

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
06/16/2023	DCPCUP-2023-02601
Public Hearing Date	
08/22/2023	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME BRIAN AND JULIE OLSON	Phone with Area Code (608) 770-1674	AGENT NAME BRIAN AND JULIE OLSON	Phone with Area Code (608) 770-1674
BILLING ADDRESS (Number, Street) 2840 COUNTY HIGHWAY MM		ADDRESS (Number, Street) 2840 COUNTY HIGHWAY MM	
(City, State, Zip) FITCHBURG, WI 53711		(City, State, Zip) FITCHBURG, WI 53711	
E-MAIL ADDRESS bjbolson@charter.net		E-MAIL ADDRESS bjbolson@charter.net	

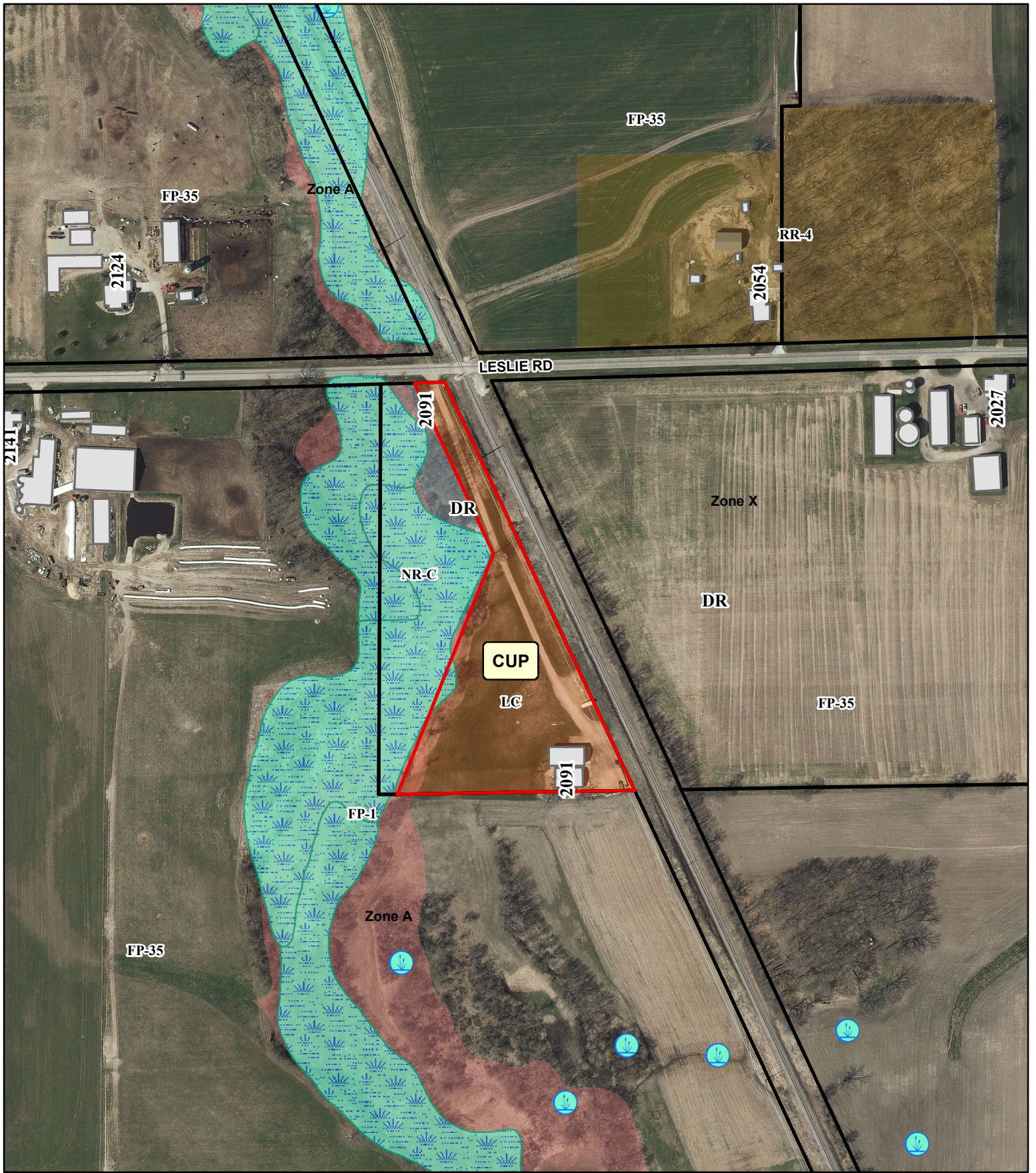
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
2091 Leslie Road					
TOWNSHIP DUNKIRK	SECTION 23	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0511-233-8585-0		---		---	

