

# Dane County Conditional Use Permit Application

<b>Application Date</b>	<b>C.U.P Number</b>
05/25/2018	DCPCUP-2018-02429
<b>Public Hearing Date</b>	
08/28/2018	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME TIMOTHY J FOULKER	Phone with Area Code (608) 575-3774	AGENT NAME ASHLEY FOULKER	Phone with Area Code
BILLING ADDRESS (Number, Street) 6538 SCHUMACHER RD		ADDRESS (Number, Street) □	
(City, State, Zip) WAUNAKEE, WI 53597		(City, State, Zip)	
E-MAIL ADDRESS timfoulker@hotmail.com		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	
6538 Schumacher Rd.,					
TOWNSHIP VIENNA	SECTION 33	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0909-332-9700-8		---		---	

CUP DESCRIPTION
landscape and barn events

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.111(3)(d)	4.92

<b>DEED RESTRICTION REQUIRED?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  Applicant Initials _____	Inspectors Initials  SCW1	<b>SIGNATURE:(Owner or Agent)</b> <i>* Afoulker</i>
		<b>PRINT NAME:</b> <i>* Ashley Foulker</i>
		<b>DATE:</b> <i>* 5/25/18</i>



## 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.

Using for storage of landscape material, equipment + vehicles.  
events in barn w/ limitations set by TOWN of Vienna.  
All public safety + health regulations will be met by town + local inspector.
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.

Equipment + materials are kept away from neighboring fields + roads, had prior town hearing with no negative input from public regarding events at location. Event space unique.
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.

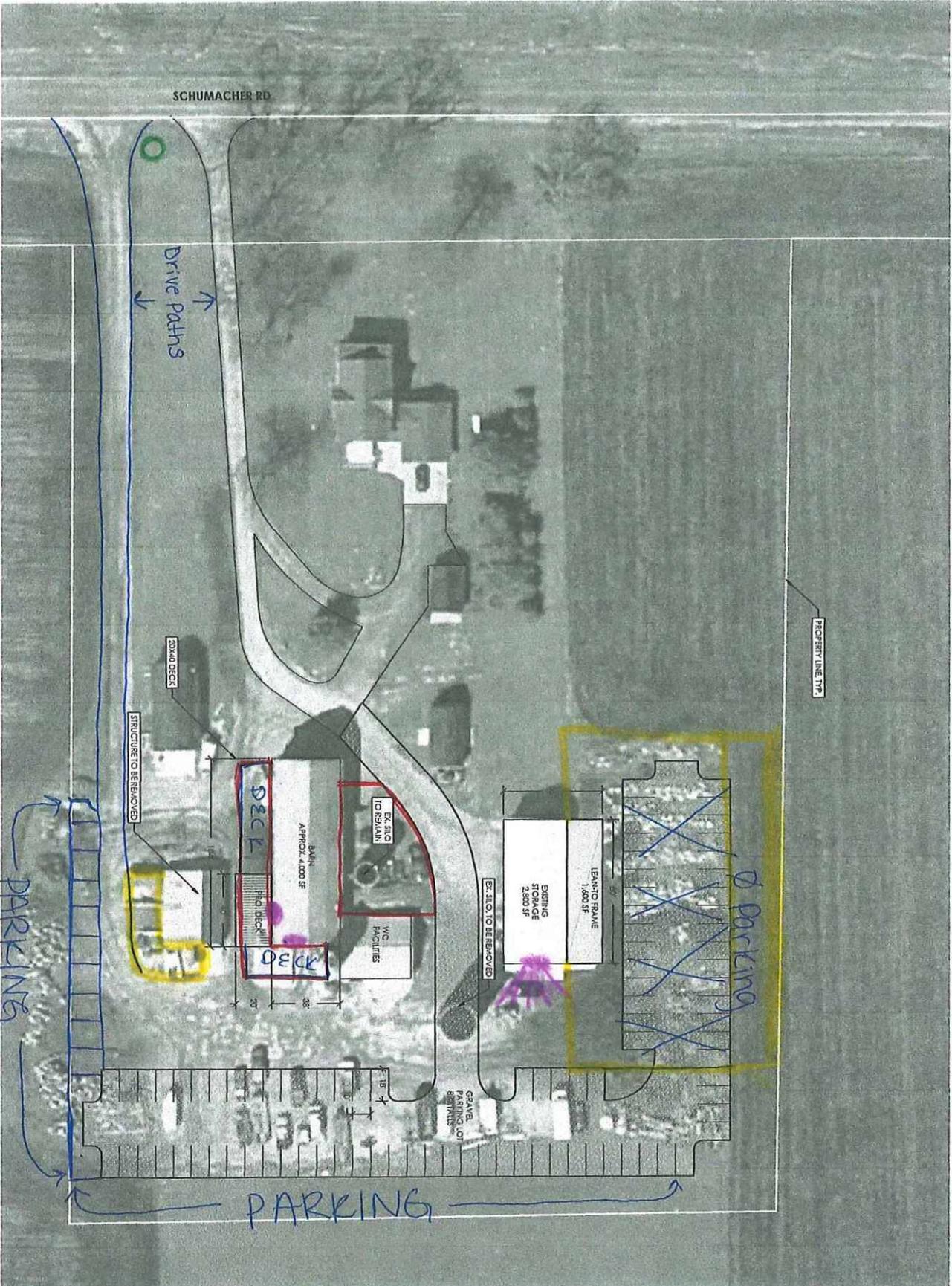
everything is kept on site/property. Barn is an existing structure. Neighbors are aware of proposed changes (with barn)
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

