Rezone/C.U.P. Application Inform	mation NUMBER 1426				
CENERAL INFORMATION  PUBLIC HEARING DATE  5 / 2 2 /	97 D.E.D. NO X. MS.				
TOWN WILLAGE, OR CITY Burke	COUNTY				
2. THIS NOTICE IS FOR: CONDITIONAL USE / SPECIAL EXCEPTION					
3. OWNER'S NAME AT TIME OF REZONING TOKEN Creek Sanitary Distri	ct TELEPHONE (608)				
OWNER ADDRESS 4016 East Washington Ave, Malison WI 53704					
AGENT KA. Schroeder	TELEPHONE 2229215				
AGENT ADDRESS isholt Road, Madison WI 537/3					
4. DESCRIPTION OF PROPERTY WHICH WAS GRANTED THE REZONI	NG OR CONDITIONAL USE / SPECIAL EXCEPTION PERMIT				
1/4 1/4 Sec. NWSW   Sec. 09   Town   PARCEL NUMBER(S) BEFORE REZONING   810 - 093 - 8581 - 4	PREVIOUS ZONING DISTRICT C-2  Range  NEW ZONING DISTRICT C-2  VCUP				
PARCEL ADDRESS / /	C-2 $C-2$ $w/Cup$				
INTENT/PURPOSE DCC	( - )				
PCS antenna,					
C. U.P. for Telecommunic	ations tower site				
LAND AREA AND IMPROVEMENTS					
5. TOTAL ACRES IN PARCEL BEFORE REZONING 0, 252	TOTAL ACRES IN PARCEL IN EXCLUSIVE AG. ZONE BEFORE REZONING				
a. Of the original parcel, how many acres were rezoned OUT OF agricult	tural use or granted a non-Ag conditional use/special exception?				
b. How many acres were rezoned INTO exclusive agricultural district?					
c. Were there improvements on the original parcel?	□ NO				
d. What percentage of the improvements was rezoned or granted a concentration of the improvements was rezoned or granted a concentration of the improvements was rezoned or granted a concentration of the improvements was rezoned or granted a concentration of the improvements was rezoned or granted a concentration of the improvements was rezoned or granted a concentration of the improvements was respectively.	litional use/special exception?				
REZONE  6. REASON FOR REZONING					
a. Develop land for non-Ag. residential use.  How far is the land from a	How far is the land from an				
city or village boundary?  Is the land served by public sewer?	existing residential area?  MILES  Is the land within a society district?				
YES NO	YES NO				
Is the land served by public water?  YES NO	YES NO				
If more than one lot was developed – number of lots:	Average lot size:				
b. Develop land for industrial use	f. Farm consolidation				
c. Develop land for commercial use	g. Residence for parent or child of farm operator				
d. Develop land for recreational use	h. Other (please specify)				
e. Pre-existing use, substandard or nonconforming parcel					
545-91 (5/90)					

7. SOILS INFORMATION			
Type of soils in parcel rezoned out of agricultural district (approximate Percent of land had soils in Classes I-II	Percent of the land had soils in Class IV		
Percent of the land had soils in Class III	Percent of the land had soils in Classes V-VIII		
b. Type of land in parcel rezoned out of agricultural district (approximate	e)		
Percent of land in cropland	Percent of the land in woodland		
Percent of the land in pasture	Percent of the land in other (specify) $\frac{Commercie}{100}$		
CONDITIONAL USE			
8. WHAT IS THE TYPE OF CONDITIONAL USE/SPECIAL EXCEPTION?			
a. Agricultural (please specify use)	d. Governmental		
	e. Religious		
b. Agricultural-related (please specify use)	f. Utility g. S Other (please specify use) PCS antenna		
c. Institutional	g. X Other (please specify use)		
CERTIFICATION HISTORY	FINDINGS FOR REZONING		
9. HAVE ANY ZONING CERTIFICATES BEEN ISSUED FOR THE PROPERTY WHICH WAS GRANTED THE REZONING OR A NON-AGRICULTURAL CONDITIONAL USE / SPECIAL EXCEPTION?	10. WAS THE PETITION FOR REZONING APPROVED ONLY AFTER FINDINGS WERE MADE BASED ON CONSIDERATION OF THE FOLLOWING AS REQUIRED BY s. 91.77(1), Wis. Stats.:		
YES NO	(a) Adequate public facilities to accommodate development either exist or will be provided within a reasonable time.		
If "YES," please attach copies of any zoning certificates that have been issued for the property during the last 10 years, and a copy of a property record that includes a description of the rezoned property, such as a warranty deed, land contract, subdivision plat, or certified	(b) Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.		
survey map.	(c) The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion, or have an unreasonable adverse effect on rare or irreplaceable natural areas.		
	YES NO		
SIGNATURE OF ZONING AUTHORITY	DATE OF SIGNATURE  DATE OF LOCAL APPROVAL OF REZONING OR CONDITIONAL USE		

