

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
01/13/2017	DCPCUP-2017-02371
Public Hearing Date	
03/28/2017	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DIANE V FINK	Phone with Area Code (608) 437-5779	AGENT NAME FINK'S PAVING & EXCAVATING	Phone with Area Code (608) 437-5779
BILLING ADDRESS (Number, Street) 2732 STATE HIGHWAY 78		ADDRESS (Number, Street) 2732 STATE HIGHWAY 78	
(City, State, Zip) MT HOREB, WI 53572		(City, State, Zip) MT HOREB, WI 53572	
E-MAIL ADDRESS		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
2732 STH 78					
TOWNSHIP BLUE MOUNDS	SECTION 14	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0606-142-8000-9		---		---	

CUP DESCRIPTION
10.126(3)(a)

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.126	70

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials DJE1	SIGNATURE: (Owner or Agent) _____ PRINT NAME: _____ DATE: _____
---	--	---

1/13/17

WILL NEED METES AND BOUND LEGAL DESCRIPTION.

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
01/13/2017	DCPCUP-2017-02371
Public Hearing Date	
03/28/2017	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DIANE V FINK	Phone with Area Code (608) 437-5779	AGENT NAME FINK'S PAVING & EXCAVATING	Phone with Area Code (608) 437-5779
BILLING ADDRESS (Number, Street) 2732 STATE HIGHWAY 78		ADDRESS (Number, Street) 2732 STATE HIGHWAY 78	
(City, State, Zip) MT HOREB, WI 53572		(City, State, Zip) MT HOREB, WI 53572	
E-MAIL ADDRESS		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
2732 STH 78					
TOWNSHIP BLUE MOUNDS	SECTION 14	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0606-142-8000-9		---		---	

CUP DESCRIPTION
10.126(3)(a)

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.126	70

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials DJE1	SIGNATURE:(Owner or Agent)
		PRINT NAME:
		DATE:

RECEIPT

MADISON
MADISON
210 MARTIN LUTHER KING, JR. BLVD
CITY TREASURER OFFICE

Application: DCPCUP-2017-02371
Application Type: DaneCounty/Zoning/Conditional Use/NA
Address:

Receipt No.	792193					
Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
Check		\$1,136.00	01/13/2017	DJE1		

Owner Info.:
DIANE V FINK
2732 STATE HIGHWAY 78
MT HOREB, WI 53572

Work Description:

DANE COUNTY
CONDITIONAL USE PERMIT #1759

THE ZONING AND NATURAL RESOURCES COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT: Conditional Use Permit subject to conditions.

FOR: Mineral Extraction Site.

EFFECTIVE DATE OF PERMIT: 04/09/02 EXPIRATION DATE: (See Below)

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

Part of the N 1/2 NW 1/4 of Section 14, Town of Blue Mounds described as follows: That part of the N 1/2 NW 1/4 Section 14, lying Northerly of right-of-way US Highway 18-151.

CONDITIONS:

- ✓ 1. The applicant shall submit an erosion control plan covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.
2. The applicant shall apply for and receive all other required local, state and federal permits.
3. The operator shall develop and operate the site according to the site/operations and phasing plan dated March 2002, exhibits 1 and 2.
4. Operations shall cease no later than fifteen (15) years from the date of CUP approval. This 15-year period will cover phases I through IV, as shown on Figure 8 of the "Quarry Expansion Plan" dated March 2002, only.
- ? 5. A berm and tree buffer will be provided as shown on Figure 8 of the proposed Site Plan dated March 2002.
- ? 6. Proposed grading and landscaping shall be limited to those areas identified on Figure 8 of the proposed Site Plan dated March 2002.
7. An undisturbed area shall be maintained as identified on Figure 8 of the proposed Site Plan dated March 2002.
- ✓ 8. In order to meet Chapter 74 (NR135) requirements, applicant shall submit a reclamation plan covering the

entire CUP area, and receive approval of a nonmetallic mining reclamation permit prior to commencing extraction operations.

- 7
- 9. Applicant must meet all Chapter 74 requirements including financial assurance.
 - ✓ 10. The driveway accessing the subject site shall be paved. The operator shall maintain the driveway in a dust free manner in accordance with local, state, and federal regulations, and shall clean any dust or mud tracked onto public roads.
 - ✓ 11. The operator and all haulers shall access the CUP site only through those points designated as entrances on the Site/Operations Plan dated March 2002, exhibits 1 and 2.
 - ✓ 12. The access to the driveway shall have gates securely locked when the extraction site is not in operation. The site shall be signed "no trespassing."