No changes to property. Site/property is well maintained by owners.

  - adequate parking, entrances + exits. ?
  - no other changes to property or grounds.
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.

2 driveways already in place (entrance + exit).
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Have discussed w/ town and county. Will abide by rules/regulations set forth by township. Homeowners also reside at said property.



Red areas = outdoor activity areas  
 Yellow = outdoor storage  
 Blue arrows = flood lights that light parking area

DATE: 12/01/15  
 DRAWN BY: SSR  
 CHECKED BY: -  
 PROJECT NO: C1.0

NO.	BY	DATE

**SITE PLAN**  
**Wedding Barn**  
**Tim Foulker**  
 Town of Vienna, WI  
 Dane County

**Roussev Engineering Solutions LLC**  
 3302 E. Dodge Rd. • Watonsan, WI 53119  
 608-420-3033 (Office) • 608-420-3255 (Fax)  
 www.rousseverengineering.com



- CERTIFIED SURVEY MAP -

(Description continued)

of said Sec. 33; Thence S. 89°-22'E. 555.0 feet; Thence S. 0°-38'W. 392.5 feet; Thence N. 89°-22'W. 555.0 feet to the west line of the S.E. 1/4 - N.W. 1/4 Sec. 33 and p. o. b. The west 8.25 feet of said S.E. 1/4 - N.W. 1/4 is subject to a public R.O.W.