# NOTICE OF PUBLIC HEARING BY THE DANE COUNTY ZONING & NATURAL RESOURCES COMMITTEE

NOTICE IS HEREBY GIVEN that a public hearing will be held in Room 2-E of the City-County Building, Madison, Wisconsin on Tuesday, 05/27/97 at 7:30 P.M. to consider the following matter:

8. CONDITIONAL USE PERMIT # 1426 by Token Creek Sanitary District to allow telecommunications tower site on property located at 4200 Anderson Road in part of the NW 1/4 SW 1/4 Section 09, Town of Burke.

EFF 6/17/97C

PUBLISHED: Wisconsin State Journal

ZONING & NATURAL RESOURCES COMMITTEE James Van Deurzen, Chairman

# DANE COUNTY CONDITIONAL USE PERMIT #1426

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: The Conditional Use Permit subject to conditions.

FOR: Telecommunications tower site.

EFFECTIVE DATE OF PERMIT: 6/17/98 EXPIRATION DATE: See below

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

Part of the NW 1/4 SW 1/4 Section 9, Town of Burke, described as follows: Outlot 1, Certified Survey Map #7441, found in Volume 38, Page 185 of Certified Survey Maps, Dane County Register of Deeds Office.

### CONDITIONS:

These conditions are specifically made applicable to this permit, any violation of such conditions shall be sufficient grounds for revocation of this permit.

- 1. The primary use of the communication tower permitted under Conditional Use Permit No. 1426 shall be for the mounting of equipment for Personal Communication Services (PCS) transmissions/receptions, Cellular Telephone and Paging equipment.
- 2. The communication tower placed, constructed or modified under Conditional Use Permit No. 1426, shall permit four antennas, under the bulb, on the existing 120 feet water tower.
- 3. Subject to further conditions set forth herein as to total floor area and location, the holder of Conditional Use Permit No. 1426 may add an additional support structure 14 feet in height (as defined in section 10.01 (8) of the Dane County Zoning Ordinance in effect in March 1997) and 314 square feet in floor area for use necessary to the primary use of the tower. Those structures already existing are permitted to be retained. Buildings constructed or used by tower operators shall be subject to all conditions established for Conditional Use Permit No. 1426, including locational requirements contained in the site plan.

