

# Dane County Conditional Use Permit Application

<b>Application Date</b>	<b>C.U.P Number</b>
06/10/2021	DCPCUP-2021-02529
<b>Public Hearing Date</b>	
08/24/2021	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME BRAD & LAURA TISCH	Phone with Area Code (608) 523-1163	AGENT NAME <input type="checkbox"/>	Phone with Area Code
BILLING ADDRESS (Number, Street) 175 DRAMMEN VALLEY RD		ADDRESS (Number, Street) <input type="checkbox"/>	
(City, State, Zip) MT HOREB, WI 53572		(City, State, Zip)	
E-MAIL ADDRESS bltisch@yahoo.com		E-MAIL ADDRESS	

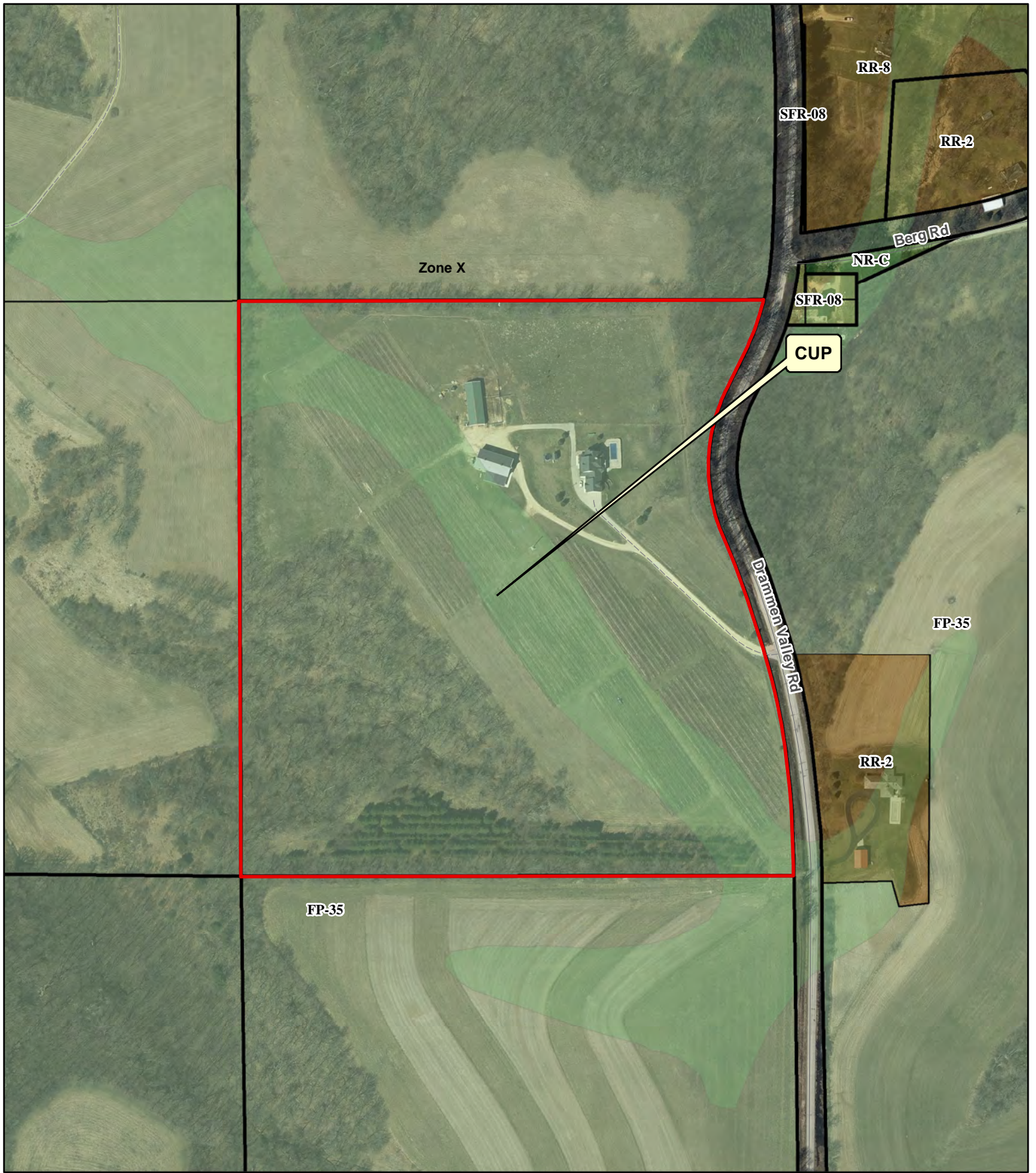
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
175 Drammen Valley Road					
TOWNSHIP PERRY	SECTION 31	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0506-312-9510-6		---		---	