OWNERS CERTIFICATE

We as owners,

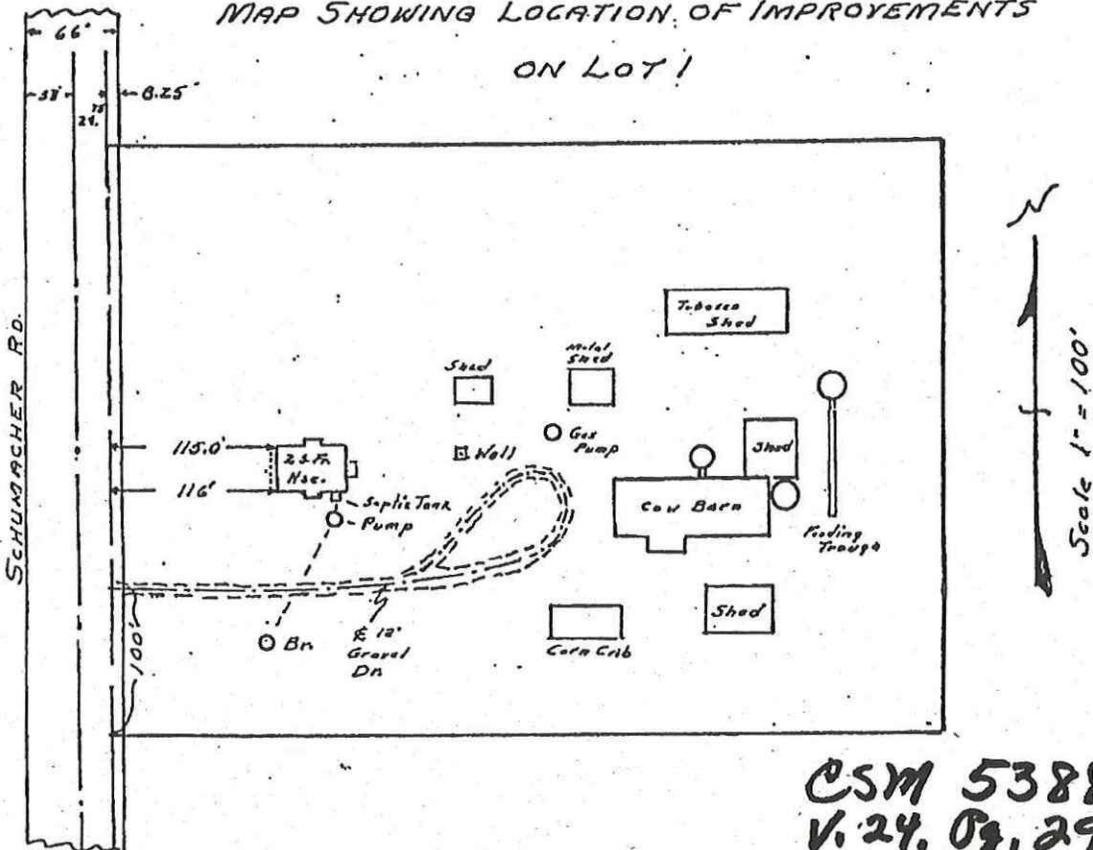
do hereby certify that we have caused the land described on this certified survey map to be surveyed, mapped, and dedicated as represented on this map.

Signed and sworn to before me this 2nd day of November, 1987

James W. Wiederhoeff  
Notary Public  
My commission is permanent

X Marion A. Hellenbrand  
X Arthur Hellenbrand  
X Robert Hellenbrand  
X Sharon A. Ziegler  
X Mary Ann Lang

MAP SHOWING LOCATION OF IMPROVEMENTS ON LOT 1



CSM 5388  
V. 24. Pg. 291  
Sheet 2 of 2 Sheets

**A-1(EX)**  
**DCPREZ-0000-00000**

090933297003  
MELVIN R. MUSTEAD LTD. JACK R. WADSWORTH

**RH-2**  
**DCPREZ-0000-04056**

090933297003  
TIMOTHY J. FOULKER

**A-1(EX)**  
**DCPREZ-0000-00000**

6538

090933297003  
ALEXANDER SCHEUER & MICHELLE KALSCHNEIDER  
Schumacher Rd

1  **6538 SCHUMACHER RD  
BARN**

2  **BARN SIZE & CAPACITY**

- Barn Size 35x100 = 3500 sq. feet
- No events holding > 300 people
- Outdoor activities limited to front patio area and deck
- No loudspeakers or amplified sound outdoors
- 

3  **HOURS & DATES OF OPERATION**

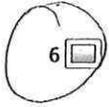
- Limit Events to < or = 40 / year
- Primarily weekends, Friday through Sunday
  - Weekends
    - 9:00 AM until 12:00 AM (midnight) – music off by 11:30 PM
  - 
  - Possible weekdays for small events < 125 people
    - Weekdays
      - 9:00 AM until 10:00 PM