- 4. The site plan and tower design specifications are fully incorporated herein and continued effectiveness of Conditional Use Permit No. 1426 is expressly conditioned upon compliance with the site plan and tower design specifications as approved by the Zoning and Natural Resources Committee.
- 5. Upon written inquiry by the committee the holder of Conditional Use Permit No. 1426 shall have the burden of presenting to the committee credible evidence establishing to a reasonable certainty the continued compliance with all conditions placed upon the conditional use permit. Failure to establish compliance with all conditions placed upon the conditional use permit shall be grounds for revocation of the permit. In the event the committee determines that it is necessary to consult with a third party to ascertain compliance with conditions on Conditional Use Permit No. 1426, all reasonable costs and expenses associated with such consultation shall be borne by the holder of said conditional use permit. Failure to pay such costs and expenses or provide information requested by the committee shall be grounds for revocation of the conditional use permit.
- 6. Within 30 days of the date on which the PCS service ceases, the permit holder shall provide the committee with written notice of the cessation of such use. Any changes shall be reviewed by the Zoning Administrator prior to implementation to determine if permits are needed and to determine that such changes are in compliance with terms of the CUP and does not significantly alter the appearance or structural integrity of the Tower approved and permitted under this CUP.
- 7. If at any time the communication tower permitted under Conditional Use Permit No. 1426 ceases to be used for the primary use, as identified in paragraph 1 above, for a continuous period of 12 months the permit holder shall, upon notification by the committee, dismantle and remove the equipment attached to the existing structure. If the equipment is not removed within 30 days of such notification, Dane County may enter upon the premises and remove the tower at the expense of the holder of the conditional use permit.
- 8. Failure to comply with any of the aforesaid conditions shall be grounds for the committee to immediately revoke Conditional Use Permit No. 1426.

# DANE COUNTY CONDITIONAL USE PERMIT APPLICATION #1426

## Town of Burke

The conditional use shall be located on property described as follows:

C.U.P. #1426: Part of the NW 1/4 SW 1/4 Section 9, Town of Burke, described as follows: Outlot 1, Certified Survey Map #7441, found in Volume 38, Page 185 of Certified Survey Maps, Dane County Register of Deeds Office.

The Dane County Board of Supervisors does ordain that this amendment, based upon their findings, to be consistent with the provisions of Wisconsin State Statute 91.77 (1)(a),(b),(c).