CUP DESCRIPTION
Caretakers residence and limited outdoor storage




DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.271(3)	4.7

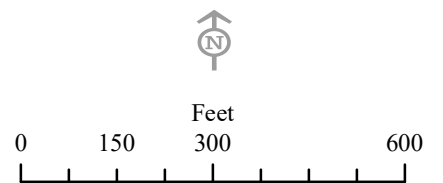
DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials RUH1	SIGNATURE:(Owner or Agent)
		PRINT NAME:
		DATE:

COMMENTS: SITE IS SUBJECT TO SHORELAND ZONING REGULATIONS. OUTDOOR STORAGE ALSO REQUIRES A CONDITIONAL USE PERMIT.



CUP 2601

-  Wetland
-  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:	Brian L. and Julie M. Olson	Agent Name:	
Address (Number & Street):	2840 CTH MM	Address (Number & Street):	
Address (City, State, Zip):	Fitchburg, WI, 53711	Address (City, State, Zip):	
Email Address:	bjbolson@charter.net	Email Address:	
Phone#:	608.770.1674	Phone#:	

SITE INFORMATION

Township:	Dunkirk	Parcel Number(s):	0511-233-8585-0
Section:	23	Property Address or Location:	2091 Leslie Road
Existing Zoning:	LC	Proposed Zoning:	LC
		CUP Code Section(s):	10.273(3)

DESCRIPTION OF PROPOSED CONDITIONAL USE

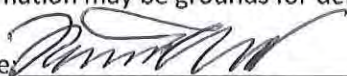
Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use): Business owner/caretaker residence	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Provide a short but detailed description of the proposed conditional use: Bulldog Excavating LLC operates from this location. The proposed CUP will permit the construction of a single family residence with attached garage for the business' owner. The residence is proposed to be located immediately north of the existing maintenance and cold storage buildings. The building site is an upland location and is served by a previously installed well and on-site wastewater treatment system. The building site is compliant with the setback requirements of the LC zoning district.	

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 checked="" type="checkbox"/> Complete attached information sheet for standards | <input checked="" type="checkbox"/> Site Plan drawn to scale | <input checked="" type="checkbox"/> Detailed operational plan | <input checked="" type="checkbox"/> Written legal description of boundaries | <input checked="" type="checkbox"/> Detailed written statement of intent | <input checked="" 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: 6-15-23

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.

The proposed single family residential use will have no detrimental impacts to or endanger the public health, safety, comfort or general welfare and will not be dissimilar to other rural non-farm residences and farmstead location within the Town of Dunkirk.

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 single family residence will be located approximately 800 feet from Leslie Road. Neither the proposed residence, the two existing permitted maintenance and storage buildings, or the existing equipment storage areas on site, are readily visible from Leslie Road or nearby farmsteads in the immediate neighborhood.

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.

The conditional use will not impede the continued use of the site in compliance with the approved LC - Limited Commercial zoning or, the uses permitted within the adjoining FP-1 and FP-35 zoned parcels (currently in cultivation), the adjoining NR-C district (conservancy lands), or the use of the adjoining Wisconsin and Southern Railroad.

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

The proposed residence is adequately served by an existing well, existing Private On-site Wastewater Treatment System (POWTS),

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.

The proposed residence and existing business operations will continue to use the existing (see attached additional narrative #5)

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

The proposed residence will conform to all applicable regulations of the LC District, and other applicable Town and County requirements.

7. The conditional use is consistent with the adopted town and county comprehensive plans.

The conditional use is consistent with the adopted Town of Dunkirk Comprehensive Plan. (see #7)

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.

- Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:

Not applicable as the parcel is zoned LC-Limited Commercial

- Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:

Not applicable.

- Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:

The proposed residence is related to the business currently operating at this location and does not (see #8)

- Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:

The proposed residence or the residential use of this location will not create impacts affecting adjoining agricultural uses.

- Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

Construction activities related to the proposed residence will not occur on or create impacts to adjoining agricultural parcels.

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.

The proposed conditional use will permit the construction and occupancy of a single family residence. As the site is currently served by a well and POWTS, the only related site improvements to be constructed will be the installation of a new storm water management basin.

The storm water management basin plans are being reviewed (concurrently with this CUP application) and are primarily related to providing compliant run-off rate control and erosion and sedimentation control from the existing aggregate drive and parking area around the existing maintenance and storage buildings. Storm water run-off does not discharge onto adjoining agricultural use areas.

List the proposed days and hours of operation.

Not applicable.

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

Not applicable

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.

The proposed CUP relates only to a proposed single family residence. All other uses on the property are operated in compliance with the existing LC District requirements.

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

Not applicable.

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.

A storm water and erosion control permit application has been submitted concurrently with this CUP application.

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 building site for the proposed residence is currently served by a well and and POWTS. No livestock will be kept on the property

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

The existing commercial business and proposed residence will be served by solid waste and recyclable (see Item A).

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

The proposed residence will not generate any significant increase in traffic volumes on Leslie Road.

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.

There is are existing yard lights at the maintenance building and one light along the entry driveway to illuminate (see Item B)

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

No signage relating to the residence is proposed at this time.

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

The site is a 4.7 acre parcel zoned as LC-Limited Commercial and is currently used for the storage and maintenance (see Item C)

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

The location is a rural agricultural area.

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\(15\)](#).

Brian and Julie Olson Conditional Use Permit Application

Continued Narrative Explanations

5. driveway and turn-around area that was installed in 2014. As Bulldog Excavation is a small owner/operator business, this driveway is adequate to serve any projected residential and business traffic, and emergency response vehicles. The driveway will continue to be maintained in compliance with County and Town standards.

7. The Town Comprehensive Plan allows for limited commercial use in the agricultural preservation area. This location was zoned to LC-Limited Commercial approximately 10 years ago. Limited non-farm rural residential uses are also allowed by the Town Comprehensive Plan.

8. ...result in the loss of protected environmental resource areas or agricultural production lands.