4  **SAFETY**

- Already have adequate lighting inside & outside of facility
- 
- Existing exit signs that are marked and lit inside of building
- 
- Smoke detectors and extinguishers by all exits and stairs
- 
- Trash removal – dumpsters on site for trash and recycling
- 
- Will have inspected to meet commercial building code prior to use

5  **PARKING**

- All parking is held on East end of property, >100' away from road. There will be no cars near or on the road
- 
- There are 2 driveways, one for entering and one for exiting to decrease traffic congestion
- 
- Flood lighting to provide adequate lighting for parking area
- 
- Proposed signs at end of driveways for parking
- 
- Town: Adequate parking & no parking on roadside



**BATHROOMS**

- In process pending barn approval
- Holding tank for wash facility
- Proposed ADA bathrooms to be added in existing building that is attached to the east end of barn – see site plan
- 

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Landscaping Activity

Hours – 7am – 6pm Monday through Friday  
– no sales from location.

Employees – 6

outside storage – see provided map.

**Parcel Number - 064/0909-332-9700-8****Current**[← Parcel Parents](#)[Summary Report](#)

<b>Parcel Summary</b>		<b>More +</b>
Municipality Name	TOWN OF VIENNA	
Parcel Description	LOT 1 CSM 5388 CS24/290&291 R10775/81-11...	
Owner Name	TIMOTHY J FOULKER	
Primary Address	6538 SCHUMACHER RD	
Billing Address	6538 SCHUMACHER RD WAUNAKEE WI 53597	

<b>Assessment Summary</b>		<b>More +</b>
<b>Assessment Year</b>	<b>2018</b>	
Valuation Classification	G1	
Assessment Acres	4.926	
Land Value	\$99,600.00	
Improved Value	\$215,300.00	
Total Value	\$314,900.00	

[Show Valuation Breakout](#)

**Open Book**

Open Book dates have passed for the year

Starts: ~~05/09/2018~~ - 03:00 PM

Ends: ~~05/09/2018~~ - 05:00 PM

[About Open Book](#)

**Board Of Review**

Starts: 06/04/2018 - 05:00 PM

Ends: 06/04/2018 - 07:00 PM

[About Board Of Review](#)

[Show Assessment Contact Information](#) ▼

**Zoning Information**

For the most current and complete zoning information, contact the Division of Zoning.

**Zoning**

LC-1 DCPREZ-2013-10629

[Zoning District Fact Sheets](#)

**Parcel Maps**



[DCiMap](#)

[Google Map](#)

[Bing Map](#)

**Tax Summary (2017)****More +**[E-Statement](#)[E-Bill](#)[E-Receipt](#)

Assessed Land Value	Assessed Improvement Value	Total Assessed Value
\$99,600.00	\$182,700.00	\$282,300.00
<b>Taxes:</b>		\$5,255.78
<b>Lottery Credit(-):</b>		\$135.28
<b>First Dollar Credit(-):</b>		\$77.30
<b>Specials(+):</b>		\$208.67
<b>Amount:</b>		\$5,251.87

**District Information**

Type	State Code	Description
REGULAR SCHOOL	6181	WAUNAKEE SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE
OTHER DISTRICT	32WA	WAUNAKEE EMS
OTHER DISTRICT	32WA	WAUNAKEE FIRE
OTHER DISTRICT	32UD	UTILITY DISTRICT 4 WF
OTHER DISTRICT	32UD	UTILITY DIST 5 WEMS CHG

Recorded Documents				
Doc. Type	Date Recorded	Doc. Number	Volume	Page
WD	07/15/2013	5006195		

Show More ▼

## DocLink

DocLink is a feature that connects this property to recorded documents. If you'd like to use DocLink, all you need to do is select a link in this section. There is a fee that will require either a credit card or user account. Click here for instructions.

By Parcel Number: 0909-332-9700-8

PLEASE TURN OFF YOUR POP UP BLOCKER TO VIEW DOCLINK DOCUMENTS. If you're unsure how to do this, please contact your IT support staff for assistance. You will be unable to view any documents purchased if your pop up blocker is on.