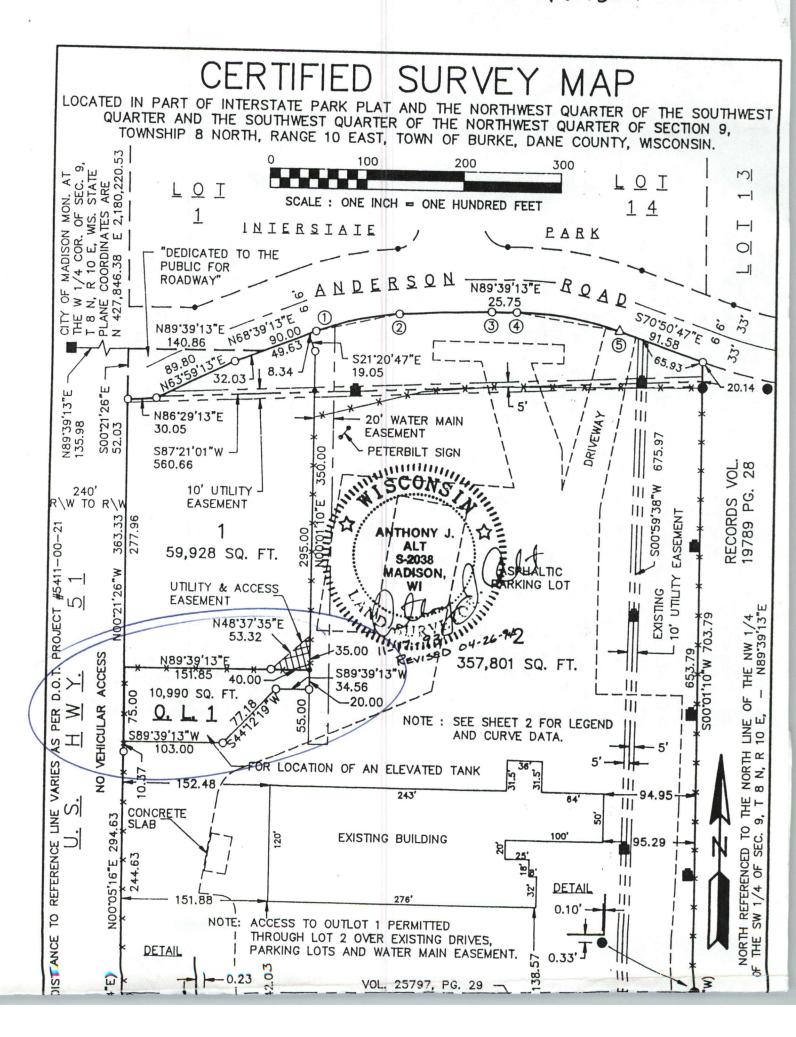
# DANE COUNTY PLANNING DIVISION STAFF COMMENTS

- A. The proposal is to attach four antennas under the "bulb" of the Token Creek water tower in the town of Burke and build cabinets and boxes at the tower base.
- B. The proposal does not seem to present any problems.

# REQUEST TO APPEAR BEFORE THE TOWN OF BURKE PLANNING COMMISSION AND TOWN BOARD

REASON FOR APPEARING: CUP to put a (Attach any back-up materials)	interna on Joken Creek Water Jo
PROPERTY LOCATION:	
PARCEL #: 07-0810- <u>093-8581-4</u> ZON	ING PETITION #: 1426
CONTACT PERSON: Mark Schroedes	
ADDRESS: 6200 Wisholf Dr. #104	
Street	City State Zip
DATE TO APPEAR BEFORE THE PLANNING COMMI	$\frac{3/26/97}{}$
PUBLIC HEARING NEEDED: Y or N DATE O	OF HEARING
REQUIRED TO BE PRESENT: TOWN ENGINEER	R - Y or TOWN ATTORNEY - Y or
DATE TO APPEAR BEFORE THE TOWN BOARD:	
PLANNING COMMISSION RECOMMENDATION TO	
RECORD OF VOTE: # IN FAVOR: 5	# OPPOSED:
The O. Willer	3/26/97
Planning Commission Chairman ************************************	ATIONS:
RECORD OF VOTE: # IN FAVOR: 4	# OPPOSED: 0 .  5-7-97.
Clerks Signature for Recording Date New P	S10- Parcel number for CSM CSM #

	0 (
WHEREAS, the Town Board of the Town of_	
Permit, be it therefore resolved that said permit	is hereby (Approved The present).
Subject to the following conditions:	
(Cross out or write "none" if not pertinent)	
(Use reverse side if necessary)	
I, Any Volkmann, as I fown Clerk of	the Town of
Bucke, County of Dane, her	reby certify that the above resolution was adopted in a lawful
meeting of the Town Board on May	7 10 97
Journ Board on 10 (Car)	2,19/
	Town Clerk My WW
DATED: $5 - 12$ , 1997	
545 92(0/00) CLID TO LATE	
545-83(9/90) CUP TN BD ACTION	



CUP # 1426

# APPLICATION FOR A CONDITIONAL USE PERMIT

DANE COUNTY, WISCONSIN

TO: The Zoning and Natural Resources Committee

Ladies and Gentlemen:

	PCS antenna in C-2
	"Telecommunications Tower Site"
Said use is proof Ordinances.	ovided for in Section # 10.14(2) of the Dane County Code
	e implemented on the following listed property:
PARCEL NUMBER	US 07-0810-093-8581-4
PROPERTY ADDR	
LOCATED IN TH	IB
TOWN OF	Burke, Dane County, Wisconsin
espectfully su	bmitted on
espectfully su	Isite, Inc.
GENT: CALLANDER AME X MANAGEMENT	Isite, Inc.
GENT: CALLANDER AME X MANAGEMENT	A-Schrößer  Name  Token Creek  Sanitary District
ame X MARK	Isite, Inc.
GENT: CAMPA  Ame  MARK	Site, Inc.  Idign Cogninum:  A-Schwider Name Token Creek  Sanitary District  GISHOLT DR 4016 E. Washington Ave

545-23(5/91) (11) CUP APPL



March 13, 1997

Dane County Land Regulation & Records Attn: Gary Gunderman Room 116, City-County Building Madison, WI 53709

Dear Gary,

Pursuant to the requirements for the filling of an application for a Conditional Use Permit in Dane County, please find included the required information.

