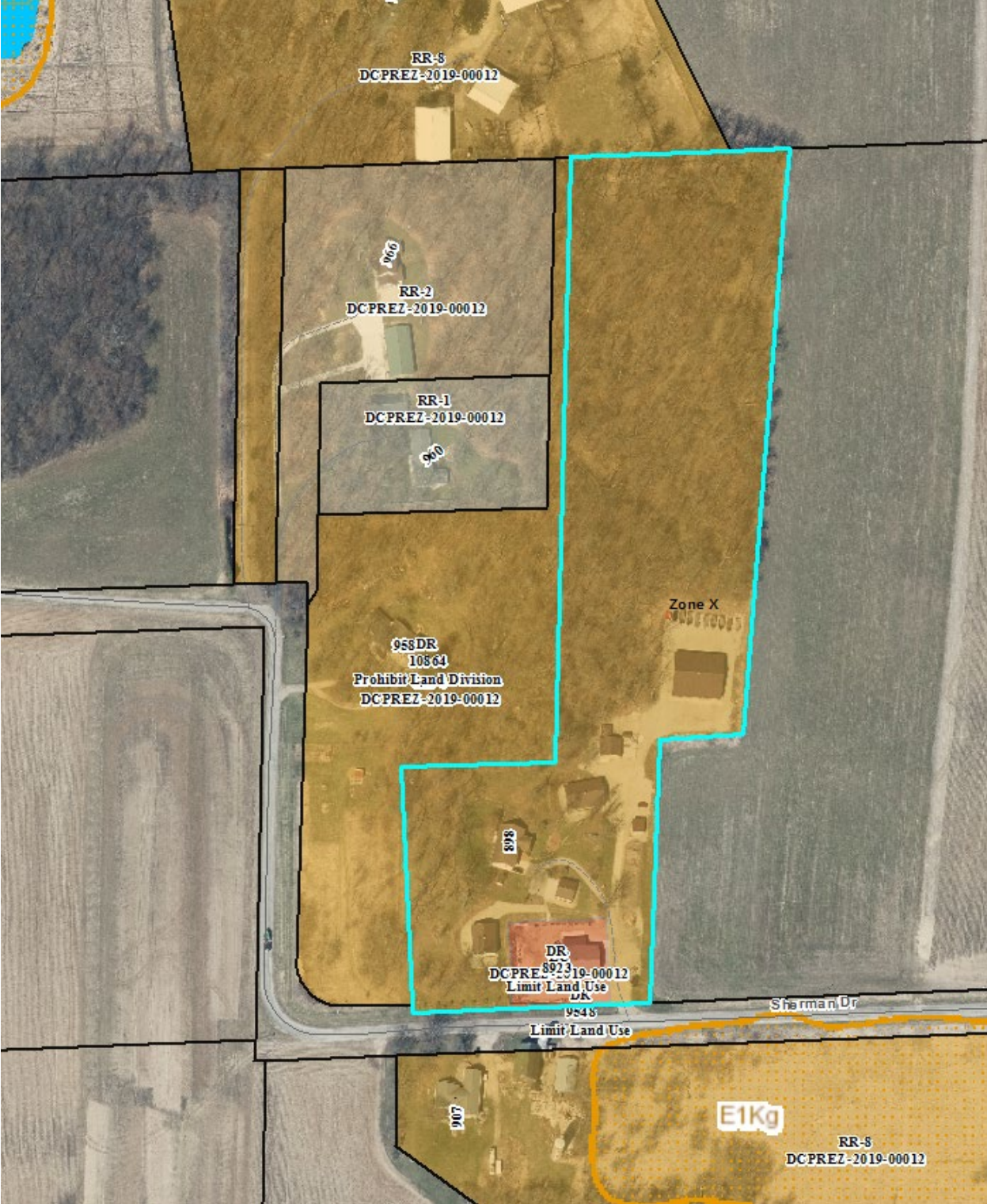
OUTDOOR STORAGE



OUTDOOR STORAGE







RR-5
DCPREZ-2019-00012

RR-2
DCPREZ-2019-00012

RR-1
DCPREZ-2019-00012

958DR
10864
Prohibit Land Division
DCPREZ-2019-00012

DR
8923
DCPREZ-2019-00012
Limit Land Use
DR

9248
Limit Land Use

Sherman Dr

E1Kg

RR-5
DCPREZ-2019-00012

Legal Description Rezone 11727 and CUP 2527

LC and RR-8 to GC

Lot 1 of Certified Survey Map No. 9185, located in part of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 28, Town 8 North, Range 12 East, Town of Medina, Dane County, Wisconsin.