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ELIZABETH C. STEPHENS 608.283.6715

estephens@axley.com

June 25, 2021

Dane County Board of Adjustment c/o Hans Hilbert, Assistant Zoning Administrator Dane County Planning & Development Department 210 Martin Luther King Jr. Blvd. Room 116 Madison, WI 53703

Roger Lane, Zoning Administrator Dane County Planning & Development Department 210 Martin Luther King Jr. Blvd. Room 116 Madison, WI 53703

Re: Appeal of Zoning Permit Violation (Permit No. DCPSHL-2020-00063)

2784 Waubesa Avenue, Town of Dunn, Dane County (Parcel No. 0610-082-1810-7)

Dear Mr. Hilbert and Mr. Lane:

We represent Alan Birkle in the above referenced appeal. Mr. Birkle owns the property located at 2784 Waubesa Avenue, Town of Dunn, Dane County, which is known as Parcel No. 0610-082-1810-7 (the "Property"). This appeal is brought pursuant to Wis. Stat. § 59.694(4) and § 10.101(9) of the Dane County General Code of Ordinances (the "Ordinances"). We bring this appeal of a shoreland zoning permit violation as agents of Mr. Birkle.

### **ALLEGED VIOLATION**

On May 25, 2021, Hans Hilbert issued a letter to Mr. Birkle notifying him of an alleged violation ("Notice of Violation") of the shoreland zoning permit ("Zoning Permit") issued to Mr. Birkle on November 3, 2020 by Dane County Planning & Development Department-Zoning Division (the "Department"). A copy of the Zoning Permit and related documentation is attached hereto as <u>Exhibit A</u>. Mr. Birkle received the Notice of Violation on May 25, 2021.

The Notice of Violation purports that the limestone blocks located along the shoreline do not comply with the approved Zoning and that the Property "is in violation of the ordinance." However, the Notice of Violation fails to cite to any specific section of the ordinances the Property violates, and

makes only general references to ch. 11 of the Dane County Code of Ordinances.<sup>1</sup> A copy of the Notice of Violation is attached hereto as <u>Exhibit B</u>. Mr. Birkle denies that the limestone blocks are placed in violation of the Zoning Permit or ch. 11 of the Dane County Code of Ordinances.

The Notice of Violation requires that "corrective action" be taken. However, in this case, the corrective action would require the removal of the limestone blocks, the replacement of the limestone blocks with an alternative material, and, possibly, would require Mr. Birkle to seek the re-approval of the Mitigation Permit and Zoning Permit already issued. These actions would require the expenditure of an additional \$20,000, would require the expenditure of substantial time and resources, and would deny Mr. Birkle the use and enjoyment of the Property.

### **BACKGROUND**

On June 9, 2020, Mr. Birkle submitted applications for Shoreland Mitigation and Shoreland Zoning permits to the Department. Attached hereto as <u>Exhibit C</u> is a true and correct copy of the Zoning Application. Included as part of the Zoning Application was a Stormwater Mitigation Report (dated June 9, 2020) which indicates the placement of stone boulders along the shoreline as part of project plans.

At the request of the Department, the Stormwater Mitigation Plan was revised and resubmitted to the Department on August 19, September 14, October 16, and October 21, 2020. The Stormwater Mitigation Report (dated October 21, 2020) replaced and superseded the Stormwater Mitigation Report (dated June 9, 2020) which was originally submitted to the Department as part of the Shoreland Zoning permit application. The Stormwater Mitigation Report (dated October 21, 2020) indicates the placement of limestone blocks along the shoreline as part of the project plans. Attached hereto as Exhibit D is a true and correct copy of an excerpt of the Stormwater Mitigation Report (dated October 21, 2020).

On November 2, 2020, the Department approved the Stormwater Mitigation Report (dated October 21, 2020) and issued Mr. Birkle a shoreland mitigation permit (the "Mitigation Permit"). Attached hereto as Exhibit E is a true and correct copy of the Mitigation Permit. On November 3, 2020, the Department approved the Zoning Permit. See Exhibit A.

### **ARGUMENT**

The limestone blocks located along the shoreline are compliant with the terms of the Zoning Permit and ch. 11 of the Dane County Code of Ordinances.

<sup>&</sup>lt;sup>1</sup> Because the Notice of Violation does not cite to specific section(s) of the Ordinances the Property purportedly violates, the Notice of Violation does not provide adequate notice to Mr. Birkle sufficient to enable him to prepare a response to the allegations of ordinance violations contained in the Notice of Violation. Accordingly, the Board of Adjustment (the "Board") should reverse the portion of the Notice of Violation referring to ordinance violations for failure to provide adequate notice to Mr. Birkle. Notwithstanding the foregoing, Mr. Birkle reserves the right to supplement this written appeal in order to respond to allegations of specific ordinance violations in the event they are made known.

First, the Stormwater Mitigation Report (dated October 21, 2020) was submitted to the Department on October 21, 2020, thereby superseding the Stormwater Mitigation Report (dated June 9, 2020) submitted along with the shoreland zoning permit application. The Stormwater Mitigation Report (dated October 21, 2020) was expressly approved by the Department and incorporated as part of the Zoning Permit approved on November 3, 2020. As noted, the Stormwater Mitigation Report (dated October 21, 2020) expressly indicates that limestone blocks would be placed along the shoreline. *See* Exhibit D. Thus, the limestone blocks placed along the Property's shoreline were placed consistent with the project plans included as part of the Stormwater Mitigation Report (dated October 21, 2020) and incorporated into the Zoning Permit, as approved. As such, the placement of the limestone blocks are not placed in violation of the Zoning Permit.

Second, the limestone blocks are located in the Property's vegetative buffer zone. *See* Exhibit D. The Zoning Permit imposes the following condition:

No disturbance of the vegetative buffer zone unless it is part of an approved shoreland mitigation permit.

As noted, the placement of the limestone blocks were approved as part of Stormwater Mitigation Report (dated October 21, 2020) and Shoreland Mitigation Permit on November 2, 2020. Thus, the placement of the limestone blocks are part of an approved shoreland mitigation permit. As such, for this second, independently sufficient reason, the limestone blocks are not placed in violation of the Zoning Permit.

Finally, the Notice of Violation improperly characterizes the limestone blocks as a "retaining wall." However, the limestone blocks are not a retaining wall, but are rip rap. Rip rap is not considered a "structure" under ch. 11 of the Dane County Code of Ordinances and, therefore, is not subject to setback requirements. As such, the limestone blocks are not in violation of ch. 11 of the Dane County Code of Ordinances and, in fact, are consistent with the project plans included in both the June 9, 2020 and October 21, 2020 of the Stormwater Mitigation Reports.

### **CONCLUSION**

For the reasons set forth above, the limestone blocks are not in violation of the Zoning Permit or ch. 11 of the Dane County Code of Ordinances. Accordingly, the Notice of Violation should be reversed and the placement of the limestone blocks should be found compliant with the Zoning Permit and ch. 11 of the Dane County Code of Ordinances.

Thank you for your consideration of this matter.

### Sincerely,

AXLEY BRYNELSON, LLP

Elizabeth C. Stephens

ECS:pjm Enclosures

Alan and Holly Birkle Mr. Robert C. Procter cc:

### **EXHIBIT A**

### Elizabeth C. Stephens

From: Hilbert, Hans <hilbert.hans@countyofdane.com>

Sent:Tuesday, November 3, 2020 9:28 AMTo:Tuggle, Jason; birklea@comcast.net

Cc: Peter Fortlage; Dean Hefter

Subject: RE: 2784 Waubesa Ave - Shoreland Mitigation Permit MG2020-0194

Attachments: DCPSHL-2020-00063.pdf

Alan,

Attached is your approved shoreland zoning permit. Please sign/date/initial the first 2 pages and return for my file. You may now apply for the general zoning permit for the project.