- Legal Description Outlot One (1), Certified Survey Map No. 7441, recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 38 of Certified Survey Maps, Pages 185-191, as Document No. 2597792, located in the Town of Burke, Dane County, Wisconsin, as properly corrected by Affidavit, Volume 27449 of Records, Page 44, as Document No. 2601922.
- 2. Tax Parcel No. 07-0810-093-8581-4
- 3. **Filling fee** of \$100.00
- 4. Letter of transmittal
  - a. The proposed use of the property that we will be leasing will be to install four (4) Personal Communication Service (PCS) antennas on the collar of the water tank.
  - b. The proposed time line for this project is to be completely done with construction two weeks after receiving all the necessary approvals. (approx. May 1)
  - c. This property is suitable for the proposed use as Airadigm Communication will be utilizing an existing structure and thereby avoiding the construction of any new towers to support our antennas.
- 5. Site Plan- Please find attached

If you have any questions, please do not hesitate to call me at (608) 222-9215.

Sincerely,

Mark A. Schroeder Site Acquisition Specialist

# **COMPOSITE REPORT**

**Dane County Zoning & Natural Resources Committee** 

Dane County Application for Change in Zoning or CUP

ZONING PETITION #: None CUP #: 1426 APPLICANT: Token Creek Sanitary District

AREA: 0.25 acres DELAYED EFFECTIVE DATE: None

Commercial

HEARING DATE: 05/27/97 ITEM#: 8

TOWN / SECTION: Burke 09

LOCATION: 4209 Andreson Road

CHANGE: From the C-2 Commercial to the C-2 PROPOSED USE: Four towers atop existing structure

Telecommunications tower site at existing water tower.

# **Regional Planning Staff Comments**

CUP 1426. This proposed antennae location appears reasonably compatible on this existing water tower. Conditions similar to those applied to other antennae sites should be sufficient.