13. Hours of operation: For the period of April 1 through November 30, the hours shall be 6:30 a.m. - 5:00 p.m. Monday through Friday and 7:00 am to 2:30 pm on Saturday. For the period of December 1 through March 31, the hours shall be 7:00 am - 4:00 pm (closed on Saturday and Sunday).

14. Blasting procedures (outlined on page 10 of the CUP application materials) must be followed. The procedures, (of Yahara Materials with which Fink's Quarry contracts to conduct the blasting and crushing of limestone), are as follows:

- Blasting will be conducted by a properly licensed class 5, 6 or 7 blaster.
- Notifications will be made by the blasting contractor and/or Yahara Materials twenty-four (24) hours before any blast.
- A blasting log will be required for each blast.
- All blasting will be recorded on a seismograph.
- All seismographic records will be available at any time for review by the township.

All blasting will meet the Wisconsin Department of Commerce Admin Code Chapter 7.

15. There shall be a safety fence around the entire extraction area at all times. That safety fence shall be a minimum of 5 feet in height with a single strand of barbed wire on the top

16. The operator shall use spray bars (water) in the crushing process to reduce dust. Use of spray bars is not required when the temperature is below freezing. The operator shall spray the site with water if and when needed to control dust.

✓ 17. No water shall be pumped or otherwise removed from the site.

✓ 18. Bulk fuel is stored on site. The operator shall supply a spill containment plan.

19. The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed then current industry standards for noise abatement.

20. The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076.

21. Dane County and the Town of Blue Mounds shall be listed as additional named insureds on the Fink's Paving and Excavation, Inc. liability insurance policy, which shall be for a minimum of \$2,000,000 combined single limit coverage per occurrence. The operator shall furnish a copy of a Certificate of Insurance as evidence of coverage before operations commence. The liability insurance policy shall remain in effect until reclamation is complete.

22. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Unless the operation is in reasonable compliance with these terms of this approval, such approval is subject to amendment or revocation.

THE ZONING AND NATURAL RESOURCES COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDING OF FACT:

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance and operation of the proposed conditional use.
3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.
7. This use will benefit the needs of either the residents or the agricultural activities in the area.
8. There are not other locations available for this use.
9. The land to be occupied by this use is not productive agricultural land.
10. Public services needed by this use are available.
11. Public services needed by this use can be furnished without becoming an unreasonable burden on the taxpayers.
12. This use at this location will not cause significant harm to the environment.

EXPIRATION OF PERMIT

Section 10.25(2)(n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the Ordinance.



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

Conditional Use Application

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

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>Diane Fink</u>	Agent	<u>David Bing</u>
Address	<u>2732 State Hwy 78, Mount Horeb, WI 53572</u>	Address	<u>2732 State Hwy 78</u>
Phone	<u>608-437-5779</u>	Phone	<u>Mount Horeb, WI 53572</u> <u>608-437-5779</u>
Email	<u></u>	Email	<u>dbing@finkspaving.com</u>

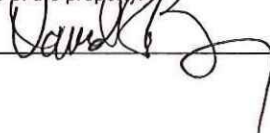
Parcel numbers affected: 010/0606-142-8000-9 Town: Blue Mounds Section: 14
010-0606-142-8500-4 Property Address: 2732 State Hwy 78

Existing/ Proposed Zoning District : Dane County

- o Type of Activity proposed: Limestone Quarry
Separate checklist for mineral extraction uses must be completed.
- o Hours of Operation
- o Number of employees
- o Anticipated customers
- o Outside storage
- o Outdoor activities
- o Outdoor lighting
- o Outside loudspeakers
- o Proposed signs
- o Trash removal
- o Six Standards of CUP (see back)

See separate page for explanation of these items

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:  David Bing, President

Date: 6-10-07

FINKS

Paving, Excavating & Concrete

2732 State Hwy 78 - Mount Horeb, WI 53572

O- 608.437.5779 F- 608.437.5749

www.finkspaving.com

Dane County Planning & Development
Division of Zoning
210 Martin Luther King Jr. Blvd. – Room 116
Madison, WI 53703

Letter of Intent To Request a Conditional Use Permit

December 21, 2016

Dear Division of Zoning:

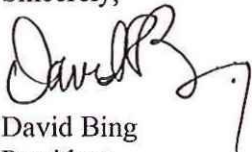
Fink's Paving & Excavating, Inc is requesting a renewal of their existing Conditional Use Permit (#1759) for Fink's Quarry. This land is located in the Township of Blue Mounds, parcels numbers 010/060-142-8000-9; 010/0606-142-8500-4, section 14 Dane County and is owned by Diane Fink.