Hans

From: Tuggle, Jason < tuggle.jason@countyofdane.com>

Sent: Monday, November 2, 2020 12:09 PM

To: birklea@comcast.net

Cc: Pfortlage@bse-inc.net; Dean Hefter <dhefter@bse-inc.net>; Hilbert, Hans <hilbert.hans@countyofdane.com>

Subject: 2784 Waubesa Ave - Shoreland Mitigation Permit MG2020-0194

Good Afternoon Alan,

The shoreland mitigation permit application and associated mitigation plan have been reviewed and approved. The approval letter and permit card are attached. Please post the permit on site for the duration of the project. The mitigation permit does not expire.

Please contact our office if you have any questions regarding the permit requirements.

Thank you,

LAND WATER

Jason Tuggle Urban Erosion Control Anal Water Resource Engineerin

(608) 224-3735 | (c) (608) 5

### DANE COUNTY SHORELAND ZONING PERMIT

ZONING PERMIT NO. Page 1 of 2

	OWNER INFORMATIO	N SANSA		AGENT/CONTE	RACTOR INFORMA	TION
OWNER NAME	SWINER INFORMATIO	PHONE	AGENT/CON	TRACTOR NAME	PHONE	
ALAN BIRKLE		(847) 370-4833				
BILLING ADDRESS (Number, 2784 WAUBESA AVE			ADDRESS (N	umber, Street)		
(City, State, Zip) MADISON, WI 53711	3000		(City, State, Z	ip)		
E-MAIL ADDRESS BIRKLEA@COMCAS	T.NET		E-MAIL ADDF	RESS		
PARCEL NO.		TOWNSHIP		SECTION	1/4	1/4 1/4
0610-082-1810	)-7	TOWN OF DU	JNN	8	NW	NE
PROPERTY ADDRESS (Assignment of new address subject to field verification.)	2794	ST. DIRECTION	STREE	T NAME WAUE	BESA	ST TYPE AVE
LOT 20	ВLОСК	C.S.M. NO. or F		AUBESA BEACH-3F	RD ADDITION	
ZONING DISTRICT SFR-08 Single Family Residential	PARCEL SQ FOOTAGE		ECT: New Structu DOWN/REBUILD \$			
PROJECT INFORMATION	App for a Residential Str	ucture;	SEWER			
REZONE NO	C.U.P. NO.	VARIANCE N	О.	DEED RESTRICTION	] NO	
SHORELAND	FLOOD ZONE	WETLAND			Language Control	
YES NO	_ YES _	NO TES	□ NO			
Existing Impervious	Proposed I	mpervious				
Sq Ft.		Sq. Ft.				
Setback from Ordinary High W	ater Mark Water Bod	y Name				
					PERMIT FEE \$	150.00
I, the undersigned the property. I cented on the subnite comply with any to enforcement act I acknowledge the near or on wetland to identify. Failure other penalties or www.dnr.state.wi.  I hereby consent to	rtify that the wornitted plans and y provision or contion.  It I am responsible to comply may costs. For more us or contact the cothe entry on the	k to be performed comply with the comply with the condition of this problem for complying treams. Wetland result in removal endormation, visual department of the permitted present of the permitted present complete the complete	ed, as part of applicable sermit render g with State ds that are nall or modifications the Depart Natural Resemises by Demises by De	f this zoning perzoning ordinand is this zoning per and Federal law of associated wation of constructment of Natural sources Service ane County zon	rmit, will be co ces. I underst ermit null and ws concerning ith open wate ction that viola al Resources van e Center.	onstructed as and that failure void and subject construction r can be difficult ates the law or web page at
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	DATE ISSUE DATE REVIE	6/26/2020	TIALS HJH3 TIALS	INSPECTION D	ATE	NITIALS

DANE COUNTY SHORELAND ZONING PER	TIMS	PER	NING	70	LAND	DRF	HO	S	JTY	UN	CO	NF	DA	١
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ZONING PERMIT NO. Page 2 of 2

DCPSHL-2020-00063

Conditions: 1. THIS APPROVAL BY DANE COUNTY ZONING IS ONLY FOR THE PLAN AS PRESENTED. ANY MODIFICATION TO THE PROJECT REQUIRES THE EXPRESS WRITTEN APPROVAL BY DANE COUNTY ZONING. THIS PERMIT SHALL BE NULL AND VOID IF ANY MODIFICATIONS ARE MADE WITHOUT THE EXPRESS WRITTEN APPROVAL OF DANE COUNTY ZONING. INITIALS

1. No change of topography within 5 feet of a property line.

2. No disturbance of the vegetative buffer zone unless it is part of an approved shoreland mitigation permit.

# DANE COUNTY SHORELAND ZONING PERMIT

Permit No.

DCPSHL-2020-00063

Date Iss	ued	6/26/2020		Date Exp	oires	6/26/2021
Issued to	o: ALAI	N BIRKLE				
Project I	Descrip	tion: TEARDO	WN/REBUILD SFR	2		
Authoriz	zing suc	ch building loc the Dane Cour	ation and use as s ty Zoning Adminis	hown in the applicat strator, City-County E	ion, pla Building	ans and specifications on file g, Madison, WI.
Address	s:2784	WAUBESA A	/E			
Town:	TOWN	OF DUNN		Parcel No.	0610	0-082-1810-7
Remarks	s:					
				LY WITH ALL DANE SUBMITTED WILL IN		TY ORDINANCES. ANY UNAUTHORIZEI DATE THIS PERMIT.
			MAY BE REQUIRE	ED BY THE STATE, D	ANE C	OUNTY OR BY TOWNS HAVING CODE
				Issued	,	DANE COUNTY ZONING DIVISION

THIS CARD MUST BE POSTED IN A CONSPICUOUS LOCATION ON THE PREMISES BEFORE WORK MAY COMMENCE.

OWNER NAME		PHONE	AGENT/	2-111 2 3		
ALAN BIRKLE		(847) 370-48	33 0	SHL-date	7-0000	
BILLING ADDRESS (Number, S 2784 WAUBESA AVE.	Street)		ADDRES	S (Number, Street)		
City, State, Zip) MADISON, WI 53711			(City, Sta	e, Zip)		
-MAIL ADDRESS BIRKLEA@COMCAST	T.NET	ange and allower with the foreign of the allower than	E-MAIL A	DDRESS		
PARCEL NO.		TOWNS	HIP	SECTION	1/4	1/4 1/4
0610-082-1810	-7	TOWN OF	DUNN	8	NW	NE
PROPERTY ADDRESS Assignment of new address to be subject to field verification.)	HOUSE NO. 2784	ST. DIRECTION	ST	REET NAME WAL	JBESA	ST. TYPE AVE
от 20	BLOCK	C.S.M. NO.	or PLAT NAME	WAUBESA BEACH-	3RD ADDITION	
	PARCEL SQ FOOTAGE		ROJECT: New Str. ARDOWN/REBUIL			
PROJECT INFORMATION	App for a Residential Struc	ture;	SEWER			
PETONE NO.	C.U.P. NO.	VARIANC	E NO	DEED RESTRICTIO	N N	1
REZONE NO.	C.U.P. NO.	VARIANC	.c. NO.	YES YES	□ NO	
SHORELAND	FLOOD ZONE	WETLAND	F1775			
	TYES TA	IO Y	ES NO			
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LJ W		Sq. Ft.				
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Conditions: 1. THIS APPROVAL BY DANE COUNTY ZONING IS ONLY FOR THE PLAN AS PRESENTED. ANY MODIFICATION TO THE PROJECT REQUIRES THE EXPRESS WRITTEN APPROVAL BY DANE COUNTY ZONING. THIS PERMIT SHALL BE NULL AND VOID IF ANY MODIFICATIONS ARE MADE WITHOUT THE EXPRESS WRITTEN APPROVAL OF DANE COUNTY ZONING. INITIALS

1. No change of topography within 5 feet of a property line.

2. No disturbance of the vegetative buffer zone unless it is part of an approved shoreland mitigation permit.



# Dane County Planning & Development Zoning Division

May 25, 2021

Alan Birkle 2784 Waubesa Ave Madison WI 53711

RE: Violations occurring at 2784 Waubesa Ave

Parcel #0610-082-1810-7 Permit#DCPSHL-2020-00063

On November 6, 2020, the Dane County Zoning Department issued a shoreland zoning permit to allow the teardown and rebuild of a single family residence on your property. An inspection was made on May 12, 2021 by the Dane County Land and Water Resources Department and the results were relayed to me for review. Upon review, I have determined that a retaining wall has been built on the shoreland and above the ordinary high water mark of Lake Waubesa. The site plan submitted for shoreland zoning permitting did not indicate a retaining wall in this location.