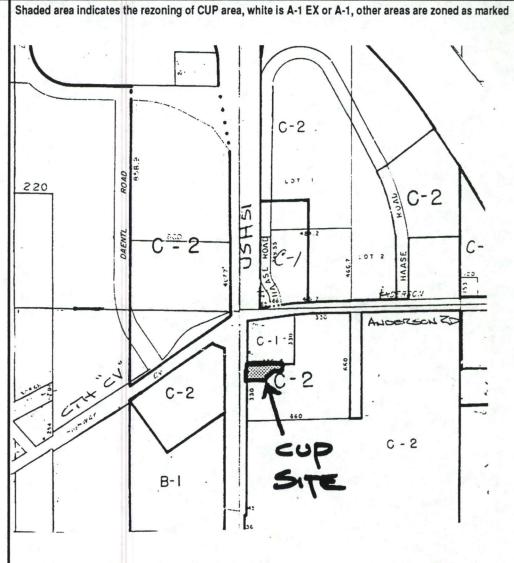
# **Environmental Health**

None

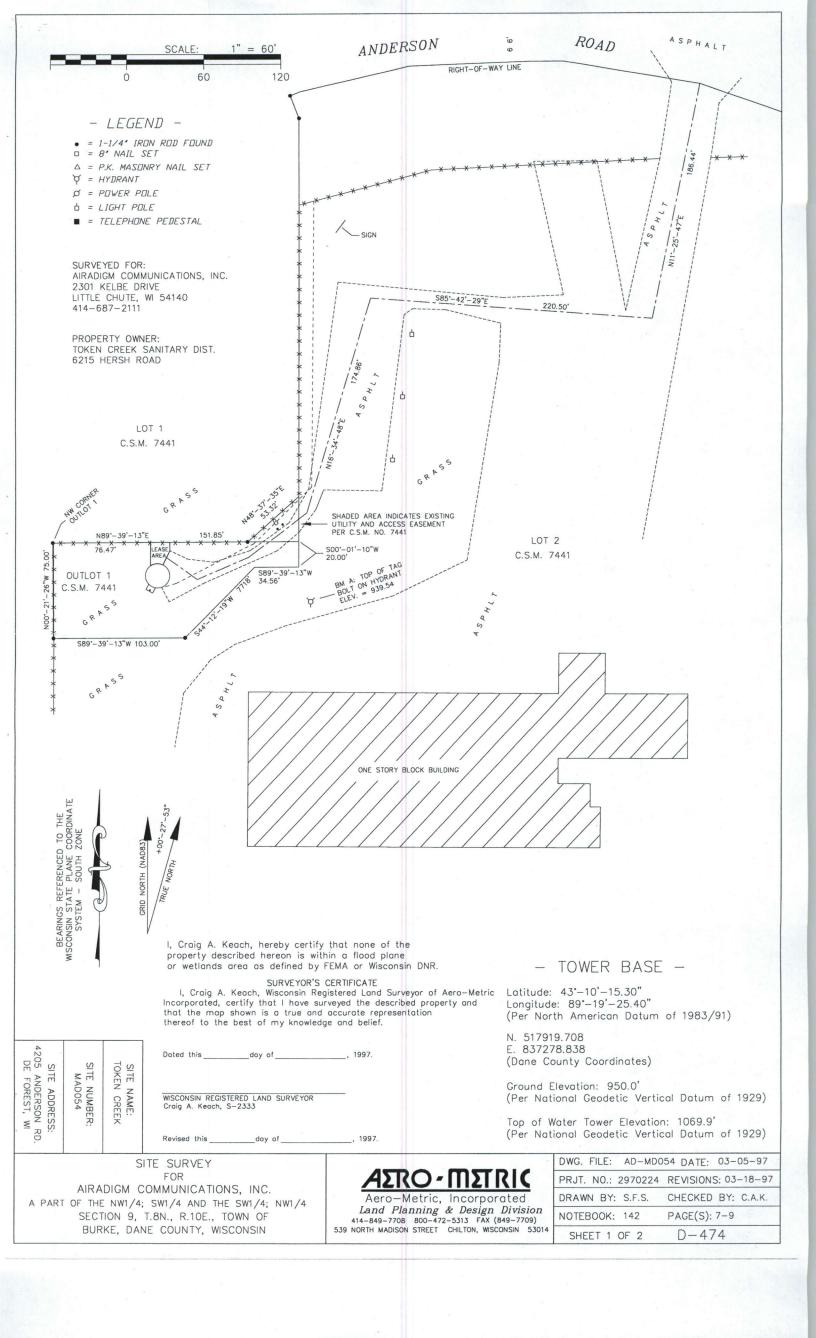
### **Dane County Highway**

None

**Other** 



TOWN ACTION RECOMMENDATION:	ATION: ZNR COMMITTEE ACTION – REZONING		ZNR CUP APPROVAL	
☐ Approved	PostponedApprove Cond/Amend Town Cond/Amend Comm.	☐ Approved☐ Con by ZNR	☐ As Specified by Town☐ DENY	
DENY	As Condition	Date		
SUBJECT TO: Conditions — Amended	Amended Changed Zone Dist Changed Boundary Description	Referred	DACTION REZONING  Date Amended on Floor	
IF CUP: Conditions None	DENY Action Date	☐ Approved ☐ DENY	COUNTY BOARD AGENDATIEM	