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 210 Martin Luther King Jr. Blvd  
 City-County Bldg. Room 116  
 Madison, WI 53703



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NOV 03 1987

SURVEYOR'S CERTIFICATE - CERTIFIED SURVEY MAP -

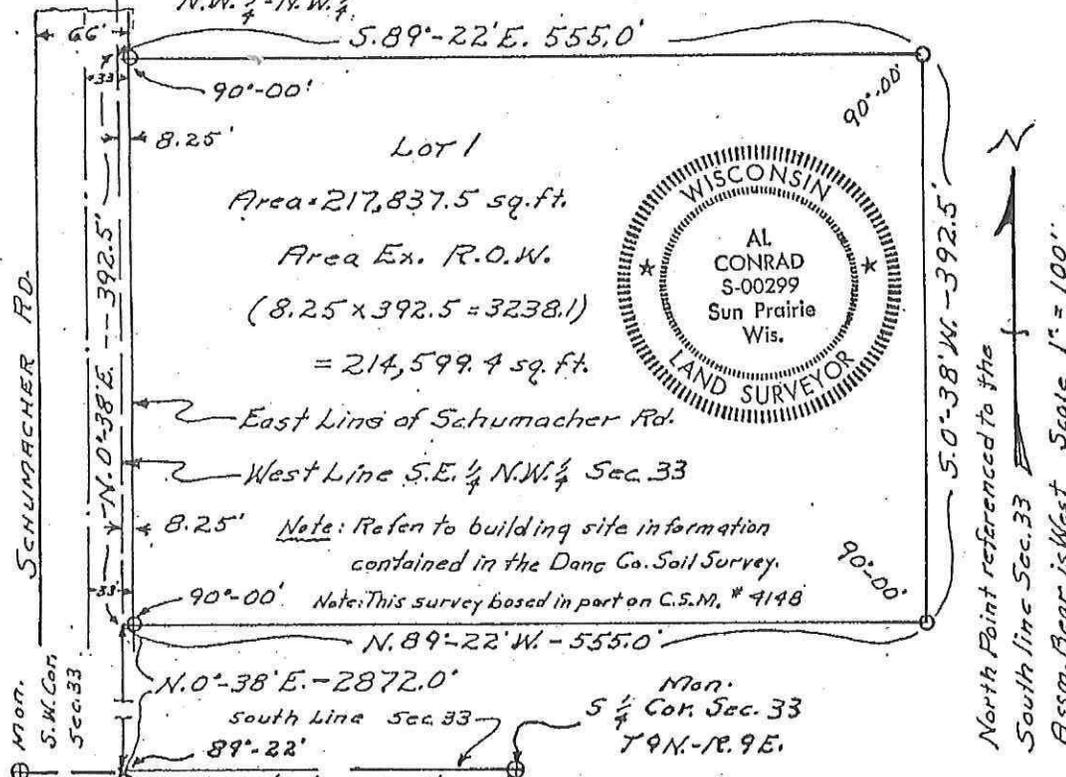
I HEREBY CERTIFY THE FOLLOWING DESCRIBED LAND WAS SURVEYED AND MAPPED UNDER MY DIRECTION AND THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THAT THE MAP IS A CORRECT REPRESENTATION OF THE BOUNDARIES THEREOF IN ACCORDANCE WITH THE INFORMATION FURNISHED TO ME,

Description:

Part of the S.E. 1/4 - N.W. 1/4 of Section 33 T.9N.-R.9E. (Twp. of Vienna) Dane Co., Wis. described as follows: Commencing at the S. 1/2 Cor. of Sec. 33 thence West 1330.6 feet along the south line of Sec. 33; Thence N.0°-38'E. 2872.0 feet to the p.o.b. Thence continue N.0°-38'E. 392.5 feet along the west line of the S.E. 1/4 - N.W. 1/4

Al Conrad Oct. 9, 1987 AL CONRAD, LAND SURVEYOR NO. 5-299

(Description continued) on Sheet 2



SURVEYED FOR

Marvin Hellenbrand  
608 Fish St.  
Waunakee, Wis. 53597  
REFERENCE NO. C.S. 109-75

LEGEND  
SCALE 1 INCH / 100 FEET  
● IRON STAKE FOUND  
○ 1" X 24" IRON PIPE  
MIN. WT. 1.13#/IN FT.  
x Dr. Nail in B.T.