Under Dane County Code of Ordinance Chapter 11, a retaining wall is defined as a structure and is subject to the meeting the required setback from the ordinary high water mark of the lake for the property. While your site plan indicated that riprap would be placed within this location, riprap must have its base below the ordinary high water mark and may extend no further than 36 inches above the ordinary high water mark.

This letter serves as notice that your development does not comply with the approved shoreland zoning permit and your property is in violation of the ordinance.

You are hereby instructed to remove the retaining wall from the property and revegetate the area according to the vegetative buffer component of your shoreland mitigation permit. When corrected, please contact the Zoning Department at (608) 266-4266 so that the corrections can be verified.

If the violations are not corrected further enforcement action will be taken.

Your cooperation is appreciated in this matter.

Sincerely.

Hans Hilbert Assistant Zoning Administrator County of Dane 608-266-4993 hilbert.hans@countyofdane.com

CC:

Scott Schroeckenthaler, Dane County Zoning
Jason Tuggle, Dane County Land and Water Resources

ALAN BIRKLE  BILLING ADDRESS (Number, Street)  2784 WAUBESA AVE  (City, State, Zip)  MADISON, WI 53711  E-MAIL ADDRESS BIRKLEA@COMCAST.NET  PARCEL NO.  TOWNSHIP  TOWN OF DUNN  STREET NAME  (847) 370-4833  CPSH3040 -0003  ADDRESS (Number, Street)  (City, State, Zip)  (City, State, Zip)  TOWN OF DUNN  STREET NAME	1/4 1/4
2784 WAUBESA AVE  (City, State, Zip) MADISON, WI 53711  E-MAIL ADDRESS BIRKLEA@COMCAST.NET  PARGEL NO.  0610-082-1810-7  TOWN OF DUNN    STREET NAME	
MADISON, WI 53711  E-MAIL ADDRESS BIRKLEA@COMCAST.NET  PARCEL NO. TOWNSHIP SECTION 8 NW  0610-082-1810-7 TOWN OF DUNN  PROPERTY ADDRESS HOUSE NO. ST. DIRECTION STREET NAME	
BIRKLEA@COMCAST.NET           PARCEL NO.         TOWNSHIP         SECTION 8         1/4 NW           0610-082-1810-7         TOWN OF DUNN         8         NW	
0610-082-1810-7 TOWN OF DUNN 8 NW  PROPERTY ADDRESS HOUSE NO. ST. DIRECTION STREET NAME	
0610-082-1810-7 TOWN OF DUNN  PROPERTY ADDRESS HOUSE NO. ST. DIRECTION STREET NAME	
PROPERTY ADDRESS HOUSE NO. ST. DIRECTION STREET NAME	NE
(Assignment of new address is subject to field verification.)  WAUBESA	ST. TYPE AVE
LOT BLOCK C.S.M. NO. or PLAT NAME WAUBESA BEACH-3RD ADDITION	
ZONING DISTRICT PARCEL SQ FOOTAGE PROPOSED PROJECT: New Structure/Addition Description: TEARDOWN/REBUILD SFR	
PROJECT INFORMATION App for a Residential Structure; SEWER	
REZONE NO. C.U.P. NO. VARIANCE NO. DEED RESTRICTION	
REZONE NO.   VARIANCE NO.   DEED RESTRICTION   YES   NO	
SHORELAND FLOOD ZONE WETLAND	
TES NO YES NO YES NO	
Existing Impervious  Sq. Ft.  Sq. Ft.  Sq. Ft.  Setback from Ordinary High Water Mark  Water Body Name  PERMIT FEE	
	50.00
I, the undersigned, am the owner of the property or an authorized agent acting on behalf of the property. I certify that the work to be performed, as part of this zoning permit, will be concided on the submitted plans and comply with the applicable zoning ordinances. I understate comply with any provision or condition of this permit renders this zoning permit null and to enforcement action.  I acknowledge that I am responsible for complying with State and Federal laws concerning near or on wetlands, lakes, and streams. Wetlands that are not associated with open water to identify. Failure to comply may result in removal or modification of construction that violated other penalties or costs. For more information, visit the Department of Natural Resources www.dnr.state.wi.us or contact the Department of Natural Resources Service Center.  I hereby consent to the entry on the permitted premises by Dane County zoning inspectors	enstructed as and that failure void and subject construction can be difficult tes the law or yeb page at
purposes of determining compliance with the zoning ordinances.	
Owner & Agent hereby agree to comply with all Dane County Ordinances. Any unauthorized change from the information or plans submitted will invalidate the permit.	DATE: 11-7-2020
	rm version 02.00.00)
DATE ISSUED 06/26/2020 DATE REVIEWED  INITIALS INSPECTION DATE INITIALS	IITIALS

Conditions: 1. THIS APPROVAL BY DANE COUNTY ZONING IS ONLY FOR THE PLAN AS PRESENTED. ANY MODIFICATION TO THE PROJECT REQUIRES THE EXPRESS WRITTEN APPROVAL BY DANE COUNTY ZONING. THIS PERMIT SHALL BE NULL AND VOID IF ANY MODIFICATIONS ARE MADE WITHOUT THE EXPRESS WRITTEN APPROVAL OF DANE COUNTY ZONING. INITIALS