CUP DESCRIPTION
Limited farm business


DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.222(3)6. and 10.103(13)	37.8

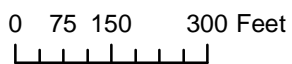
<b>DEED RESTRICTION REQUIRED?</b>  <input type="checkbox"/> Yes <input type="checkbox"/> No  Applicant Initials _____	Inspectors Initials  RWL1	<b>SIGNATURE:(Owner or Agent)</b>  _____
		<b>PRINT NAME:</b>  _____
		<b>DATE:</b>  _____

COMMENTS: ALLOW A RETAIL FARM STORE ON THE PROPERTY THAT SELLS LOCAL PRODUCTS.



**Legend**

- |   |   |
|---|---|
|  Wetland    | <b>Significant Soils</b>  |
|  Floodplain |  Class 1 |
|   |  Class 2 |



**CUP 02529**  
**BRAD & LAURA TISCH**



**Dane County**  
**Department of Planning and Development**  
 Zoning Division  
 Room 116, City-County Building  
 210 Martin Luther King Jr. Blvd.  
 Madison, Wisconsin 53703  
 (608) 266-4266

Application Fees	
General:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

## CONDITIONAL USE PERMIT APPLICATION

### APPLICANT INFORMATION

Property Owner Name:	Brad & Laura Tisch	Agent Name:	
Address (Number & Street):	175 Drammen Valley Road	Address (Number & Street):	
Address (City, State, Zip):	Mount Horeb, WI 53572	Address (City, State, Zip):	
Email Address:	bltisch@yahoo.com	Email Address:	
Phone#:	608-523-1163	Phone#:	

### SITE INFORMATION

Township:	Perry	Parcel Number(s):	044/0506-312-9510-6
Section:	31	Property Address or Location:	175 Drammen Valley Road
Existing Zoning:	FP-35	Proposed Zoning:	CUP Code Section(s):

### DESCRIPTION OF PROPOSED CONDITIONAL USE

<p><b>Type of conditional use permit</b> (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):</p> <p>Limited Farm Business</p>	<p><b>Is this application being submitted to correct a violation?</b></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><b>Provide a short but detailed description of the proposed conditional use:</b></p> <p>We are an apple orchard looking to sell additional products not produced on our farm. Currently we sell apples and value-added products made from our apples. We would like to sell additional local products at our farm market store during the fall harvest. We have neighbors and associates that produce alpaca fiber products, bees wax candles and lotion, wood working items, hard cider, crafts, and French wines.</p>	

### GENERAL APPLICATION REQUIREMENTS

**Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.**

<input type="checkbox"/> Complete attached information sheet for standards	<input type="checkbox"/> Site Plan drawn to scale	<input type="checkbox"/> Detailed operational plan	<input type="checkbox"/> Written legal description of boundaries	<input type="checkbox"/> Detailed written statement of intent	<input type="checkbox"/> Application fee ( <b>non-refundable</b> ), 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: \_\_\_\_\_



## STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

<p>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.</p> <p>We are an apple orchard with nearly 9,000 trees that grows and sells quality fruit to grocery stores, nearby schools and directly to the consumer at our farm store. We'll continue to operate in this capacity with the only exception being we'll offer some additional products for sale in our farm store during the fall harvest in the fall.</p>
<p>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.</p> <p>We are an agriculture based business which the Town of Perry supports via their land use plan. Customers that visit in the fall do so to buy apples. We don't see anything changing that would affect other neighborhood properties by selling some additional products during our fall harvest. The primary focus will still be apples. Also, by selling other neighbor's products at our site, reduces the number of stops for the customer further reducing potential congestion. We are open only 10 - 12 weeks per year, Wed - Sun 9am to 5pm.</p>
<p>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.</p> <p>Again we see no impediments occurring to surrounding properties because of the expansion of products.</p>
<p>4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.</p> <p>We have been operating since 2011. Our property as is can accomodate our farm market business.</p>
<p>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.</p> <p>Previous years experience, our driveway allows traffic to flow easily in and out of the property. Traffic will be mainly cars.</p>
<p>6. That the conditional use shall conform to all applicable regulations of the district in which it is located.</p> <p>Yes - after gaining approval from Dane County, we will also obtain approval from the Town of Perry which aligns with the county.</p>
<p>7. The conditional use is consistent with the adopted town and county comprehensive plans.</p> <p>Our business will serve the people of the Town of Perry and other nearby residents and will operate in accordance with the land use plans.</p>
<p>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.</p> <ul style="list-style-type: none"><li>• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:</li></ul> <p>Our business is a agricultural based business. We are simply adding some additional products.</p> <ul style="list-style-type: none"><li>• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:</li></ul> <p>Our farm market is already established at the apple orchard. It makes most sense to offer the additional products here.</p> <ul style="list-style-type: none"><li>• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:</li></ul> <p>No agricultural farm land will be reduced by this permit.</p> <ul style="list-style-type: none"><li>• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:</li></ul> <p>We see no change in our current apple farming practice. Therefore we believe there will be no impairment of surrounding parcels.</p> <ul style="list-style-type: none"><li>• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:</li></ul> <p>There will not be additional construction with this permit.</p>

## WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

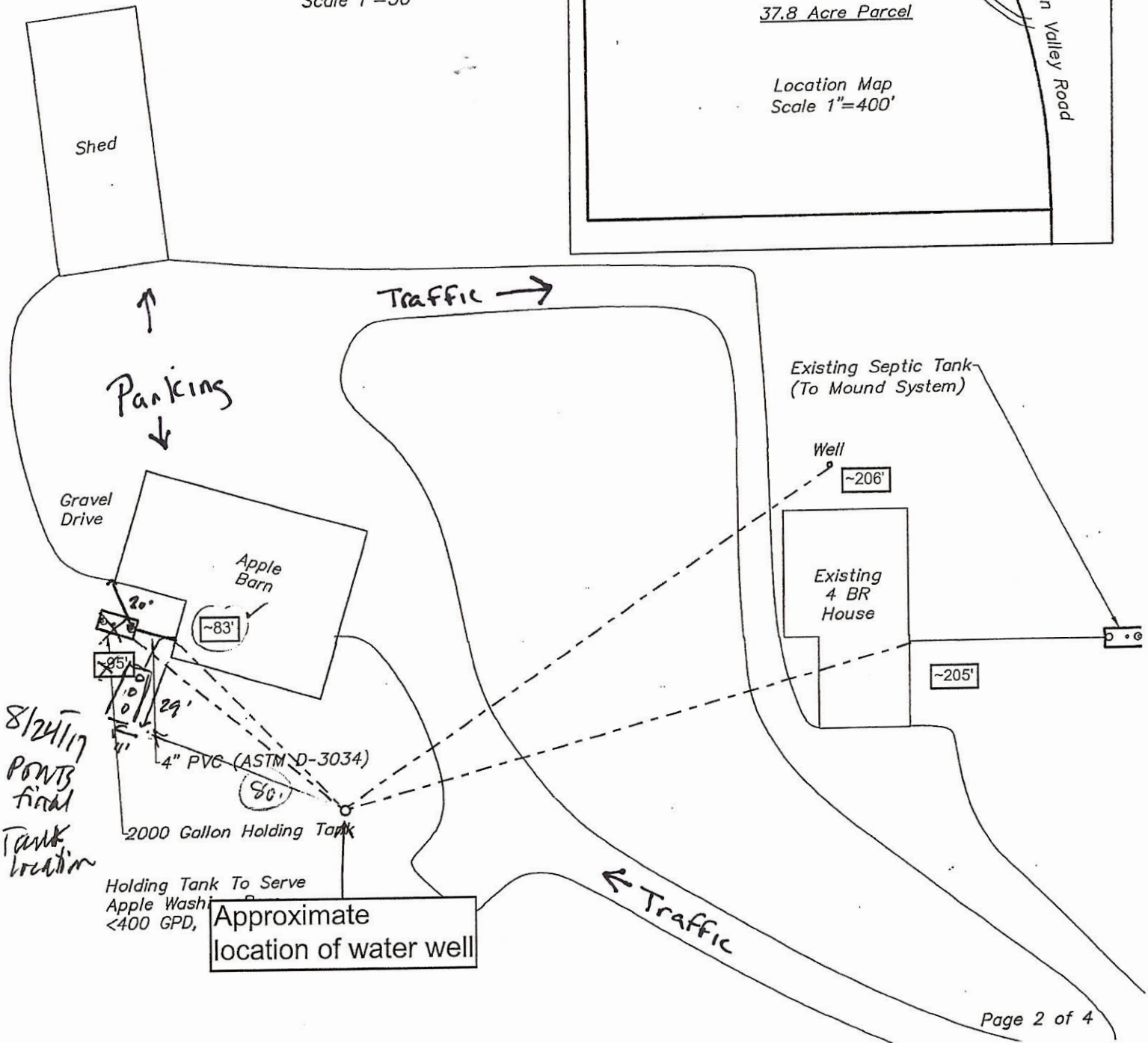
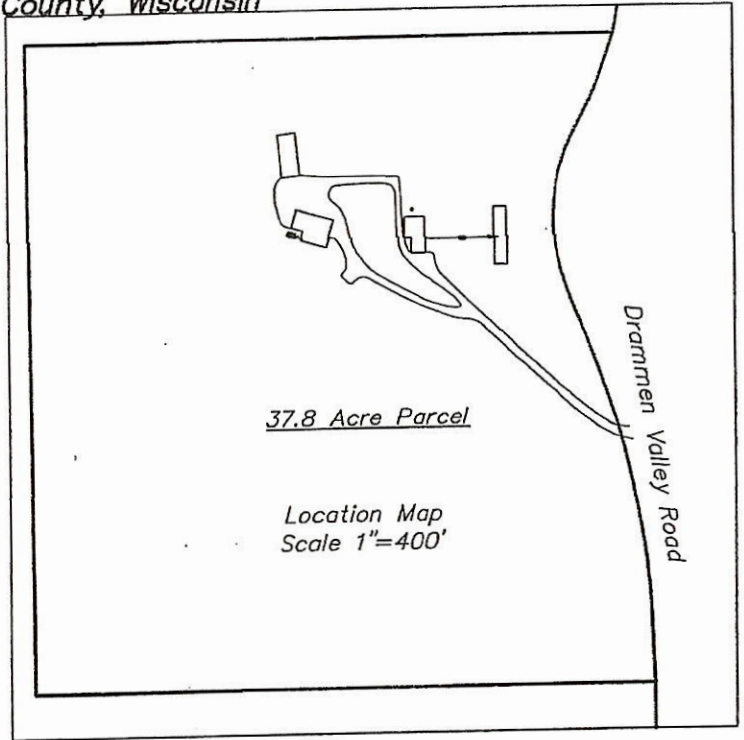
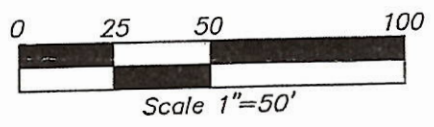
Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

<p>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.</p> <p>We are a family apple orchard - Munchkey Apples. During our fall harvest, end of August through October, we sell directly to the consumer out of our apple barn or via pick your own. We are open Wednesday through Sunday from 9AM to 5PM for roughly 10 weeks. With the proposed conditional use permit, we want to operate a limited farm business to sell other products from surrounding neighbors and associates. These include: Alpaca fiber products (yarn, socks &amp; hats) and Bee's wax products (hand &amp; lip cream, candles) made from Galpaca Farms down the road, French Wine imported by another neighbor MICCA LLC, Wood crafts (cutting boards and bowl) from a neighbor, Art and Craft type items, hard cider, produced from our apples by Brix Cider. These additional products will be given a small percentage of the retail space with the majority of space being used for Apples and value added products made from apples. No property changes will occur. The existing retail space is 36' x 42'</p>
<p>List the proposed days and hours of operation.</p> <p>Wednesday through Sunday - 9AM to 5PM. Approximately 10 - 12 weeks in the fall.</p>
<p>List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.</p> <p>To support the retail market, 3 employees.</p>
<p>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.</p> <p>We don't anticipate any additional noise, odors, dust or such from this permit.</p>
<p>Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.</p> <p>We don't anticipate any products associated with this permit being sold or stored outside the building.</p>
<p>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 <a href="#">Chapter 11</a> of <a href="#">Chapter 14</a>, Dane County Code.</p> <p>No new development/buildings.</p>
<p>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.</p> <p>We have a restroom on site with a hold tanking that is pump out when required. During the harvest, we also rent a portable toilet.</p>
<p>List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.</p> <p>We use trash and recyclable containers. Full bags are stored in a shed and disposed of at the recycling center weekly.</p>
<p>Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.</p> <p>None - we don't anticipate increased traffic because of the products being sold by the conditional use permit, only more dollars/transaction.</p>
<p>Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.</p> <p>None</p>
<p>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.</p> <p>Based on our hours of operation, we are closed prior to it getting dark.</p>
<p>Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. <a href="#">10.800</a>.</p> <p>Existing signs include one at the entrance of our driveway - 3 x 4, made of aluminum.</p>
<p>Briefly describe the current use(s) of the property on which the conditional use is proposed.</p> <p>Apple orchard and beef farm.</p>
<p>Briefly describe the current uses of surrounding properties in the neighborhood.</p> <p>Residential homes on 40+ acre sites that are used for row crops, pasture or recreation.</p>

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# Operations Plan

Conditional Use  
~~Holding Tank~~ Site Plan  
 Brad & Laura Tish Apple Barn  
 175 Drammen Valley Road  
 SE1/4, NW1/4, Section 31, T5N, R6E  
 Town of Perry, Dane County, Wisconsin