CERTIFIED SURVEY MAP NUMBER 5388  
DOCUMENT NUMBER 2052695  
RECORDED November 3, 1987  
VOL. 24 OF CERTIFIED SURVEY MAPS, PAGE 290 & 291

APPROVED FOR RECORDING PER Dane Co. Agriculture, Environment and Land Records Committee.  
ACTION OF, November 3, 1987

AUTHORIZED REPRESENTATIVE, Herbert Scribner  
CERTIFIED SURVEY MAP NO. 5388

RECEIVED FOR RECORD THIS 3rd DAY OF November - 1987 AT 11:55 A.M. AND RECORDED IN VOLUME 24 OF CERTIFIED SURVEY MAPS OF DANE COUNTY ON PAGE 290 & 291

Carole R. Malzke REGISTER OF DEEDS Sheet 1 of 2 Sheets  
by: Darlene M. Duckert, Deputy  
CSM 5388  
V. 24, Pg. 290

**LC-1 Limited Commercial District**  
Zoning district intended for small scale businesses  
CH. 10-Zoning, Section 10.

**Purpose of the Limited Commercial District 10.111(1)**

- The Limited Commercial Zoning district is intended for small commercial uses that may need to locate in predominantly rural areas due to their often large service areas, and their need for larger lot sizes. In appearance and operation, such uses are often similar to agricultural uses and therefore are more suited to a rural area.
- Such uses include, but are not limited to: Contractor businesses; transportation businesses; building trade businesses; and landscaping operations.
- Limited Commercial uses are typically characterized by: Outdoor stockpiles of materials; storage and maintenance of large construction or transportation equipment; early morning activity; and large utilitarian buildings often with metal siding.
- Limited Commercial uses do not create high traffic volume, have no retail sales, and have limited outdoor lighting and signage.

**Permitted Uses 10.111(2)**

- Office uses (limited to 6 on-site employees)
- Incidental parking for employees
- Indoor storage
- Incidental indoor maintenance
- Outdoor storage of up to 12 total vehicles and pieces of construction equipment
- Utility Services

**Conditional Uses 10.111(3)**

- Outdoor storage
- Single family residences for a caretaker or owner of the business
- Light Industrial (see definition below)
- Limited Rural Businesses (see definition below)
- Storage of more than 12 total vehicles and pieces of construction equipment

**Setbacks, Height , and Size requirements 10.111(6-10)**

**Front setback for all structures from highway centerline / right-of-way line (whichever is greater)**

State or Federal Highway: 100/42 feet minimum

County Highway: 75/42 feet minimum

Town Road: 63/30 feet minimum

Subdivision streets platted prior to ordinance: 20 feet minimum

All other streets: 30 feet minimum

**Height:** 2 ½ stories or 35 feet maximum

**Side Yards:**

10 feet minimum each side

**Rear Yards:**

Commercial buildings: 10 feet minimum

single-family residences: 25 feet minimum

residential accessory buildings: 10 feet minimum

**Maximum Size of Commercial Buildings:**

10,000 square feet

**Lot Width & Area: 10.111(6)**

**Area:** 20,000 square feet minimum,  
5 acres maximum

**Lot Width:** 100 feet minimum

**LC-1 Limited Commercial District**  
Zoning district intended for small scale businesses  
CH. 10-Zoning, Section 10.111

**Lot Coverage 10.11(7)**

Maximum 35% of all buildings on property

**Definitions and General Notes for LC-1 Limited Commercial District 10.01, 10.111**

**DEFINITIONS:**

- **Incidental indoor maintenance 10.01(27g):** Maintenance and repair of equipment and vehicles owned and operated by a principal business on the premises, and not as a service to others. All maintenance activities must take place within an enclosed building.
- **Indoor storage 10.01(27h):** Uses that are primarily oriented to the receiving, holding and shipping of materials for a single business. Such uses are not for retail sales, storage of personal belongings of others, or warehousing of materials for others. With the exception of loading facilities, such uses are contained entirely within an enclosed building.
- **Light industrial 10.01(30f):** The processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from previously processed or previously manufactured materials. All operations (with the exception of loading operations): (a) are conducted entirely within an enclosed building; (b) are not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line; (c) do not pose a significant safety hazard (such as danger of explosion); (d) include no retail sales.
- **Limited rural business 10.01(30g):** May include any use permitted in the A-B, B-1, C-1 or C-2 zoning districts if it is located exclusively in building(s) in existence prior to April 30, 2005, maintains, restores or enhances the existing exterior character of the building(s), employs no more than 4 non-family employees, and does not conflict with the overall purposes of the LC-1 district. "Family" has the meaning set forth in section 10.01(23)
- **Office 10.01(40m):** An exclusive indoor land use whose primary function is the handling of information or administrative services. Such uses do not typically provide services directly to customers on a walk-in or on-appointment basis.
- **Outdoor storage 10.01(40t):** Uses primarily oriented to the receiving, holding and shipping of materials for a single business. Such a use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage use. Such uses do not include junk or other materials typically associated with a junkyard, salvage recycling center or solid waste recycling center, as defined in this ordinance. Outdoor storage of materials is not permitted within the building setback area described in s. 10.17.

**NOTES:**

- The total number of vehicles and pieces of construction equipment shall not exceed 12, unless authorized by a Conditional Use Permit.
- Construction equipment, vehicles, or materials shall not be stored between the building setback line and the front lot line.
- Off-street parking shall be provided as required in Section 10.18 of the Dane County Code of Ordinances (DCCO).
- Screening must be provided and maintained on lots adjacent to an R- Residential district, RH- Rural Homes district, or A-2 Agriculture district. Screening typically requires landscaping consisting of either a planted evergreen screen at least 6 feet wide and initially planted with 4-foot tall evergreen shrubs to ultimately form a continuous hedge at least 5 feet in height and maintained with healthy shrubs; or a solid 6-8 feet tall decorative wall or fence without any signs and consistent with Section 10.16(7) DCCO.
- **LC-1 Contractor Businesses:** Typical contractor businesses permitted in the LC-1 district include, but are not limited to, landscaping, electrical contractors, plumbing contractors, and heating/ventilating/air conditioning (HVAC) contractors.
- **Alternative Commercial Zoning:** Contractor businesses other than general, mechanical and landscaping contractor businesses may need C-1 Commercial or, more commonly, C-2 Commercial zoning. Both C-1 and C-2 zoning do not limit the number of items of construction equipment. C-2 accommodates outside parking or storing of motor vehicles (Section 10.14(1)(q) DCCO), while C-1 does not.