1. No change of topography within 5 feet of a property line.

2. No disturbance of the vegetative buffer zone unless it is part of an approved shoreland mitigation permit.

# Dane County Shoreland Zoning Permit Application

Application must be made in person Shoreland Zoning Permit fee is \$150

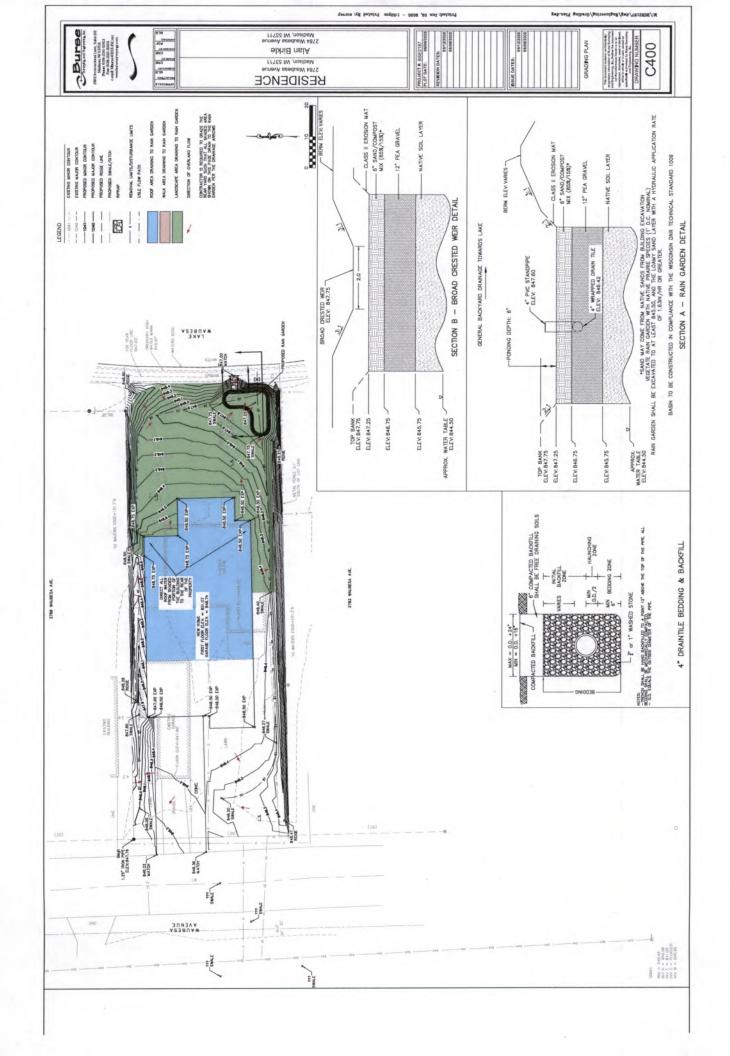
Zoning office use only		
Shoreland Permit #: DCPSHL		1.
Zoning Permit # DCPZP	-	
Zoning Permit # DCPZP	-	

A shoreland zoning Permit will be required prior to a Zoning Division for any development within the shore	general zoning permit being issued by the Dane County				
Property Owner Information	Agent Information				
Name Alan Birkle	Agent Name				
Address 6606 Hayward Court	Agent Address				
C: C: T	City, State, Zip				
McHenry, IL, 60050	Agent Phone				
<sup>Phone</sup> 847-370-4833					
birklea@comcast.net	Agent E-mail				
Property/Location Information (http://acce	essdane.co.dane.wi.us)				
Property Address 2784 Waubesa Avenue Town/Section Dunn / 8	1/4 NW 1/4 1/4 SE Acreage 0.172				
Parcel Number(s) 0610-082-1810-7	Zoning District SFR-08				
CSM Subdivision Third Addition to Waubesa Beach Block/Lot					
Project Description					
Demolition of all existing impervious surfaces including house, driveway and sidewalks. C	construction of a new combined house and garage along with site grading and new rain garden.				
Please answer the following questions to the best	of your ability:				
Is the property within 300 feet of a stream or 1000 feet from	om a pond or lake? 🗏 Yes 🗆 No 🗆 Don't Know				
Is there a wetland or floodplain on or near the property?	■ Yes □No □ Don't Know				
Is this project associated with a recent rezone/CUP/varian	nce? ■No If yes, petition/appeal #				
Is this permit to correct a violation? ☐ Yes ■No					
Have you contacted the Dane County Land and Water Re	esources Department about this project?   Fes   No				
Most applications must be accompanied by a surv	ey showing the following:				
<ul> <li>Property lines with dimensions</li> </ul>	Permit Fee due at time of application				
<ul> <li>All existing structures</li> </ul>	Please have cash or check payment available				
□ Any proposed structures	at time of application submittal. Checks are				
□ All impervious surfaces	payable to Dane County Zoning. The fee for				
All vegetative areas	a shoreland zoning permit is \$150.00 and is				
<ul><li>Ordinary High Water Mark</li><li>Topographic data (2-foot contours)</li></ul>	non-refundable.				
the undersigned, hereby make application for a shoreland	zoning permit and certify to the accuracy of the information. I				

I, the undersigned, hereby make application for a shoreland zoning permit and certify to the accuracy of the information. further certify I am the property owner, or a duly authorized representative, and may sign this permit application on the behalf of the owner(s) of said property.

Applicant signature: 6-9-2020

ZONING OFFICE USE ON	<u>LY</u>	Ze	ONING OFFICE USE ONLY
Project includes develop	ment within: (check all that ap	10.00	
	300' of lake, pond, river		a floodplain
$\square$ A floodplain	`	wetland	
Shoreland Water body	y: Warbese_ Identifie	cation: Lete DNR	designated? TYes □No
□ Wetland □ Shorelar	nd wetland □Inland wetland □	Wetland < 2 acres	
☐ Floodplain FEMA ma	ap panel: 55025C	Flood zone:	
□Floodway □F	lood fringe □General floodpla	in □Flood storage	
Lot  Existing □ Existing  Impervious Surface Calc		Lot 19=	24.3 =50.8 H9.3 =50.8
Area (square feet):	Sa Et		
Total Lot:	7005 Sq Ft		
Within 300' of			
ordinary high water	E-i-ti	Additional Duamond	Doet Donalesson
mark	Existing 7005	Additional Proposed	Post Development
Lot Primary building	7003		
footprint			
Accessory building(s)			
recessory ouriding(s)			
Driveway			
Any other impervious			
Total impervious	1989	935	2988
Percent impervious	98.3		41.7%
Project meets shoreland st		oreland zoning permit denied	l: □YesÆNo
Additional Dane County	permits needed:		
Shoreland Erosion Con	trol Permit Shoreland	d Mitigation Permit	Variance
□Floodplain developmen	t permit 🛮 Zoning Permit		
Additional information	equired:		
Issued by	nd zoning permit and/or zoning	ther permits	on other permits
Assis	tant Zoning Administrator		
H:\Zoning\Shoreland-Wetland Zoning\	Chapter 11 Forms\DCPSHL_Application.docx	Version 1.1 Created 122	272013



# STORMWATER MITIGATION REPORT

### BIRKLE RESIDENCE TOWN OF DUNN, DANE COUNTY, WISCONSIN

June 9, 2020

PREPARED FOR:

Mr. Alan Birkle 2784 Waubesa Avenue Madison, WI 53711

PREPARED BY:

Burse Surveying and Engineering, Inc. 2801 International Lane, Suite 101 Madison, WI 53704 (608) 250-9263