### LEASE DESCRIPTION

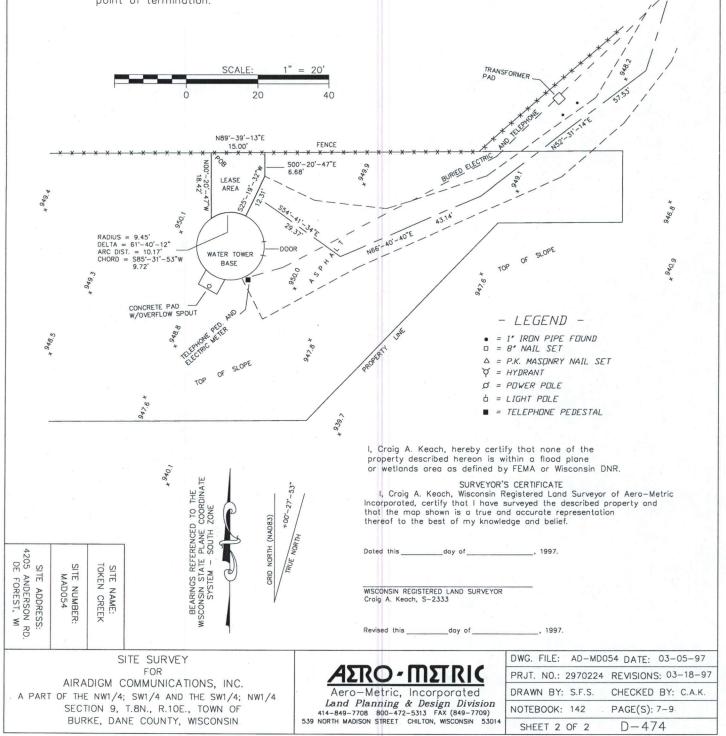
A part of Outlot One (1) of Certified Survey Map No. 7441 of Dane County Records located in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Nine (9), Township Eight (8) North, Range Ten (10) East, Town of Burke, Dane County, Wisconsin containing 231 square feet (0.005 acres) of land and being described by:

Commencing at the Northwest Corner of said Outlot 1; thence N89\*-39'-13"E 76.47 feet along the North line of said Outlot 1 to the point of beginning; thence continuing along said North line N89\*-39'-13"E 15.00 feet; thence S00\*-20'-47"E 6.68 feet; thence S25\*-19'-32"W 12.31 feet; thence Southwesterly 10.17 feet along the arc of a curve to the left, having a Radius of 9.45 feet and a Chord which bears S85\*-31'-53"W 9.72 feet; thence N00\*-20'-47"W 18.42 feet to said North line and point of beginning, being subject to any and all easements and restrictions of record.

### 12 FOOT WIDE UTILITY AND INGRESS/EGRESS EASEMENT

A twelve (12) foot wide Utility and Ingress/Egress Easement being a part of Lots One (1), Two (2) and Outlot One (1) of Certified Survey Map No. 7441 of Dane County Records located in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) and the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section Nine (9), Township Eight (8) North, Range Ten (10) East, Town of Burke, Dane County, Wisconsin containing 8,728 square feet (0.200 acres) of land and being six (6) feet either side of and parallel to a line described as:

Commencing at the Northwest Corner of said Outlot 1; thence N89\*-39'-13"E 91.47 feet along the North line of said Outlot 1 to the Northeast Corner of afore described LEASE AREA; thence  $S00^{\circ}-20'-47"E$  6.68 feet along the Easterly line of said LEASE AREA; thence  $S25^{\circ}-19'-32"W$  5.98 feet along the Southeasterly line of said LEASE AREA to the point of beginning; thence  $S54^{\circ}-41'-34"E$  29.37 feet; thence  $N66^{\circ}-40'-40"E$  43.14 feet; thence  $N52^{\circ}-31'-14"E$  57.53 feet; thence N16-34'-48"E 174.86 feet; thence  $S85^{\circ}-42'-29"E$  220.50 feet; thence  $N11^{\circ}-25'-47"E$  186.44 feet to the Southerly line of Anderson Road and the point of termination.





# TOKEN CREEK WATER TOWER MAD054

420\$9 ANDERSON ROAD
DEFOREST
DANE COUNTY, WI 53532





ENGINEER 22 22 SITE AQUISITION SPECIALIST MANGE CALCULATION SPECIALIST MAN

RF ENGINEER:

AIRADIGM:

