				Application Date C.U.P Numb			
Dane County		05	5/28/2021 DCPCUP-202		2021-02	527	
Conditional Use Permit				Hearing Date			
Application				8/24/2021			
OWNE	R INFORMATION				AGENT INFORM	ATION	
OWNER NAME GONZALO ANDRES R	REINA CARRATU	Phone with Area Code (608) 338-80		ENT NAME		Pho	one with Area Code
BILLING ADDRESS (Number, St 898 SHERMAN DR	treet)			DRESS (Number, Str	eet)		
(City, State, Zip) MARSHALL, WI 53559			(City	/, State, Zip)			
E-MAIL ADDRESS GONZALOREINA@HOTI	MAIL.COM		E-M	AIL ADDRESS			
ADDRESS/LOC	CATION 1	ADDRESS	LOCA	TION 2	ADDRESS	S/LOCATI	ON 3
ADDRESS OR LOCA	TION OF CUP	ADDRESS OF	R LOCAT	ION OF CUP	ADDRESS OR	ADDRESS OR LOCATION OF CUP	
898 SHERMAN DR							
TOWNSHIP MEDINA	SECTION 28	TOWNSHIP		SECTION	TOWNSHIP		SECTION
PARCEL NUMBERS	PARCEL NUMBERS INVOLVED			PARCEL NU	MBERS IN	VOLVED	
0812-281-8	550-9						
		CUP D	ESCRIF	PTION			
OUTDOOR STORAGE	AND RESIDEN	FIAL USE					
	DANE CO	UNTY CODE OF O	RDINAI	NCE SECTION			ACRES
10.272(3)(k)							9.747
10.272(3)(l)2.a.							9.747
		DEED RESTRICT REQUIRED?		Inspectors Initials	SIGNATURE:(Owner	or Agent)	•
		Yes	No	01.12			
		Applicant Initials		SLJ3	PRINT NAME:		
COMMENTS: REZONE SUBMITTED TO CORE	-		-	-	DATE:		
PROPERTY. THE PRO STORMWATER MANA AND WATER RESOUR	AGEMENT VIOLA RCES DEPARTM	TIONS WITH DA	NE CO	UNTY LAND			
NEED TO BE CORREC	CTED.					Form	Version 01.00.03



Legend





0 50 100 200 Feet

CUP 02527 GONZALO ANDRES REINA CARRATU 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

Applic	cation Fees				
General: \$495					
Mineral Extraction:	\$1145				
Communication Tower:	\$1145 (+\$3000 RF eng review fee)				
	DLATIONS OR WHEN WORK HAS				

CONDITIONAL USE PERMIT APPLICATION

	APPLICA	NT INFORMATION	
Property Owner Name:	Gonzalo Andres Reina Carratu	Agent Name:	
Address (Number & Street)	: 898 Sherman Dr	Address (Number & Street):	
Address (City, State, Zip):	Marshall, WI 53559	Address (City, State, Zip):	
Email Address:	gonzaloreina@hotmail.com	Email Address:	
Phone#:	6083388070	Phone#:	

Town of MedinaParcel Number(s):036/0812-281-8550-9Section:28-8-12Property Address or Location:898 Sherman Dr Marshall, WIExisting Zoning: RR-8/ LCProposed Zoning: GCCUP Code Section(s):10.272(3)(k)

SITE INFORMATION

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):

Is this application being submitted to correct a violation? Yes X No

Outdoor Storage

Provide a short but detailed description of the proposed conditional use: Requesting C.U.P. for outdoor storage areas for landscape material. Pallets of retaining wall block, brick, patio pavers, mulch, decorative stone, salt, top soil, and gravel. Please see attached site plan for details.

LOT 1 CSM 9185 CS52/20&21-1/25/99 DESCR AS SEC 28-8-12 PRT NE1/4NE1/4, NW1/4NE1/4, SW1/4NE1/4 & SE1/4NE1/4 (9.747 ACRES)

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. <u>Only complete applications will be accepted</u>. 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.

Complete attached information sheet for standards	Site Plan drawn to scale	Detailed operational plan	Written legal description of boundaries	Detailed written statement of intent	Application fee (non- refundable), payable to Dane County Treasurer
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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: 05-27-2021



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 <u>10.220(1)</u> and <u>10.103</u> 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.

This statement is true.

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. This statement is true. The current fence installed on to the south of building 7 will be extended to block the view of this area from the road.

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.

This statement is true.

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

The existing fence along Sherman Dr will be extended to block te view of the materal from the road.

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.

This conditional use will not affect traffic flow.

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

This statement is true.

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

This statement is true.

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:

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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.

Please see attached map for location of the conditional use property.

-Outdoor storage of patio pavers, brick, and retaining wall block to the North and South of building 7.