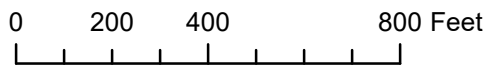
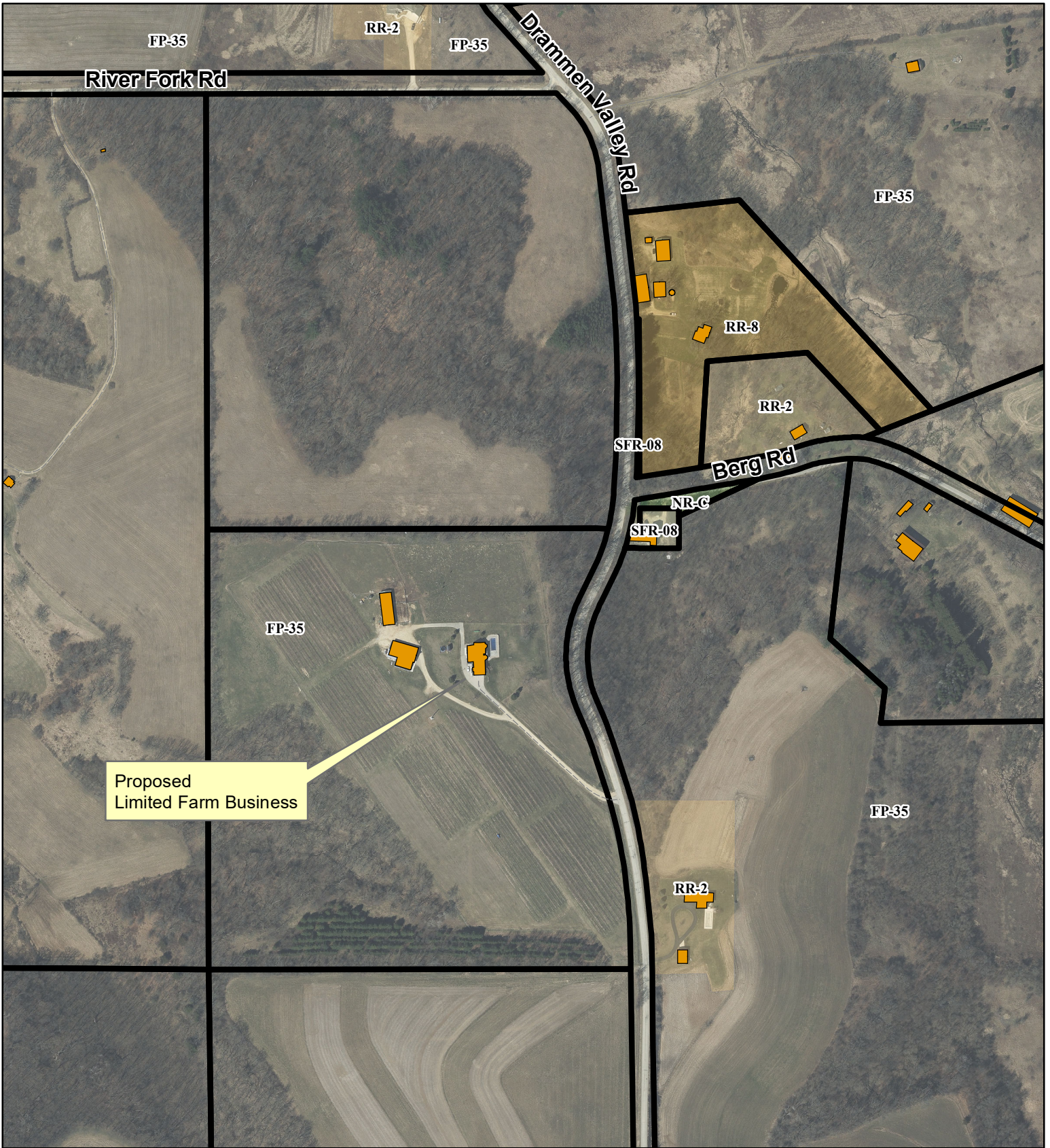


**LEGAL DESCRIPTION**

That part of the Southeast  $\frac{1}{4}$  of the Fractional Northwest  $\frac{1}{4}$ , Section 31, T5N, R6E, in the Town of Perry, Dane County, Wisconsin, lying west of the centerline of Drammen Valley Road.

Parcel number: 0506-312-9510-6





# Neighborhood Plan



## **DEFINITION**

### Limited farm business

An agricultural accessory use that meets all of the following criteria:

- (a)** Consists of a business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm,
- (b)** Requires no buildings, structures, or improvements other than existing agricultural buildings or a farm residence
- (c)** Employs no more than 4 full-time equivalent employees annually, who are not members of the family residing on the farm, and;
- (d)** Does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

## **SPECIAL REQUIREMENTS PER DANE COUNTY ZONING ORDINANCE SECTION 10.103(13)**

### Limited farm business

- (a)** Uses are limited to those listed as permitted uses in the LC or GC zoning districts, provided the use does not conflict with the overall purposes of the applicable zoning district.
- (b)** Area dedicated to the Limited farm business use must not exceed 10,000 square feet in indoor floor area.
- (c)** Limited farm businesses must be contained entirely within building(s) in existence prior to April 30, 2005.
- (d)** The landowner must maintain, restore or enhance the existing exterior character of the building(s).
- (e)** No Limited farm business shall employ more than 4 non-family employees.