**Livestock 10.16(1)**

Not Permitted

EFFERT HOMESTEAD LLC JACK & MARILYN  
28 EASY ST  
AUNAKEE WI 53597

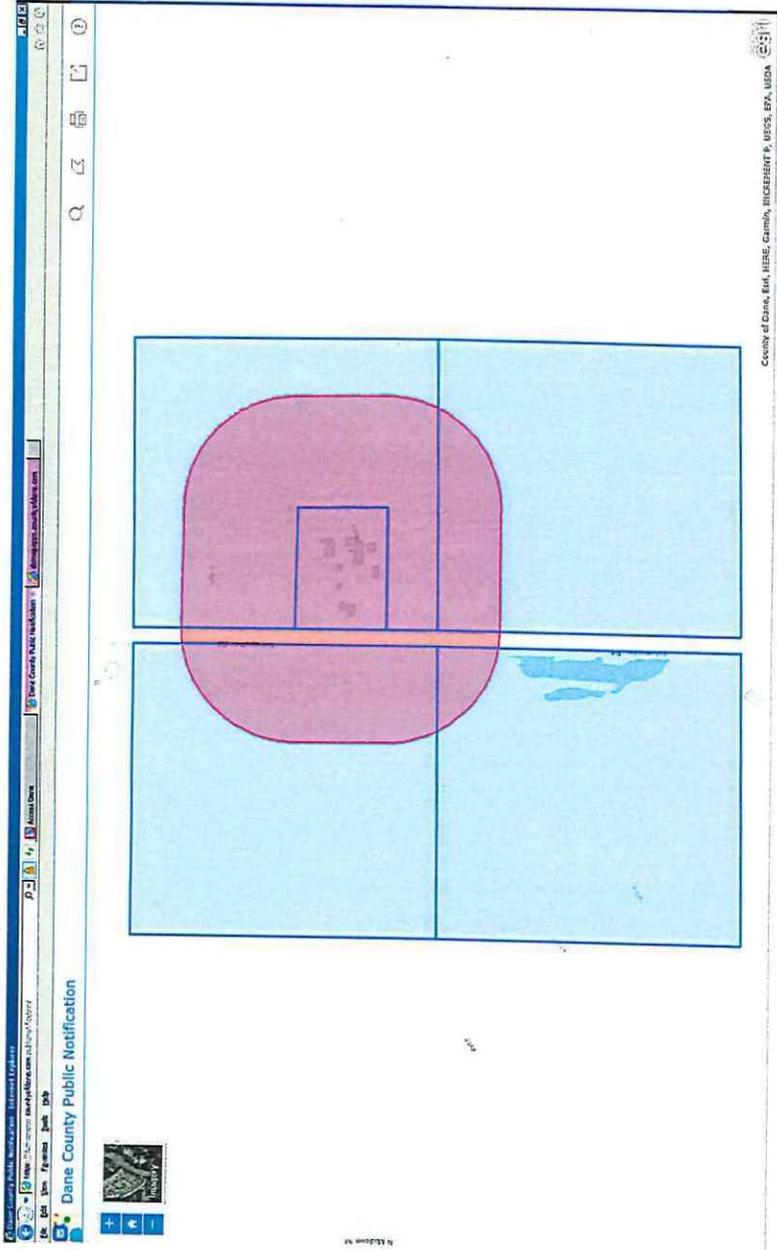
MOTHY J FOULKER  
38 SCHUMACHER RD  
AUNAKEE WI 53597

ASY BACK FORTY LLC  
64 EASY ST  
AUNAKEE WI 53597

AN J KALSCHEUER  
ICHELLE J KALSCHEUER  
51 N MADISON ST  
AUNAKEE WI 53597

EFFERT HOMESTEAD LLC JACK & MARILYN  
28 EASY ST  
AUNAKEE WI 53597

Internet Explorer browser window showing a map of Dane County, Wisconsin. The browser address bar displays <http://www.dane.gov>. The page title is "Dane County Public Notification". The map shows a large red-shaded area, likely representing a public notification zone, overlaid on a blue-shaded area. A small inset map in the bottom left corner shows the location of Dane County within the state of Wisconsin. The browser's status bar at the bottom indicates "Dane County Public Notification" and "www.dane.gov".



Counts of Counts, Enk, MISE, Camm, INTERCEPT F, UESS, EPA, UDA

A-1(EX)  
DCPREZ-0000-00000

*Not Effective*  
RH-2 DCPREZ-0000-04056

LC-1  
DCPREZ-2013-10629

Proposed  
C-2  
11290

Proposed  
CUP  
2423  
CUP  
2255

6538

Residence in the LC-1 Zoning District, outdoor storage of landscape materials, and outdoor storage of multiple vehicles

A-1(EX)  
DCPREZ-0000-00000

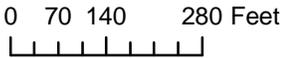
Zone X

Schumacher Rd



**Legend**

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



CUP 02429  
TIMOTHY J FOULKER