-Six existing concrete outdoor storage bins to the west of building 7.

-Two 40' shipping containers with 20'x40' concrete pad and canopy roof between them for outdoor salt and topsoil storage located northeast of building 1.

-Two brush bins located northwest of building 1.

-Outdoor storage located north and south of building 2.

List the proposed days and hours of operation. 24 hours/ 7 days/ 365 days per year

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

Currently 14 FTE. This varies with seasons.

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.

none

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

Pallets of retaining wall block, brick, patio pavers, mulch, decorative stone, salt, top soil, and gravel and associated loading and unloading.

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 <u>Chapter 11</u> of <u>Chapter 14</u>, Dane County Code.

N/A

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.

N/A

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

Business contracted waste dumpster.

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

Periodic delivery of these products by truck

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

N/A

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.

None

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

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

Currently used as a landscaping business

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

Residential use.

Operational Narrative

1. Hours of operation

General hours of operation: 7am to 5pm. Mon – Sat. Mowing and Landscape crews arrive at 7am, load trucks and equipment, and depart before 8 am. Crews then trickle back in the afternoon into the evening.

During snow removal season hours of operation vary based on weather events. Off hour on site operation is limited to departing and returning crews during a snow event.

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

There are currently 14 Full Time employees. It is rare to have all 14 employees on site at any given time due to the staggering of crews. After crews depart, there are generally 4-6 people on site during the workday.

3. Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.

Due to complaints from neighbors regarding noise at night during winter snow removal, we have placed all equipment and vehicle backup alarms on switches and will no longer utilize them on site.

Rainwater drainage is being addressed and we are working with an engineering company to find a solution to a problem created by the previous property owner who added gravel areas to the site without permission.

4. Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building

Landscaping materials will be stored both inside and outside. There are now concrete bins located behind building 7 for mulch and bulk stone. Patio pavers and retaining wall block will be store outside adjacent to building 7 along the fence line. This fence will be extended to block the view of the storage area from the road. Some waste material from landscaping operations may be stored to the north of building 1 in two bins to the right of the proposed parking area. Outside operations are limited to loading and unloading materials from the yard.

There are two 40' shipping containers on site that are used for winter storage. These containers are located north of building one. There is a 20'x40' concrete pad and a canopy between them. This area is used to store bulk road salt in the winter and topsoil during landscaping season,

5. Compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane CountyCode

The previous owner of this property added a significant amount of gravel to the property without proper permitting. We are currently working with an engineering firm (AES) to find the most efficient and cost-effective way to bring the property in compliance with storm water control standards.

6. 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.

The house on the property is serviced by an onsite septic system. The business utilizes a contracted portable restroom serviced weekly.

7. Facilities for managing and removal of trash, solid waste and recyclable materials.

Waste is contracted and there is a dumpster on site and serviced bi weekly. Waste landscape material is currently hauled either to the Dane County Landfill or to Purple Cow. Concrete material free of rebar is taken to several different concrete companies for recycling.

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

Employees drive and park personal vehicles on site. ¾ ton trucks with trailers carrying mowers are the primary traffic in summer. There are deliveries of mulch on average twice monthly during the summer months. There are also deliveries of bulk decorative stone by dump truck and patio pavers/retaining wall blocks on an as needed basis. This end of Sherman Dr. is a dead end road with limited residential traffic. 898 is the first property accessed from Hwy 73 so our traffic will not drive past the other houses. We see no traffic improvements needed.

9. A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken

There are no bulk hazardous, toxic, or explosive materials stored on site. There are some materials used in maintenance operations stored on shelves in building 7. These are limited to daily use and not stored in bulk. Fertilizer and weed control products are not stored on site but rather are purchased and used as needed and stored at a off site location. Any waste oil produced is taken to our auto repair shop in Sun Prairie and burned in our waste oil heater.

10. Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties

Outdoor lighting is limited to lights on building 1 and building seven. Building 1's lamp is on the west end facing the woods and hillside. Building 7's lamp is on the east end facing the farm field. Neither lamp has significant impact on neighboring properties.

11. Signage, consistent with section 10.800

The business currently has no signage at this time. Any future signage will be in accordance with 10.800.

NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties.

Provide a brief written statement explaining the current use(s) of the property on which the rezone is proposed.

This property has historically been used by the previous owner for the purposes we are requesting the rezoning for. It was leased to us one year ago for these same purposes after the previous owner sold off his business. We were not aware of the zoning and stormwater violations until they were brought to our attention just weeks prior to the purchase of the property being made. We went to a Town of Medina board meeting and listened to local neighbors concerns regarding noise and traffic coming from the property. We have since addressed the concerns regarding noise complaints. It seems the neighbors were not aware we were a new business on the property, stating the property has a history of drug related police and ambulance calls and they seemed relieved there will be a family-oriented business working on the property. With that regard, we will work hard to address any neighbors concerns about the business.