The reason for the request is to allow the continued operations of a limestone quarry that has been in continuous operation since 1988. Our current CUP ends in April 2017. Fink's Paving & Excavating, Inc is requesting a 25-year CUP.

Fink's Paving & Excavating, Inc has taken the proper measures to ensure the Fink Quarry is in compliance with all pertinent regulations. Fink's Paving & Excavating, Inc maintains financial assurance associated with reclamation plan that is in place now.

Your timely consideration of this matter will be greatly appreciated.

Sincerely,



David Bing
President
Fink's Paving & Excavating, Inc.

FINKS

Paving, Excavating & Concrete

2732 State Hwy 78 - Mount Horeb, WI 53572

O- 608.437.5779 F- 608.437.5749

www.finkspaving.com

Request for Conditional Use Permit Fink's Quarry

- Introduction:** The Fink Quarry is a 25-acre limestone rock gravel pit that has been in operation since 1988. Our current CUP # 1759, was granted on 4/09/2002 and was for 15 years. This quarry supplies gravel to the greater Dane County and surrounding communities, and more specifically to the Mount Horeb Area.
- Ownership:** Diane Fink
2732 State Hwy 78
Mount Horeb, WI 53572
- Location:** The permit area is described as part of the N1/2 NW ¼ of Section 14, Town of Blue Mounds described as follows: That part of the N ½ NW ¼ Section 14, lying Northerly of right-of-way US Highway 18-151.
- Description of Operations:** This quarry is currently used to product gravel products for Fink's Paving & Excavating, Dane County Transportation and other private contractors or residential projects in a 20-mile radius. All of the material is above the water table. Operations include the blasting of rock, the crushing of blasted rock into various sized products and the loading and trucking off site of said material. We are currently averaging between 40-60,000 tons of material extracted per year. We also have import materials include asphalt for recycling and clean fill materials. Fink's Paving & Excavating, Inc oversees the daily operation and maintains a scale on site to weigh trucks that haul from our site. The main entrance is a Asphalt Paved road with fencing.
- Existing Use:** The Future Quarry will come from land that currently is being farmed for Corn or Soybeans. This land is rented out to local farmers who produce the crops. This will continue indefinitely.
- Existing Conditions:** Currently the natural makeup of the future quarry area is a combination of rocky topsoil, clay and loose limestone shale to a average depth of 4-8 feet and then solid limestone rock to depths beyond 200-300 feet before hitting groundwater.
- Hours of Operation:** 7:00am to 6:00PM Monday- Friday
7:00AM to 2:00PM Saturday

Fink's Paving & Excavating, Inc. cont.

Length of Permit: 25 Years beginning April 2017 and ending April 2042.

Erosion Control: Please refer to the attached Erosion Control Plan

Rock Blasting: All blasting is hired out to Yahara Materials. Drilling, blasting and crushing occurs approx. 3 times a year. Drilling and Blasting will not occur below or near the existing water table.

Dust Control: Spray bars will be used on crushing equipment as necessary to control dust as the material is processed. Water will be sprayed on haul roads to control dust from trucking operations.

Haul Routes: The access driveway to the site enters and exits on to Hwy 78 next to the on and off ramps from Hwy 18/151 and Hwy 78 South

**Safety Fence
And Signage:** The Quarry is surrounded by fencing leading up to the main entrance road with NO TRESSPASSING signs at regular intervals

Restoration Plan: As phases of the site are depleted, restoration could begin as site conditions warrant. Any restoration would start on the Western portion of the quarry

Conclusion: Legitimate concerns regarding the approval of quarry operations center around the issues of the environment and the health and safety of the surrounding area. As managers of this quarry, Fink's Paving & Excavating, Inc conduct our operations standard operations procedures for this industry with the concerns of our neighbors regarding blasting, noise and dust. Our well-conceived operation and reclamation plans will assure protection for the environment and surrounding area.

Respectfully Submitted,



Fink's Paving & Excavating, Inc
David Bing
President

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.