CARL R. BROBERG
E-46307
WAUNAKEE
WI
06/09/2020

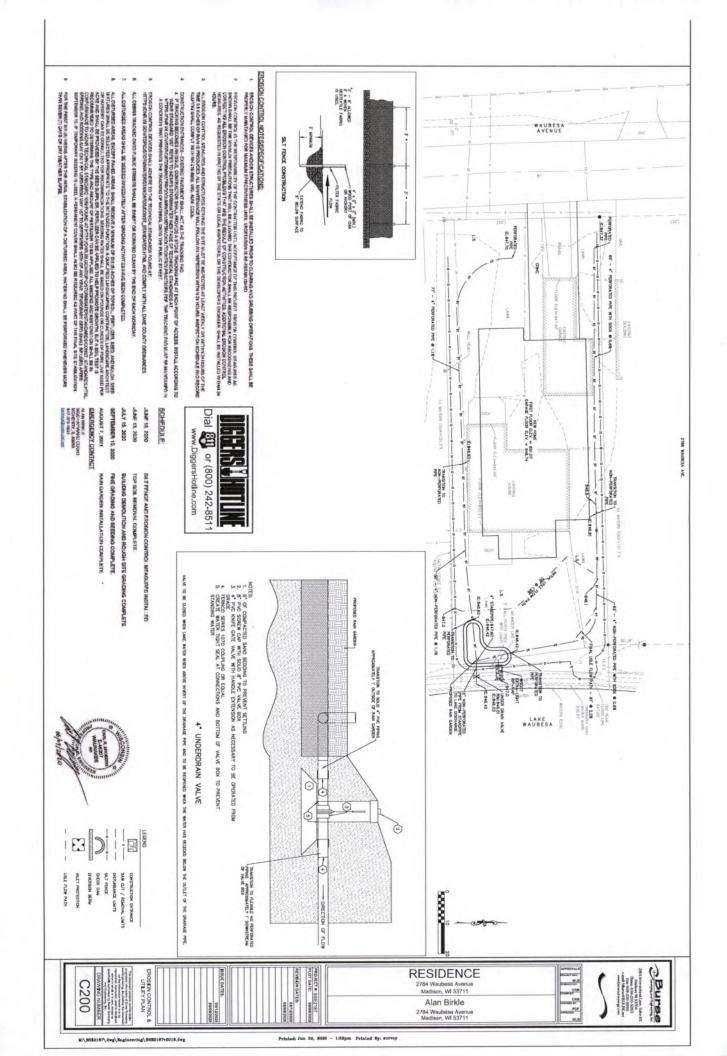
### Debr Apri 23, 2016 Print Mary 1790 NSK2167 (dog) Sarety (MK21&frikang Dia www.DlggersHotline.com or (800) 242-851 LAKELLDE LOT 20, THIRD ADDITION TO WAUBESA BEACH, RECORDED AS DOCUMENT NUMBER 314503, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, SECTION OB. TOWNSHIP OB NORTH, RANGE 10 EAST. TOWN OF DUNN, DANE COUNTY, WISCONSIN TAM 5 בינוסט נונא-פינוס פיזיס בינואפ 144.7 3) Ad liver, needed and graund spoor an Dis alls may not necessarily be under horses [] Comy in statistic plaints or passed on the rest, their plant will based it extent the six for information and the projection is to shaped one statistic represents, budget statements have represent the months, buddered introductors, thought or statement of experiment, and any other little that we extracted not portion till a teacht may positers, further our parisonness which has benefit of a fill treater. to Deminer are besed upon NAVILL calum Deminer I) Area in memory then - 7,005 square feel areas in sept al wells - 7,054 square feel J Date of Rest way: Dt-20-7020 )) he allowed her how note as a part of the acrey to maken as phes and accepts partiess such dath, amedium, amerik, as isolowe of any willy as notember/party entered backly for migration repeting these sidings or hamiliar, beans seniori in appropriat appeals. el Rauby at passe sillieri is besset aper Opphyr usbroed bem the foor al Dom, meshkyt produkt af dept i nitleri North kombo VIDSICAJAC met subst schen passe titociotet. Leftime bord elitleri (footbest met he estandated he stranklern sock meda is bestet sibliet. Other estavoliett ort periormet contact Dept i telbet. DACTAGE DACTAGE ) de mariese and automists improvements an and odjected by the did are not necessarily answers. TO 2 27 127 FF 107 1 Pe 10 34.151 L 10.51.151 TO MATERI EDGE-131.FT are transferred to the pile utilizing Pile II's PAUSE: TE (T) A,DO, P1-2TS 10 MATORS COCK-131 FA X SILT SPOT DIEVARON **@** 0 NAME OF STREET HOLEN IER אנואר ענאבב מו, SATA ATTA LEDICH IN HID! THE SPONGERS - PRINCE DISCUSS 1/1, some and some some I, NON LAL LDING EDWITHOUT INCI (DOT IN MOKE) CAT WELL WATER WELVE #4'\" | 18, 274 WON VE-943 AL' AL 1'30 HAE WAS FOLING פאכיהינאט מעועד איינ 5 ו, ואד אינון אלד אביהסטו היו +0 DATES THE 1.5. FEET OF THE STATE PLANT HOS MATONS COCK חביון גפת חביון גפת חביון גפת SPOCYTES MEDICED AS EDMOLEST BANKHEMI NOW EATH EASH STEERS HOWART CHOWN DAVIDED INTEGAL PAS PLANTA MONGTU TO PEDESIAL Deern Links Althory Therm KAS named TIMEN POMIT ACTIVITY OF A LOSS STREET OF A LOSS STRE INDIVINE PROMILE TINES 328 DIT ID, NATO ADDICAN TO SAURCES READY MICHAELD AS RECOVERED AS THE SECONDARY COUNTY, WILLIAM AND THE SECONDARY COUNTY, WILLIAM OF DANK CLARK CHARLES AND THE SECONDARY OF DANK CLARK CHARLES, WELCOMDARY OF DANK CLARK CHARLES, WELCOMDARY OF DANK CLARK CHARLES, WELCOMDARY OF THE SECONDARY OF THE SE the control of the co THE PART HOLDKING THAT THE THE PERSON AND THE PERSON A Michael I Ilver, FLS. No. 1010 Surveying & engineering : Burse SURVENCE FOR SURVEYED BY : THEST ! DF

BOUNDARY

AND

TOPOGRAPHIC

SURVEY





# Universal Soil Loss Equation for Construction Sites

Dane County Land Conservation Division



Developer:

2784 Waubesa Avenue

6/9/2020

Date: Project:

NONE	3.5	IOIAL						definition				and Disturbing Asticition
i i	0											
+												
						-		1	1	1		1
						-		-	-	-		1
	-	-	-			1		1	1			1
	0.6	0.40	0.20	81	2.2%	0.17	Gn	150	26.8%		9/15/2020	seeding
	2.5	1.00	0.20	81	2.2%	0.17	Gn	150	47.3%	9/15/2020	7/1/2020	disturb ground -
	0.5	1.00	0.16	59	1.9%	0.17	Gn	150	11.3%	7/1/2020	6/15/2020	disturb ground 🗸
(7.5 tons/acre)												
Percent Reduction Required	Soil loss A=%RxRxKxLSxC (tons/acre)	Land Cover C Factor	LS	Slope Length (feet)	Slope (%)	Soil Erodibility K Factor	Soil Map Unit	Annual R Factor	Period % R	End Date	Begin Date	Land Disturbing Activity
Version 2.2												

Land Disturbing Activities:

input disturb ground

seeding

paving

apply mulch seed and mulch

sod

definition

activity which leaves the ground devoid of vegetation

temporary or permanent seeding without the use of mulching materials application of straw mulch at 1.5 tons/acre seeding and application of straw mulch at 1.5 tons/acre

providing 100% cover to disturbed ground with paving materials or stone

EX-5 USLE

Notes:

Seeding established by winter. Rain garden installaion completed sping-fall 2021.

# **APPENDIX A**

**SOILS REPORT** 

Wis. Dep Division	it. of Safety of Industry	and Professional Services	Services SOIL EVALU	JATION with SPS 38	- STORN 32.365 and 385,	Wis. Adm. C	ode	F	1 2 age of
						County	Dane		
Include	but not lin	mited to: vertical a	not less than 8 1/2 x 11 Inche and horizontal reference point , north arrow, and BM referen	(BM), direc	tion and	Parcel I.D.	0610-08	2-1810-	7
		Please	print all information.			Reviewed	by		Date
Perso	nal informati		be used for secondary purposes (F	rivacy Law,	s. 15.04 (1) (m)).				1
Property (	Owner Holly Bir	kle			Property Location SE		14 S 8	т 6	N R 10 E (01)
Property 0	Owner's Ma Hayward	alling Address d Court			Lot # Block	# Subd. Nan 3rd Ad	ne or CSM# dn. To W	/aubesa	Beach
City McHe	nry,		Code Phone Number		Dunn	Village	Town	Neares 2784 W	l Road /aubesa Av.
Drainage			sq. ft. acres		Hydraulic Ap	plication Tes	t Method:		
Optional: Test Site	Suitable 1	for (check all tha	et apply) ntion trench	n(es)		×	Morpholo	ogical Eva	aluation
		_ Biorete	_	1			Double-F	Ring Infiltr	ometer
Rain	-	Grasse	d swale Reuse				Other (sp	pecify)	
	auon uen	ICI 1 3D3 (>	To wide) Li Outer						
TP-1	os. #	Boring Pit Groun	nd surface elev. 848.0	n. I	Depth to limiting	factor30	in.		Hydraulic App. Rate
Horizon	Depth	Dominant Color	Redox Description	Texture	Structure	Consistence		% Rock	Inches/Hr
HUHEUH	in.	Munsell	Qu. Sz. Cont. Color		Gr. Sz. Sh.			Frag.	0.40
Fill1	0-12	10YR2/2	None	sil	2fsbk	mvfr	cs	0	0.13
Fill2	12-18	10YR5/6	None	sl	1msbk	mvfr	cs	2	0.5
A	18-30	10YR2/0	None	1	1msbk	mvfr	cs	0	0.24
IIC1	30-40	2.5YR5/2	m2d10YR5/8	Is	0sg	ml	gs	10	1.63
IIC2	40-66	2.5YR5/2	m2d10YR5/8	grs	0sg	ml		15	3.6
			Saturated @42	'+					
70	bs. #	Boring							
	[	Pit Groun	nd surface elev.	ft.	Depth to limiting	ractor	in.		Hydrualic App. Rat
Horizon	Depth	Dominant Color	Redox Description	Texture	Structure	Consistence	Boundary	% Rock	Inches/Hr
	in.	Munsell	Qu. Sz. Cont. Color		Gr. Sz. Sh.			Frag.	
					-				
						-	-		
								L	
COTIDE	S Name (P	lease Print)		Signature		200	11	CST	PSS Number 225394

Date Evaluation Conducted 5-13-2020

Telephone Number 608-848-4869

7226 Timberwood Drive, Madison, WI 53719

CST/PSS Name (Please Print)
Paul A. Hardy

Address

SBD-10793 (R03/13)

RESIDENTIAL SETBACK LINE

| Solid | S

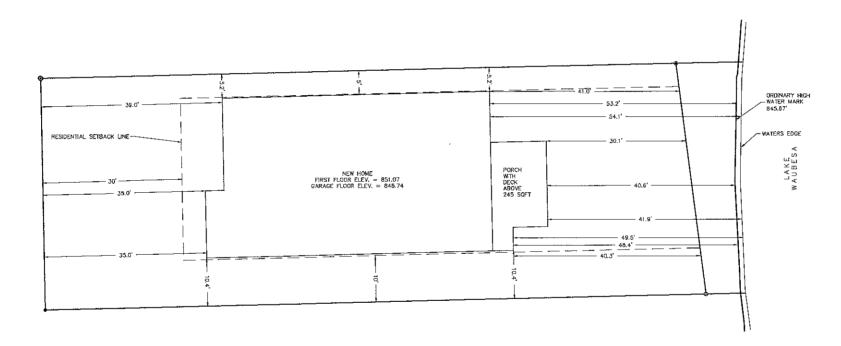
2786 WAUBESA AVE.

2782 WAUSESA AVE.

Burse RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711
Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711 PROJECT #: BSE2187 PLOT DATE: 06/08/2020 This document contains confidentful or proprietory information of these Surveying and Engineering, Inc. Neither the document nor the information bears in the temperature, distributes, used or distributes and the distributes of the temperature of the distributes C100

0 10 2

WAUBESA AVENUE



2786 WAUBESA AVE.

2782 WAUBESA AVE.

Burse
Surveying and Engineering, Inc. RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711
Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711 PROJECT #: BSE2187 PLOT DATE: 06/08/2020 05/12/2020 06/09/2020 ISSUE DATES: SITE PLAN The doculifier contains berificities or propositiesty information of Burse Surveying and Singineering, inc. Neither the document propositiest, distributed, used of dischards, either in whole or in part, except as specifically auditorized by Burse Surveying and Engineering, Inc. C100

1 10

0 20

# Dial or (800) 242-851 www.DiggersHotline.com

### BOUNDARY AND TOPOGRAPHIC SURVEY

LOT 20, THIRD ADDITION TO WAUBESA BEACH, RECORDED AS DOCUMENT NUMBER 314503, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, SECTION 08, TOWNSHIP 06 NORTH, RANGE 10 EAST, TOWN OF DUNN, DANE COUNTY, WISCONSIN

### SCALE : ONE INCH - TEN FEET

LOT 20, THIRD ADDITION TO WAUBESA BEACH, RECORDED AS DOCUMENT NUMBER 314503, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, SECTION 08, TOWNSHIP 06 NORTH, RANGE 10 EAST, TOWN OF DUNN, DANE COUNTY, WISCONSIN

### SURVEYOR'S CERTIFICATE:

I. Michelle L. Burse, Professional Land Surveyar, No. 2020, hereby certify that the foregoing survey was executed under my direction and control, and that said survey meets the minimum standards for property surveys of the Wisconsin Administrative Code (A-E7), and the map hereon is correct to the best of my knowledge and belief.

Signed: Michelle L. Burse, P.L.S. No. 2020

Date: May 12, 2020 Plot View: TOPO \BSE2187\dwg\Survey\BSE2187v18.dwg



Except as specifically stated or shown on this map, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: assements; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land use regulations; and any other facts that on occurate and current title search may disclose. Survey was performed without the benefit of a title report.

- No attempt has been made as a part of this survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. For information regarding these utilities or facilities, please contact the appropriate agencies.
- 4) All surface and subsurface improvements on and adjacent to the site are not necessarily shown hereon.
- 5) All trees, hedges and ground cover on the site may not necessarily be shown hereon
- 6) Routing of public utilities is based upon drawings obtained from the Town of Dunn, markings provided by Digger's Hottins Ticket Number 20201608340 and visible above ground structures. Additional buried utilities/structures may be encountered. No excavations were made to located utilities. Before excavations are performed contact Digger's Hottine.
- 7) Area to meander line = 7,005 square feet Area to edge of water = 7,556 square feet
- 8) Elevations are based upon NAVD88 datum. Elevations are transferred to the site utilizing RTK GPS surveying while observing the WISCORS Network.



LOT 12 TO WATERS EDGE=151.7'± LAWN GRAVEL MEANDER LINE-LOT 20 6' TALL RUSTY POLE WITH LIGHT FLOOR ELEV-849.69 FLOOR ELEV=850.23'-CNC.

EXISTING CONDITIONS

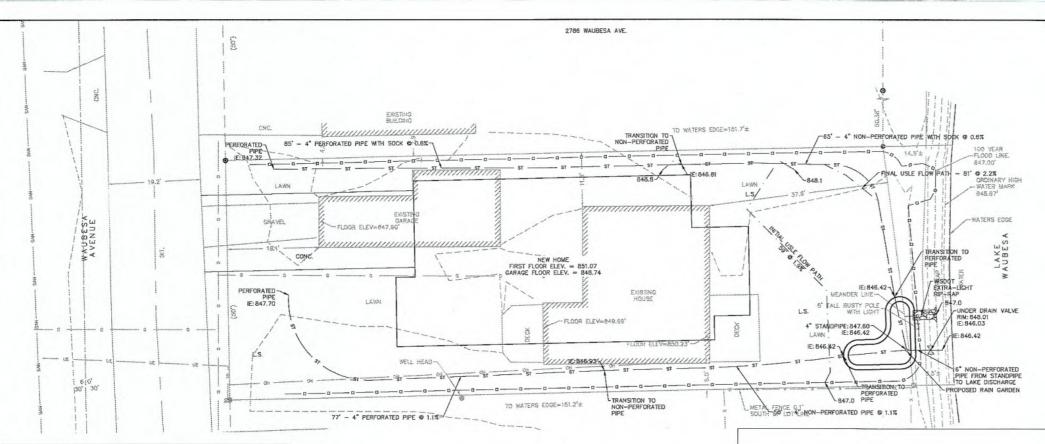
SURVEYED FOR :

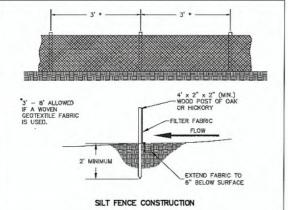
SURVEYED BY : Burse

surveying & engineering &

2801 International Lane, Suite 101 Madison, WI 53704 608.250.9263 Fax: 608.250.9266 email: mburse@bse-inc.ne

SHEET 1 OF 1



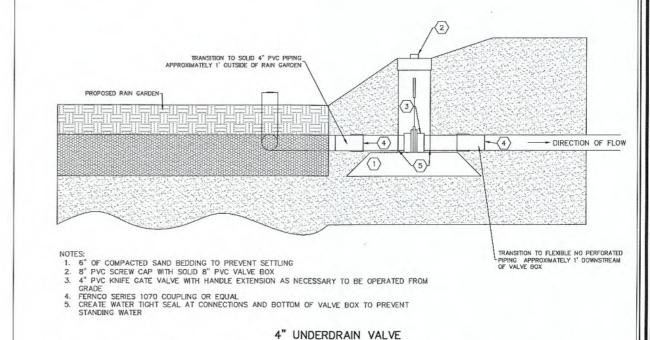


### EROSION CONTROL NOTES/SPECIFICATIONS:

- EROSION CONTROL DEVICES AND/OR STRUCTURES SHALL BE INSTALLED PRIOR TO CLEARING AND GRUBBING OPERATIONS. THESE SHALL BE PROPERLY MAINTAINED FOR MAXIMUM EFFECTIVENESS UNTIL VEGETATION IS RE-ESTABLISHED.
- EROSION CONTROL IS THE RESPONSIBILITY OF THE CONTRACTOR UNTIL ACCEPTANCE OF THIS PROJECT. EROSION CONTROL MEASURES AS SHOWN SHALL BE THE MINIMUM PRECAUTIONS THAT WILL BE ALLOWED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECOGNIZING AND CORRECTING ALL EROSION CONTROL PROBLEMS THAT ARE THE RESULT OF CONSTRUCTION ACTIVITIES. ADDITIONAL EROSION CONTROL MEASURES, AS REQUESTED IN WRITING BY THE STATE OR LOCAL INSPECTORS, OR THE DEVELOPER'S ENGINEER, SHALL BE INSTALLED WITHIN 24
- ALL EROSION CONTROL MEASURES AND STRUCTURES SERVING THE SITE MUST BE INSPECTED AT LEAST WEEKLY OR WITHIN 24 HOURS OF THE TIME 0.5 INCHES OF RAIN IS PRODUCED. ALL MAINTENANCE WILL FOLLOW AN INSPECTION WITHIN 24 HOURS. INSPECTION SCHEDULE AND RECORD KEEPING SHALL COMPLY WITH NR 216.46(9), WIS. ADM. CODE.
- CONSTRUCTION ENTRANCES EXISTING PAVEMENT SHALL ACT AS THE TRACKING PAD. CONSTRUCTION ENTRANCES - ADMINISTRACINETY SPREIGHT SPREIGHT FRANCHING PAD AT EACH POINT OF ACCESS. INSTALL ACCORDING TO WDNR STANDARD 1057. REFER TO WDNR'S STORMWATER WEB PAGE OF TECHNICAL STANDARDS AT:

  HTTPS://DNR.W...GOVYTOPIC/STORMWATER/DOCUMENTS/05/TRACK/DUTCONTROLPRACTICES.PDF. THE TRACKING PAD MUST BE MAINTAINED IN ACCONSTRUCTION THAT DESCRIPTION THAT DE A CONDITION THAT PREVENTS THE TRACKING OF MATERIAL ONTO THE PUBLIC STREET.
- EROSION CONTROL DEVICES SHALL ADHERE TO THE TECHNICAL STANDARDS FOUND AT: HTTPS://DNR.WI.GOV/TOPIC/STORMWATER/STANDARDS/CONST\_STANDARDS.HTML AND COMPLY WITH ALL DANE COUNTY ORDINANCES.
- ALL DEBRIS TRACKED ONTO PUBLIC STREETS SHALL BE SWEPT OR SCRAPED CLEAN BY THE END OF EACH WORKDAY.
- ALL DISTURBED AREAS SHALL BE SEEDED IMMEDIATELY AFTER GRADING ACTIVITIES HAVE BEEN COMPLETED.
- ALL DISTURBED AREAS, EXCEPT PAVED AREAS, SHALL RECEIVE A MINIMUM OF SIX (6) INCHES OF TOPSOIL FERTILIZER, SEED, AND MULCH, SEED MIXTURES SHALL BE SELECTED APPROPRIATE TO THE INTENDED FUNCTION. A QUALIFIED LANDSCAPING CONTRACTOR, LANDSCAPE ARCHITECT OR NURSERY CAN BE CONSULTED FOR RECOMMENDATIONS. SEEDING RATES SHALL BE BASED ON POUNDS OR OUNCES OF PURE LIVE SEED PER ACRE AND SHALL BE PROVIDED BY THE SEED SUPPLIER. FERTILIZER CAN BE APPLIED TO HELP PROMOTE GROWTH, BUT A SOIL TEST IS RECOMMENDED TO DETERMINE THE TYPE AND AMOUNT OF FERTILIZER TO BE APPLIED, ALL SEEDING AND RESTORATION SHALL BE IN CONFORMANCE TO WORR TECHNICAL STANDARD 1059 FOUND AT HTTP://DNR.WI.GOV/TOPIC/STORMWATER/STANDARDS/CONST\_STANDARDS.HTML. SEEDING AND SODDING MAY ONLY BE USED FROM MAY 1ST TO SEPTEMBER 15TH OF ANY YEAR, TEMPORARY SEED SHALL BE USED AFTER SEPTEMBER 15. IF TEMPORARY SEEDING IS USED, A PERMANENT COVER SHALL ALSO BE REQUIRED AS PART OF THE FINAL SITE STABILIZATION.
- FOR THE FIRST SIX (6) WEEKS AFTER THE INITIAL STABILIZATION OF A DISTURBED AREA, WATERING SHALL BE PERFORMED WHENEVER MORE HAN SEVEN (7) DAYS OF DRY WEATHER ELAPSE





VALVE TO BE CLOSED WHEN LAKE WATER RISES ABOVE INVERT OF THE DRAINAGE PIPE AND TO BE REOPENED WHEN THE WATER HAS RECEDED BELOW THE OUTLET OF THE DRAINAGE PIPE.

### SCHEDULE:

JUNE 15, 2020 SILT FENCE AND EROSION CONTROL MEASURES INSTALLED

JUNE 15, 2020 TOP SOIL REMOVAL COMPLETE.

JULY 15, 2020 BUILIDNG DEMOLITION AND ROUGH SITE GRADING COMPLETE.