Continued Operations Plan Narrative

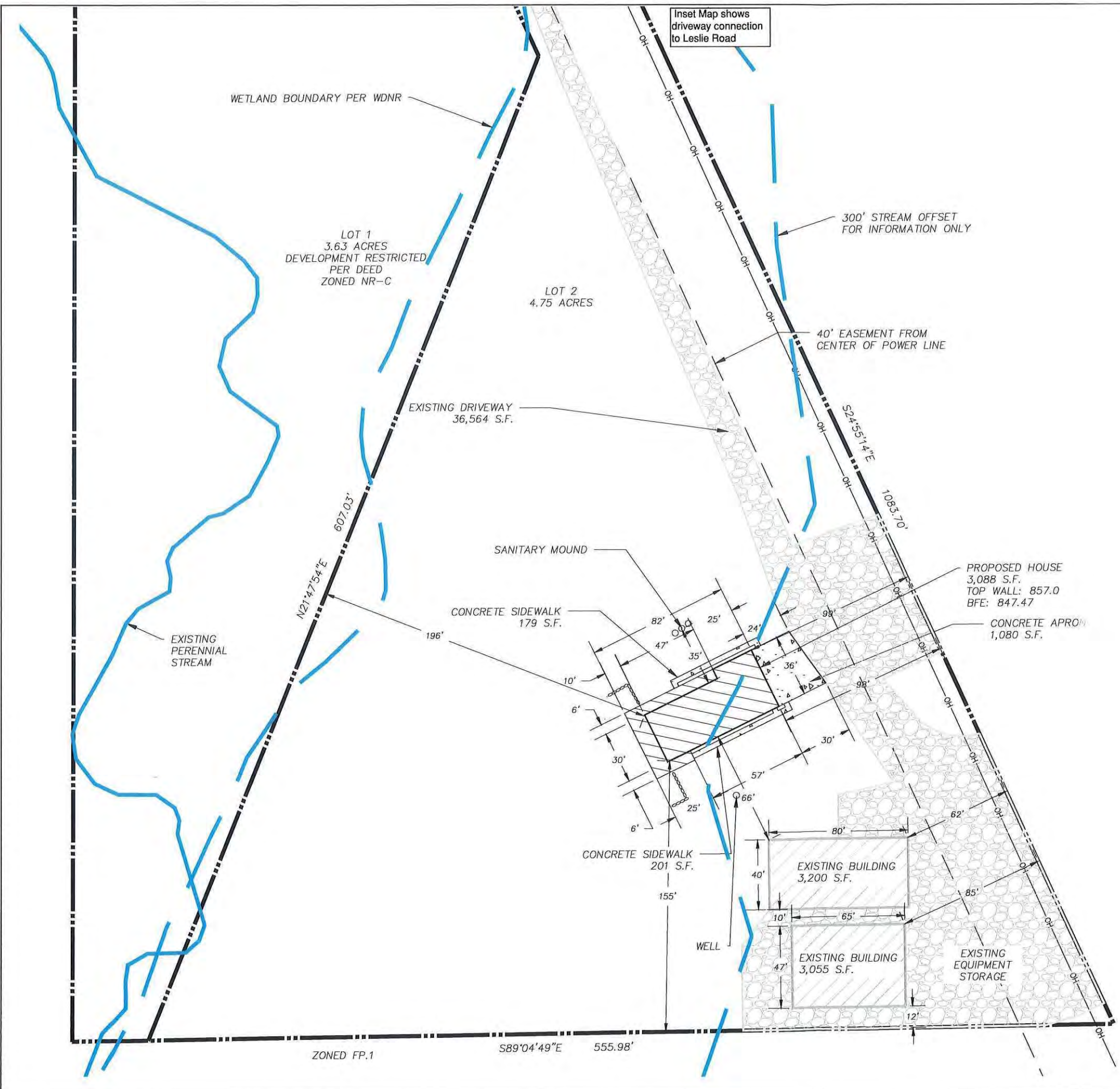
- A. ...collection services currently available in the Town.
- B. ... a driveway culvert crossing location. There will be typical and conventional residential security and outdoor lighting installed with the residence. As the residence is not readily visible from Leslie Road and is secluded by established woodlands and the tree line and landform along the railroad, there will be virtually no light impact to neighbors.
- C. ... of vehicles and equipment. Bulldog Excavation currently owns 5 pieces of equipment which are stored on site.

Brian and Julie Olson Conditional Use Permit Application

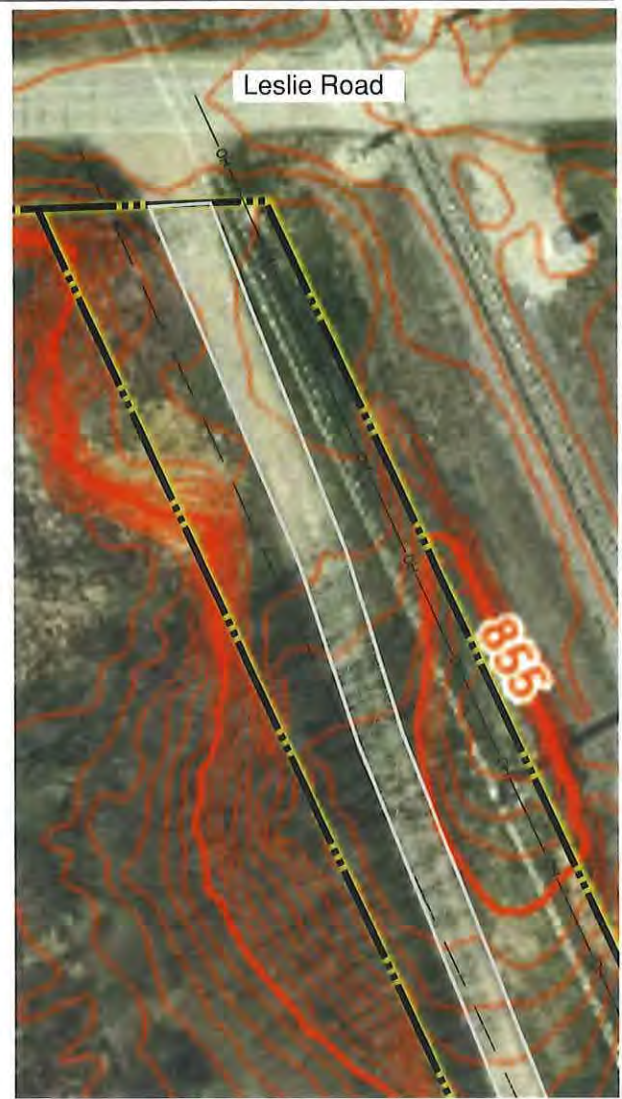
Site Address: 2091 Leslie Road, Stoughton, WI

Legal Description: Lot 2 CSM 13772, Town of Dunkirk, Dane County, WI

File: I:\2023\231210\DWG\Civil\Sheet\23-13129 - Con Drawing Layout: C1.0 - CUP User: cprossler Printed: Jun 14, 2023 - 9:47am xref:



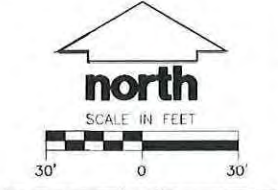
Inset Map shows
driveway connection
to Leslie Road



LEGEND

	PROPERTY LINE
	EASEMENT
	EXISTING STREAM
	300' STREAM OFFSET
	RETAINING WALL
	PROPOSED HOUSE
	EXISTING STRUCTURE
	PROPOSED CONCRETE
	EXISTING GRAVEL
	OVERHEAD LINE

- GENERAL NOTES**
- PROPERTY LINE, OVERHEAD LINE, AND EASEMENT PER BIRRENKOTT SURVEYING, INC. CSM 13772.
 - SANITARY MOUND DESIGN BY BIRRENKOTT SURVEYING, INC.
 - EXISTING BUILDING LOCATION AND DIMENSIONS PER LAND OWNER.
 - JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES.
 - DRAWING FOR REVIEW - NOT FOR CONSTRUCTION UNLESS OTHERWISE NOTED IN THE TITLE BLOCK.



DIGGERS HOTLINE
Toll Free (800) 242-8511



CREATE THE VISION TELL THE STORY

jsdinc.com
MADISON REGIONAL OFFICE
151 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
P. 608.846.5060

CLIENT:
BRIAN OLSON

CLIENT ADDRESS:
2840 COUNTY HIGHWAY MM
FITCHBURG, WI 53711

PROJECT:
OLSON RESIDENCE

PROJECT LOCATION:
2091 LESLIE ROAD
STOUGHTON, DANE COUNTY
WI, 53589

PLAN MODIFICATIONS:

#	Date:	Description:
1	06.15.23	CONDITIONAL USE PERMIT
2		
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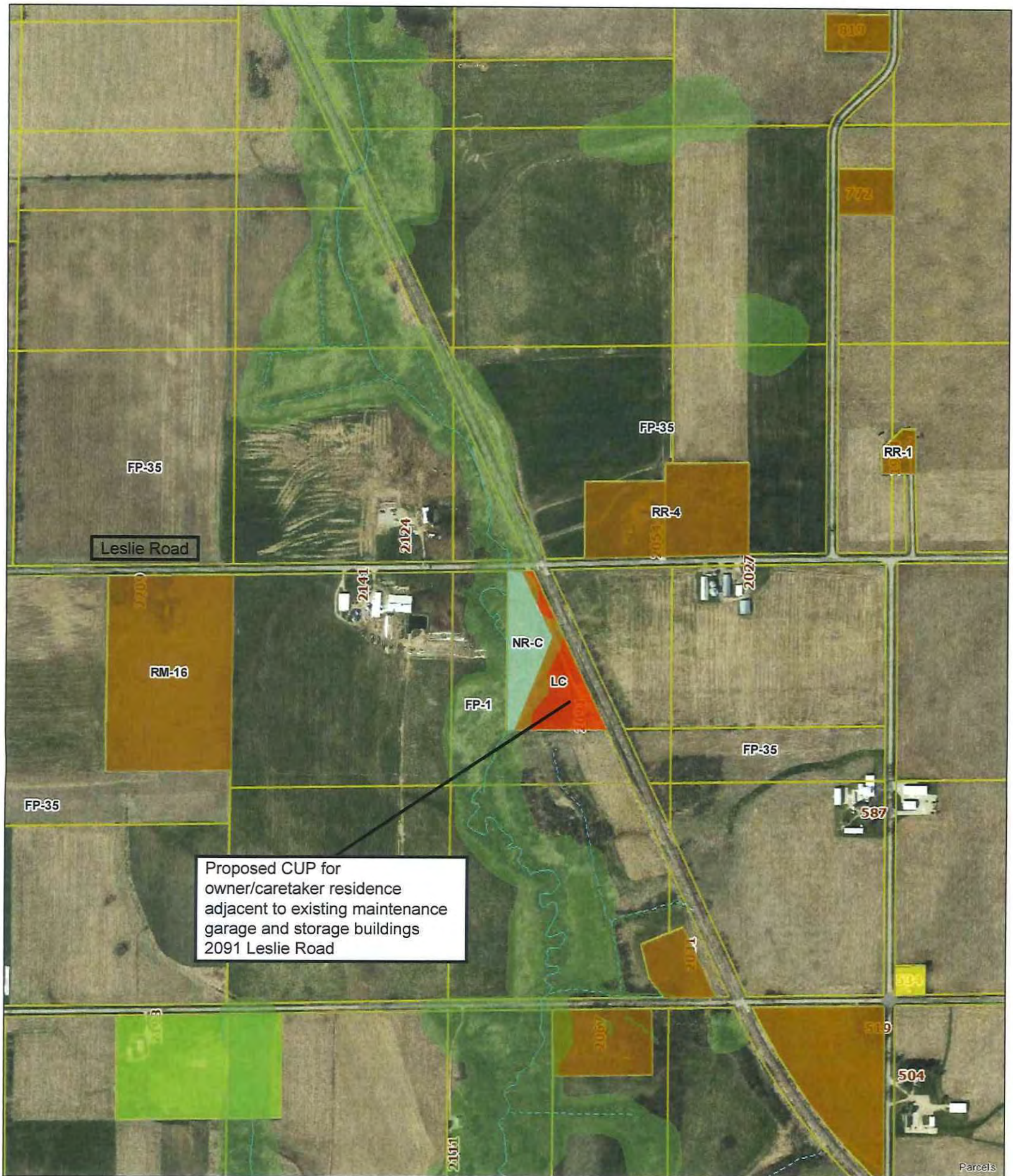
Designed By: CHG
Reviewed By: HPJ
Approved By: HPJ

SHEET TITLE:
**SITE PLAN FOR
CONDITIONAL USE
PERMIT**

SHEET NUMBER:
C1.0

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF JSD PROFESSIONAL SERVICES, INC.

Brian Olson CUP - 2091 Leslie Rd. Stoughton



June 8, 2023

Resource Protection Corridors

Rural Zoning

- Farmland Preservation
- Farmland Preservation
- Agricultural Transition
- Limited Commercial
- Natural Resource Conservancy
- Residential
- Rural Residential and Rural Mixed Use
- Rural Residential and Rural Mixed Use
- Rural Residential and Rural Mixed Use
- Rural Residential and Rural Mixed Use
- Rural Residential and Rural Mixed Use
- Rural Residential and Rural Mixed Use

Rivers and Streams

- Perennial Stream; Hidden Perennial Stream
- Perennial Stream; Hidden Perennial Stream
- Intermittent Stream; Hidden Intermittent Stream
- Intermittent Stream; Hidden Intermittent Stream
- Constructed Drainage

- Address
- Address & Unit Number
- Address & Building Number
- Parcels

0 375 750 1,500 Feet



CUP 2601 Legal Description

Lot 2 of Certified Survey Map 13722, located in the northwest $\frac{1}{4}$ of the southwest $\frac{1}{4}$, Section 23, Town 5 North, Range 11 East, Town of Dunkirk, Dane County, Wisconsin, recorded as Register of Deeds Document No. 5089180.