Fink's Quarry is currently fenced and located on Private Property, owned by Diane Fink who lives on the property. Fink's Paving & Excavating also operates it's business on rented buildings and operate 6 days a week with employees in and around the property at all times. We have appropriate lighting and security cameras on site. We conduct our operation within the permitted regulations and safety for our employees and customers.

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.

We have been operating our current CUP for 15 years without a complaint from any neighboring residents or businesses. Many local people in the surrounding area are often surprised that we even have a limestone quarry here as it cannot be seen from Hwy 78 or Hwy 18/151 which are the two intersecting roads. It is our goal to maintain the obscurity of our quarry so that the farm land that is seen from the North East of our property remains in tack or is blocked by berming and the addition of foliage.

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.

Currently Diane Fink owns surrounding property except to the South where Hwy 18/151 runs east and west. No future development is anticipated for the buffer area between the actual quarry and the westerly boundries of the Village of Mount Horeb. It is currently being farmed for crops.

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

We currently have an asphalt paved road that leads to the quarry. All drainage remains inside the quarry to a contained holding pond.

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.

Currently all traffic enters and exits from Hwy 78. Truck traffic is random and sparse, but in the past 15 years has not resulted in any traffic congestion.

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

We will be conforming to all applicable regulations that are required by the Town of Blue Mounds

Conditional Use Permit - Mineral Extraction Application Checklist

Applicant			Zoning
Plan Requirement	✓	Location in plan - page #	✓
1. Legal description - CSM and/or exact metes & bounds. Size of area requesting - acreage Parcel number(s)	✓		
2. Written statement that includes the following:			
General description of the operation.	✓		
Existing uses of the land.	✓		
Existing natural features including depth to groundwater.	✓		
Types and quantities of materials that will be extracted.	✓		
Proposed dates to begin extraction, end extraction and complete reclamation.	✓		
Proposed hours and days of operation.	✓		
Geologic composition and depth to the mineral deposit.	✓		
Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.	✓		
Proposed phasing plan (recommended for larger sites)	✓		
Types, quantities and frequency of use of equipment to extract, process and haul.	✓		
Frequency of blasting, drilling, mining, crushing, screening, washing, refueling.	✓		
Bulk fuel storage.	✓		
Asphalt batching or concrete mixing.	✓		
Proposed storage of recycled materials.	✓		
Does extraction occur below the water table / protection of groundwater.	✓		
Permanent or temporary structures.	✓		
Spill prevention and or dust control.	✓		
Proposed use after final reclamation as consistent with Ch. 74. Separate checklist for reclamation permit.			

This checklist is required in addition to a complete application for a conditional use permit. Application may be deemed incomplete if required information is not submitted.

FINKS

Paving, Excavating & Concrete

2732 State Hwy 78 - Mount Horeb, WI 53572

O- 608.437.5779 F- 608.437.5749

www.finkspaving.com

EROSION CONTROL AND STORMWATER MANAGEMENT PLAN

EROSION CONTROL MEASURES:

ENTRANCE:

The entrance to this site already is a Asphalt Paved surface which prevents the tracking of material onto public roads

BERMS:

The stripped soils will be separated in stock piles, and the overburden will be stripped and used as the base of any berms that need to be made for visual, decorative and noise barriers, and the remaining topsoil will be used to top dress the berms. Any berms will be seeded and mulched as soon as practical.

SILT FENCING:

Silt Fencing will be used as necessary when soils are being stripped and stockpiled and removed only when grass vegetation has been established to prevent runoff.

SEEDING & MULCHING PROCEEDURE:

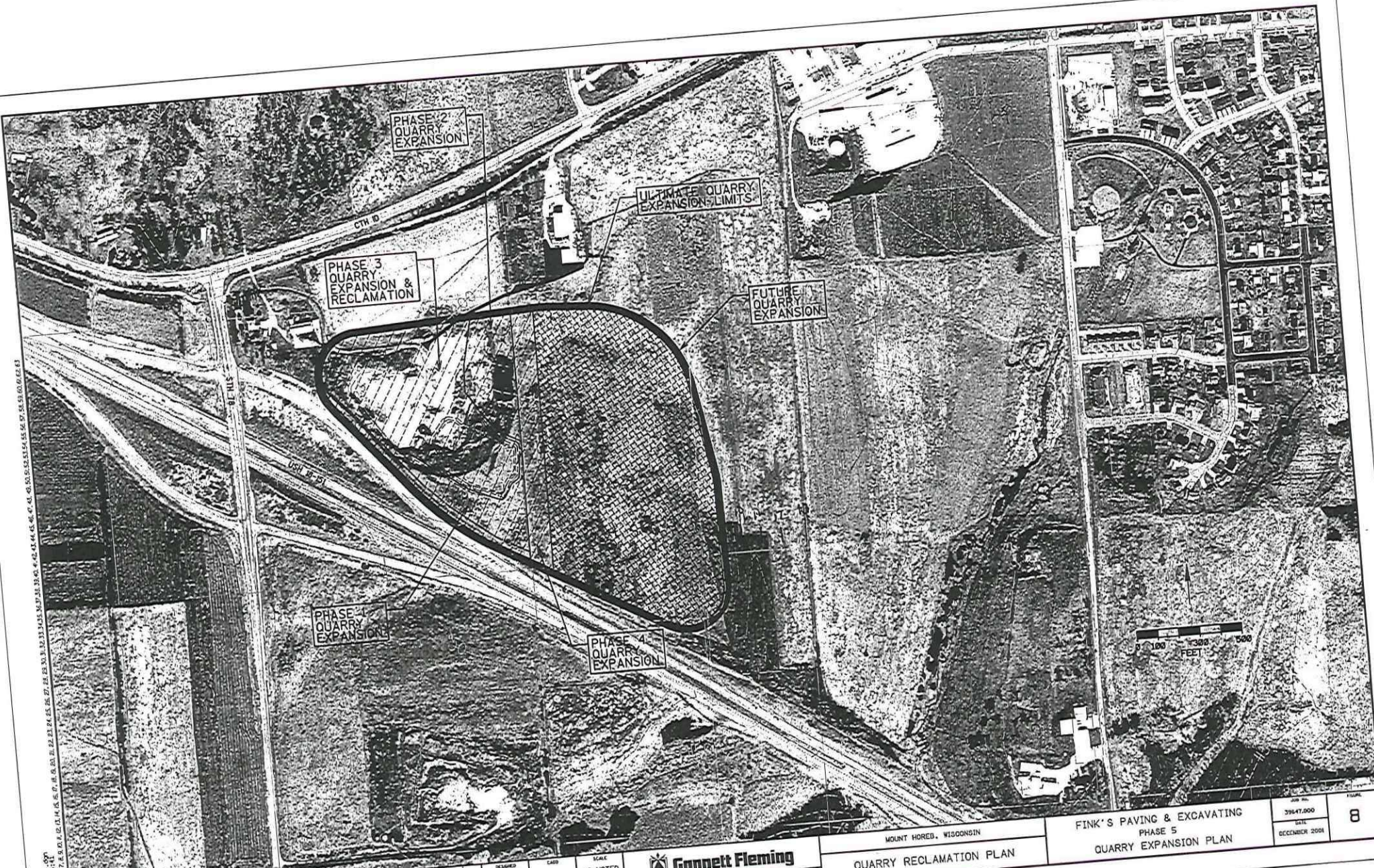
All berms and non-farmable areas will be seeded at a rate of 7 pounds per 1000 square feet of #20 WisDot Specification seed mixture. Any disturbed areas will be seeded within 7 days of completion of the rough grading of topsoils. To optimize growth, all planting will be conducted between May 15th and no later than September 15th.

MAINTENANCE:

Any existing berms or other designed barriers will be inspected and repaired according to needs of the site. The driveway will be maintained, plowed and inspected to keep a clean surface free of rocks or debris that could be picked up with truck tires.

WATER RUNOFF:

This site is internally draining, with a pond at the bottom of the quarry that is naturally draining. All water is directed toward this pond.



FILE: T:\GANNETT\10701\10701_11.dwg
 DATE: 30-DEC-2001 11:11 AM
 USER: JLS
 LEVELS OF: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63

THIS DRAWING IS AND SHALL REMAIN THE PROPERTY OF GANNETT FLEMING, INC. ANY MODIFICATIONS, ALTERATIONS, ADDITIONS, AND/OR DELETIONS OF THIS DRAWING OR PROJECT EXTENDING BEYOND THE DATE OF THE USER'S SIGNATURE AND WITHOUT LIABILITY TO GANNETT FLEMING, INC. IN THE EVENT OF ANY CONFLICT BETWEEN THE SCALED DRAWING AND THE ELECTRONIC FILE, THE SCALED DRAWING WILL GOVERN.