The property owner is living in the house located on the property with his wife and two children. The property will be kept neat, clean, and organized.

Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

There are 4 residential properties that are adjacent to this property. The closest is directly across Sherman Dr. The other three are blocked by a hill and woodland and cannot be seen from the property.

Building	Description				
#1 – 60X75' (4500 sq ft)	Vehicle and equipment storage garage with some				
	material storage.				
#2 – 24X31' (775 sq ft)	Indoor storage for weather sensitive landscape				
	material.				
#3 – 35X50' (1750 sq ft)	Indoor storage for weather sensitive landscape				
	material and maintenance building for				
	equipment and vehicles.				
#4 – 18X19' (342 sq ft)	Indoor storage for weather sensitive landscape				
	material.				
#5 – 26X27' (700 sq ft)	2 Car garage for Residential Home				
	Storage for seasonal equipment.				
#6 – 40X35' (1400 sq ft)	Snow plow, salters, snow blowers, will be stored				
	during the summer season.				
×.	Mowers and summer season equipment will be				
	stored during winter.				
#7 – 50X75' (3750 sq ft)	Office, Storage & work shop.				
#8 – Residential Home	Residential Home.				







Dane County

(608) 266-4266

Madison, Wisconsin 53703

Department of Planning and Development Zoning Division Room 116, City-County Building 210 Martin Luther King Jr. Blvd.

Applic	ation Fees		
General:	\$495		
Mineral Extraction:	\$1145		
Communication Tower:	\$1145 (+\$3000 RF eng review fee)		
	DLATIONS OR WHEN WORK HAS		

CONDITIONAL USE PERMIT APPLICATION

			APPLICA	NT INFORM	MATION
Property O	wner Name:	Gonzalo Andres Rei	na Carratu	Agent Nar	me:
Address (N	umber & Street):	898 Sherman Dr		Address (I	Number & Street):
Address (C	ity, State, Zip):	Marshall, WI 53559		Address (City, State, Zip):
Email Addr	ess:	gonzaloreina@hotm	ail.com	Email Add	lress:
Phone#:		6083388070		Phone#:	
			SITE	INFORMAT	FION
Township:	Town of Medi	na	Parcel Num	ber(s):	036/0812-281-8550-9
					tion 200 Shormon Dr. Morsholl W/ 52550
Section:	28-8-12		Property Ad	aress or Loca	ation: 898 Sherman Dr. Marshall, WI 53559
		Proposed Zoning: GC	CUP Code S		10.272(3)(l)2.a.

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):

Is this application being submitted to correct a violation? Yes X No

Residential housing on GC zoned property

Provide a short but detailed description of the proposed conditional use: Requesting C.U.P. for use of house and garage as residence for owner of property to be rezoned as GC.

LOT 1 CSM 9185 CS52/20&21-1/25/99 DESCR AS SEC 28-8-12 PRT NE1/4NE1/4, NW1/4NE1/4, SW1/4NE1/4 & SE1/4NE1/4 (9.747 ACRES)

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. <u>Only complete applications will be accepted</u>. 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.

Complete attached information sheet for standards	□ Site Plan drawn to scale	Detailed operational plan	Written legal description of boundaries	Detailed written statement of intent	Application fee (non- refundable), payable to Dane County Treasurer
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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: 05-27-2021

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 <u>10.220(1)</u> and <u>10.103</u> 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 conditional use will be for residential use of house and detached garage for the owner of the property and his family.

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.

This conditional use permit is for a property that has already been a use for this property prior to the rezone request. This statement (#2) is therefore true.

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.

This conditional use permit is for a property that has already been a use for this property prior to the rezone request. This statement (#3) is therefore true.

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

No improvements are necessary for this conditional use.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

This is an existing use of this portion of the property and and no additional measures need to be taken.

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

This statement is true.

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

This statement is true.

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:

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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. Please see attached map for location of the conditional use property. List the proposed days and hours of operation. 24 hours/ 7 days/ 365 days per year List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time. N/A 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. N/A Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building. none for the conditional use area of the property For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code. N/A

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.

This house has a functioning septic system

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

This house uses the business waste dumpster.

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

N/A

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

N/A

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.

Normal residential house exterior lighting

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

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

Single family residential use.

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

Residential use.







Legal Description Rezone 11727 and CUP 2527

LC and RR-8 to GC

Lot 1 of Certified Survey Map No. 9185, located in part of the Northwest ¼ of the Northeast ¼ of Section 28, Town 8 North, Range 12 East, Town of Medina, Dane County, Wisconsin.