

Dane County Conditional Use Permit Application

| | |
|----------------------------|---------------------|
| Application Date | C.U.P Number |
| 06/20/2024 | DCPCUP-2024-02630 |
| Public Hearing Date | |
| 08/27/2024 | |

| OWNER INFORMATION | | AGENT INFORMATION | |
|--|--|--|--|
| OWNER NAME RICHARD BARTUSKA AND KELLY MORSCHAUSER | Phone with Area Code (608) 658-3689 | AGENT NAME RICHARD BARTUSKA | Phone with Area Code (608) 658-3689 |
| BILLING ADDRESS (Number, Street) 4435 OAK PARK RD | | ADDRESS (Number, Street) 4435 OAK PARK RD | |
| (City, State, Zip) COTTAGE GROVE, WI 53527 | | (City, State, Zip) DEERFIELD, WI 53531 | |
| E-MAIL ADDRESS richbartuska@gmail.com | | E-MAIL ADDRESS richbartuska@gmail.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 | |
| 4435 Oak Park Rd | | | | | |
| TOWNSHIP DEERFIELD | SECTION 8 | TOWNSHIP | SECTION | TOWNSHIP | SECTION |
| PARCEL NUMBERS INVOLVED | | PARCEL NUMBERS INVOLVED | | PARCEL NUMBERS INVOLVED | |
| 0712-082-0011-0 | | --- | | --- | |



| CUP DESCRIPTION |
|---------------------------------------|
| Limited Family Business (woodworking) |

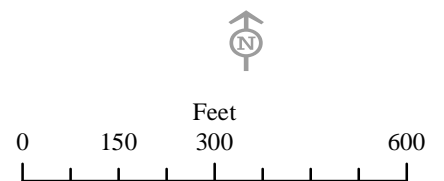
| DANE COUNTY CODE OF ORDINANCE SECTION | ACRES |
|---------------------------------------|-------|
| 10.242(3) | 3.7 |

| | | |
|---|---------------------------------|---|
| DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____ | Inspectors Initials RUH1 | SIGNATURE:(Owner or Agent) |
| | | PRINT NAME: |
| | | DATE: |



CUP 2630

-  Floodway Areas in Zone AE
-  Floodplain





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: | Agent Name: |
| Address (Number & Street): | Address (Number & Street): |
| Address (City, State, Zip): | Address (City, State, Zip): |
| Email Address: | Email Address: |
| Phone#: | Phone#: |

SITE INFORMATION

| | | |
|------------------|-------------------------------|----------------------|
| Township: | Parcel Number(s): | |
| Section: | Property Address or Location: | |
| Existing Zoning: | Proposed Zoning: | CUP Code Section(s): |

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): | Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Provide a short but detailed description of the proposed conditional use: | |

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.

| | | | | | |
|--|---|--|--|---|--|
| <input type="checkbox"/> Complete attached information sheet for standards | <input type="checkbox"/> Site Plan drawn to scale | <input type="checkbox"/> Detailed operational plan | <input type="checkbox"/> Written legal description of boundaries | <input type="checkbox"/> Detailed written statement of intent | <input type="checkbox"/> 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: _____

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):

- | |
|---|
| 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. |
| 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. |
| 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. |
| 4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use. |
| 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. |
| 6. That the conditional use shall conform to all applicable regulations of the district in which it is located. |
| 7. The conditional use is consistent with the adopted town and county comprehensive plans. |
| 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. <ul style="list-style-type: none">• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district: • Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations: • Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use: • Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use: • Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible: |

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. |
| List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time. |
| 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. |
| Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building. |
| 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. |
| 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. |
| List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials. |
| Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased 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. |
| 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. |
| Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800 . |
| Briefly describe the current use(s) of the property on which the conditional use is proposed. |
| Briefly describe the current uses of surrounding properties in the neighborhood. |

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\(15\)](#).

Richard Bartuska
4435 Oak Park Road
Deerfield, WI 53531
June 13th, 2024

Re: CUP Application for 4435 Oak Park Road, Town of Deerfield

Documentation Attachment

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

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.

The business has a bandsaw sawmill, wood drying kiln and woodworking equipment housed within existing outbuildings at the rear of the property. The lumber made from the sawmill and kiln will be used in the woodworking business and extra capability will be used to mill and/or dry lumber for other local woodworking businesses and individuals. The woodworking equipment and kiln will be operating out of an existing 80' x 40' building previously used to maintain and store and farm equipment. The portable sawmill will be run in or next to another existing 70' x 40' building previously used to maintain and store farm equipment. The woodworking equipment is standard; table saw, shaper, jointer, planer, bandsaw,.... The kiln is an automated, electrically heated, vacuum kiln with up to 4000 board feet of capacity. The sawmill is a portable bandsaw mill which can be used on and off site. The site will not be a retail location. Materials will be dropped off and picked up at a scheduled time. Traffic will be infrequent as this would only happen a few times a day.

List the proposed days and hours of operation.

Working hours would be 8-5 Monday through Friday, with some possible weekend daytime hours. Customers will be by appointment.

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

There is no plan to hire any employees. Typically a single customer would be on-site by appointment during business hours.

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.

Noise with woodworking equipment and kiln will be contained within the existing building. Occasional noise from the sawmill outside the buildings will be occasional and consistent with the sound and volume of lawn care equipment or off road vehicles. Sawdust will be collected with conventional dust collection equipment and may be repurposed as animal bedding, mulch, or disposed of. There is no other expected pollution. There would not be any soot or runoff associated with these activities.

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

There would be a limited supply of logs on the premises. This would generally be less than 50 logs. They would be stored at ground level on bunks until processed. They would be at the rear of the property near the building containing the sawmill and lumber. The sawmill will operate the sawmill outside the building but would be near it at the rear of the premises. The sawmill would only need occasional use (3-8 days/month) to support the business. Some of the days could be off-site. Some small scraps of wood would be outside after sawmilling operations. Those would be processed as firewood and stored in bins inside one of the buildings.

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.

N/A - no construction proposed.

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.

The business would not have or need any wastewater treatment system. On-site sanitary facilities and wastewater treatment are associated with the residence.

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

Sawdust will be collected with conventional dust collection equipment and may be repurposed as animal bedding, mulch, or disposed of. Any trash or recyclable materials will be loaded onto a suitable trailer for proper disposal.

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

Limited traffic is anticipated as this will not be a retail situation. Generally, visitors would be visiting the premises to drop off or pick up logs/wood via appointment. The expected traffic average would be less than 5 vehicles/day. Trucks or vehicles with trailers to haul raw materials and lumber are expected. This would typically be 10 tons or less. There would not be any anticipated traffic provisions needed for this as this is consistent with traffic on the road presently.

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. Any finishes used on site would be water based. Sawdust from the woodworking operation is a potential hazard so will be handled with the appropriate handling equipment.

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.

Existing yard lights light the driveway are consistent with farm lighting in the area. No additional lighting is anticipated.

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

None at this time.

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

Former farm (not active) with residence and outbuildings.

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

Property is a former farm with typical farm buildings including a residence, barn, and storage buildings. It is surrounded on all four sides by farm fields. The general area is a mix of farm and rural residences.

Site Plan – 4435 Oak Park Road



Woodworking shop/kiln - existing 80' x 40' equipment shed - repurposed to hold woodworking equipment and kiln.

Quonset - existing 70' x 40' equipment shed - repurposed to hold sawmill and wood.

Granary - existing 50' x 20' building – storage, possible business storage in the future.

Detached garage - existing 40' x 22' building – storage, no business function.

Residence - existing 40' x 40' building – no business function.

Barn - existing 100' x 36' building – storage, no business function.

Sawmilling / Wood-log storage – sawmill utilization area as well as logs before processing and wood after processing.

Parking - available space next to the woodworking shop

E = existing exterior lighting.

Lot lines are shown in yellow.

Certified Survey Map

PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 8, T.7N., R.12E., TOWN OF DEERFIELD, DANE COUNTY, WISCONSIN.

NORTH 1/4
CORNER
OF SECTION 8,
1" PIPE FOUND,
TIES VERIFIED



PREPARED FOR:
MORSCHAUSER
FAMILY TR
4435 OAK PARK RD
DEERFIELD, WI.
53531

Legend
 ● = 3/4" dia. iron rod found unless otherwise noted
 ○ = 3/4" X 18" rebar set 1 5lbs per Lineal Foot
 Parentheses indicate recorded as values
 Referred to the Dane County Coordinate System with the East line of the NW 1/4 Bearing 800°27'33"W



Scale 1" = 120'
 0 60 120 240



Curve Table

| Curve | Radius | Arc | Delta Angle | Long Chord | Tangent Bearings |
|-------|----------|---------|-------------|----------------------|--------------------------|
| 1-2 | 1517.00' | 209.66' | 07°55'07" | N11°31'56"E, 209.54' | N07°34'23"E, N15°31'30"E |
| 2-3 | 1484.00' | 205.10' | 07°55'07" | N11°31'56"E, 204.93' | N07°34'23"E, N15°31'30"E |

Line Table

| | |
|----|---------------------|
| L1 | S89°44'36"W, 33.31' |
| L2 | S83°34'03"E, 33.42' |

CENTER OF SECTION 8,
1-1/4" PIPE FOUND

Refer to building site information contained in the Dane County Soil Survey

Wisconsin Mapping, LLC
 surveying and mapping services
 306 West Quarry Street, Deerfield, Wisconsin 53531
 (808) 764-6602

Dwg. No. 58688-22 Date 7/26/2022
 Sheet 1 of 3 rev. 9/20/22
 Document No. 5865296
 C. S. M. No. 116120 V.119 P.22

Neighborhood Map surrounding 4435 Oak Park Road



FP-35 surrounding the CUP on 3 sides is owned by Morschauer Family Trust, the parents of CUP property co-owner Kelli Morschauer. (Additional FP-35 properties to the south and west of CUP are also owned by Morschauer Family Trust. RR-2 east of CUP on the other side of the road is owned by Irene Morschauer, grandparent of CUP property co-owner Kelli Morschauer.

- RR-4 residence north of CUP is approximately 900' away lot-line to lot-line.
- RR-2 residence west/north-west of CUP is approximately 1100' away lot-line to lot-line.
- RR-4 residence east of CUP is approximately 1100' away lot-line to lot-line.
- RR-2 and RR-8 residences south of CUP are approximately 1400' away lot-line to lot-line.

CUP 2630 Legal Description:

LOT 1 CSM 16120, recorded in Volume 119, Pages 22 to 24 of Certified Survey Maps of the Dane County Register of Deeds, Section 8, Town of Deerfield, Dane County, Wisconsin.