DESCRIPTION	DATE	BY	DESIGNED	CHECK	SCALE
REVISIONS			RJS		AS NOTED
			UNCHECKED	APPROVED	

Gannett Fleming
 MADISON, WISCONSIN

MOUNT HOREB, WISCONSIN
QUARRY RECLAMATION PLAN

FINK'S PAVING & EXCAVATING
 PHASE 5
QUARRY EXPANSION PLAN

JOB NO. 39647.000
 DATE: DECEMBER 2001

SHEET 8



Dane County Planning and Development Department
Zoning Division
 Room 116, City-County Building, 210 MLK Jr Boulevard, Madison, Wisconsin 53703
 (608) 266-4266 Fax (608) 267-1540

**ZONING MAP AMENDMENT
 (Rezoning Petition)
 &
 CONDITIONAL USE PERMIT PROCESS**

Zoning Petition No: DCPCUP-2017-02371	Conditional Use Permit No: NONE
Public Hearing Date: 03/28/2017	Time: <u>6:30 PM</u>
Committee: Dane County Zoning and Land Regulation Committee	
Location: City-County Building, Room 201, 210 Martin Luther King, Jr., Blvd.	

Please follow these steps to ensure your application is processed in a timely manner.



1. TOWN REVIEW

All petitions require a formal review by the town's Plan Commission and Board. Please contact the town as soon as possible to notify them that you have submitted a CUP and/or Rezone Petition with Dane County Zoning. A copy of your application will be sent to the Town, approximately one week after the deadline date as noted on the ZLR meeting schedule.

Please note that the town may have specific procedures or fees to process your proposal. In order for the Dane County Zoning and Land Regulation (ZLR) Committee to act on your petition, the Town Clerk must submit a formal Town Action Report by the Thursday prior to the public hearing date. The ZLR Committee will not take action until it has received a Town Action Report.

2. STAFF REVIEW

Dane County staff will begin a review of your application approximately one month prior to the public hearing. Your proposal will be reviewed for consistency against the Town Land Use/Comprehensive Plan and the Dane County Comprehensive Plan. If your proposal involves the creation of new residential lot, a housing density study will be performed to determine the housing density rights associated with the original farm. In addition, the property will be reviewed

for environmentally sensitive areas. You will be contacted if any conflicts arise with your petition. A staff report will be prepared for the ZLR Committee and you will be provided with a copy of this report approximately one week prior to the meeting. All proposed land use changes, rezones, and land divisions must be consistent with the Dane County Comprehensive Plan.

3. ZONING AND LAND REGULATION COMMITTEE PUBLIC HEARING

A public hearing will be held in front of the ZLR Committee. The staff will publish notices in the Wisconsin State Journal approximately two weeks prior to the ZLR public hearing. In addition, all property owners within 300 feet of the property will be notified by mail of your request.

An agenda will be sent to you and your agent approximately one week prior to the meeting. This meeting is an opportunity for individuals to speak in support, opposition, or raise concerns about your proposal.

At the public hearing, the ZLR Chairperson will announce your petition and request that you or your agent speak on behalf of your petition. You will need to approach the podium and state your name, location of your property, the current zoning district of the property, the change request, and reason for the change of zoning. After hearing testimony, The ZLR Committee may recommend approval, postponement, or denial of your petition.

Actions by the Zoning and Land Regulation Committee

Approval: If the Committee received a timely Town Action Report, a favorable Staff report, no public opposition, and no unresolved issues/questions by the committee, the ZLR Committee may recommend approval of your petition to the County Board. See ZLR schedule sheet.

Postponement: If the Committee did not receive a Town Action Report, or if concerns are raised, the petition will be postponed until the next ZLR work meeting. This meeting (called the work meeting) will be held 2 weeks after the public hearing. The delay provides an opportunity for the applicant and staff to address concerns. Staff will contact you to review your options.

Denial: If the Committee recommends denial of your petition, the petition will be sent to the County Board. See ZLR schedule sheet. Proposals which are not consistent with adopted Town or County Comprehensive Plans may be denied.

4. COUNTY BOARD

After the ZLR Committee acts on your petition, it is then placed on the next County Board agenda. At the Board meeting, all zoning petitions on the agenda are generally acted upon in one action. Your attendance is generally not needed. However, if your petition was controversial or if the ZLR Committee did not pass the petition unanimously, you should plan to attend the

County Board meeting in case questions arise. Conditional Use Permits do not require approval of the County Board.

5. COUNTY EXECUTIVE

All zoning petitions approved by the ZLR Committee and County Board are sent to the County Executive for approval. The Executive may approve or veto your petition and are generally acted upon within 10 days of County Board action. Conditional Use Permits do not require approval by the County Executive.

6. COUNTY CLERK / TOWN CONFIRMATION

If your petition was amended or conditions placed on it, such as the recording a Certified Survey Map or a Deed Restrictions, the County is required to send the petition back to the town to confirm the set conditions. The town is given 40 days to act. Please contact the Town

Clerk to see if any additional town meetings require your attendance. Final approval may begin when County receives the town confirmation or the 40 days expires.

7. FINAL APPROVAL

The final step in the process is to meet the conditions imposed on the petition. A letter will be sent to you and your surveyor informing you of all actions that are needed to make the zoning change effective. **You are generally given a 90-day period in which to complete the actions (called the "Delayed Effective Date")**. Failure to complete the actions in the designated time frame will render the petition VOID.

Contact your Surveyor as soon as possible to submit any required Certified Survey Map (CSM). Please note that the Town or a neighboring municipality may need to approve the CSM as a separate action. Further, signatures may be needed from the owners, mortgage holder, Town Official, neighboring municipality, Dane County Highway Department, and Dane County Land Division Officer, in order to record the CSM.

If a deed restriction is required, a form will be provided to you by Dane County Staff. Please note that your surveyor may need to provide a suitable property description for the deed restriction document.

When all conditions are satisfied, the Zoning Division will notify you by mail that the zoning change or Conditional Use Permit has become effective. Once the zoning becomes effective, a zoning permit for construction may be issued for the property.



Dane County Planning and Development Department Zoning Division

Room 116, City-County Building, 210 MLK Jr Boulevard, Madison, Wisconsin 53703
(608) 266-4266 Fax (608) 267-1540

NOTICE

REZONE / CUP DIGITAL LEGAL DESCRIPTIONS REQUIRED

Effective immediately, legal descriptions for Rezone and/or Conditional Use Permit (CUP) applications must be submitted electronically via email to Dane County Zoning in text or word format. If email submission is not possible, legal descriptions can be submitted on CD-ROM. When making application for a Rezone or CUP, please provide zoning staff with a hardcopy of the legal description(s). Email submissions of legal descriptions must be made within two (2) weeks of the date you applied for the rezone / CUP with Dane County. Failure to provide the digital copy in a timely manner may result in delays processing your rezone or CUP.

The email submission should contain:

- Applicant's name & Petition/CUP Number in the subject heading.
- Attached legal descriptions in MS Word compatible format.

The legal description should include:

- Proposed new zoning district(s) followed by description(s).
- The total acreage or square footage in each description.

Please email the legal description to zonelegals@countyofdane.com or Burns.Diana@countyofdane.com. Please contact Diana Burns at (608) 266-4253 if you have any questions regarding this procedure.



Dane County Planning and Development Department Zoning Division

Room 116, City-County Building, 210 MLK Jr Boulevard, Madison, Wisconsin 53703
(608) 266-4266 Fax (608) 267-1540

NOTICE

REZONE / CUP DIGITAL LEGAL DESCRIPTIONS REQUIRED

Effective immediately, legal descriptions for Rezone and/or Conditional Use Permit (CUP) applications must be submitted electronically via email to Dane County Zoning in text or word format. If email submission is not possible, legal descriptions can be submitted on CD-ROM. When making application for a Rezone or CUP, please provide zoning staff with a hardcopy of the legal description(s). Email submissions of legal descriptions must be made within two (2) weeks of the date you applied for the rezone / CUP with Dane County. Failure to provide the digital copy in a timely manner may result in delays processing your rezone or CUP.

The email submission should contain:

- Applicant's name & Petition/CUP Number in the subject heading
- Attached legal descriptions in MS Word compatible format

The legal description should include:

- Proposed new zoning district(s) followed by description(s)
- The total acreage or square footage in each description

Please email the legal description to zonelegals@countyofdane.com or Burns.Diana@countyofdane.com. Please contact Diana Burns at (608) 266-4253 if you have any questions regarding this procedure.