**SEPTEMBER 15, 2020** FINE GRADING AND SEEDING COMPLETE.

AUGUST 7, 2021 RAIN GARDEN INSTALLATION COMPLETE

**EMERGENCY CONTACT** 

ALAN BIRKLE 6606 HAYWARD COURT MCHENRY, IL 60050 847-370-4833 birklea@comcast.net



LEGEND CONSTRUCTION ENTRANCE SAW CUT / REMOVAL LIMITS DISTURBANCE LIMITS SILT FENCE CHECK DAM All typings | [copied in bound | Japan DIVERSION BERM INLET PROTECTION

USLE FLOW PATH

DRAWING NUMBER

**EROSION CONTROL &** 

UTILITY PLAN

Burse

Madison, W 53704
Phone: 608-250-9263
Fax: 608-250-9266
e-mail: Mburse@BSE-INC.net

ww.bursesurveyengr.com

RESIDENCE
2784 Waubasa Avenue
Madison, WI 53711
Alan Birkle

PROJECT #: BSE2187 PLOT DATE: 06/08/2020

05/12/20:

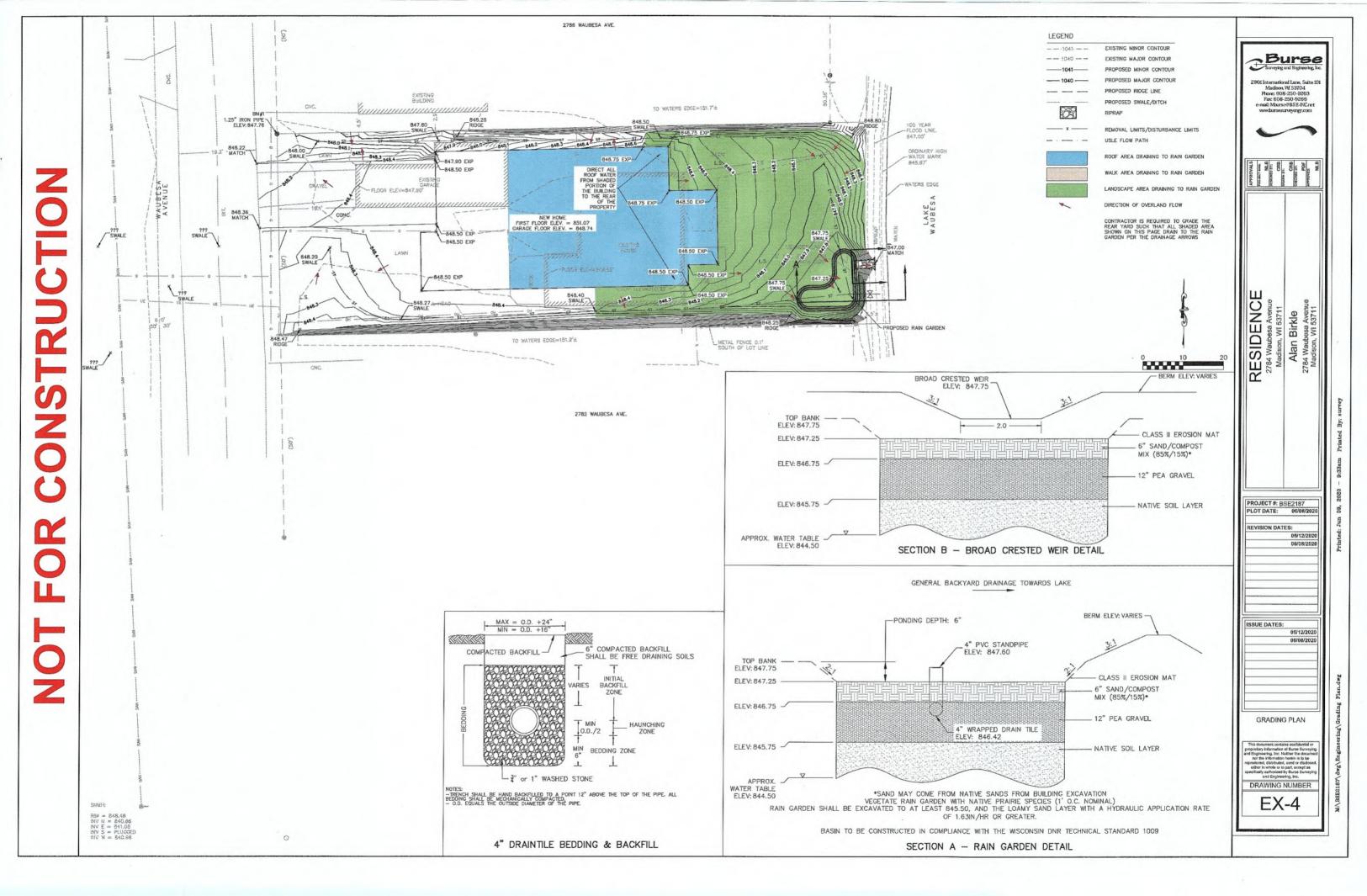
05/12/202

08/08/202

EVISION DATES:

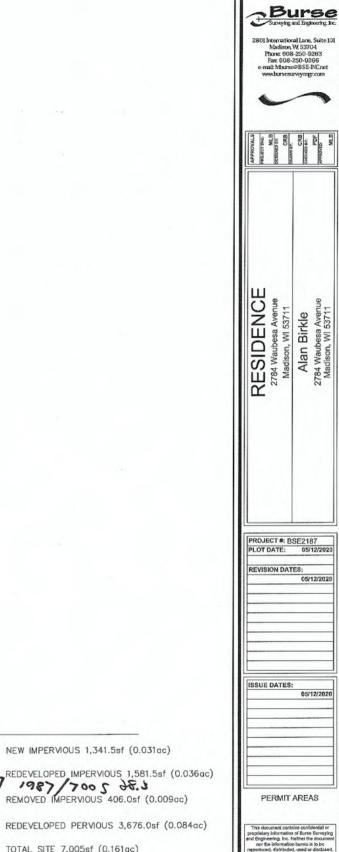
SSUE DATES:

EX-3



# FOR CONSTRUCTION





RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711
Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711 PROJECT #: BSE2187 PLOT DATE: 05/12/2020

PERMIT AREAS

LEGEND

NEW IMPERVIOUS 1,341.5sf (0.031ac)

TOTAL SITE 7,005sf (0.161ac)

REDEVELOPED PERVIOUS 3,676.0sf (0.084ac)

DRAWING NUMBER

EX-7

2786 WAUBESA AVE. NOTES: SPOT GRADES INDICATE THE CUT OR FILL BETWEEN THE EXISTING SURFACE AND THE PROPOSED FINISHED GRADE SURFACE. Burse 2801 International Lane, Suite 10 Madison, WI 53704 Phore: 608-250-9263 Fox 608-250-9266 e-mail: Mourse@BSE-INC.net www.bursestuveyengr.com TO WATERS EDGE=151.7's NOT FOR CONSTRUCTION 0.16 0.25 0.34 0.44 WAUBESA -WATERS EDGE 0.29 0.37 0.46 LAKE WAUBESA 0.53 0.61 0.56 0.48 0.40 0.31 0.22 0.30 0.37 0.44 0.42 0.42 0.42 0.44 0.00 0.20 0.24 0.27 0.34 0.41 0.42 EXISTING 0.06 0.16 0.22 0.27 0.32 0.40 0.34 -0.21 -1. 0.62 0.67 0.74 0.48 -FIDDR ELEV-849.69 RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711
Alan Birkle 0.30 -0.37 0.47 0.68 0.88 0.05 -0.08 -0.17 0.57 0.55 0.55 0.55 0.52 0.68 0.73 0.55 0.53 0.51 0.45 PROPOSED RAIN GARDEN TO WATERS EDGE=151.2 ± 00000 2782 WAUBESA AVE. PROJECT #: BSE2187 PLOT DATE: 06/08/2020 05/12/202 06/08/202 ISSUE DATES: 06/08/202 GRADING COMPARISON DRAWING NUMBER EX-8

## 2786 WAUBESA AVE. NOTES: Burse 0.1' MINOR CONTOURS AND 0.5' MAJOR CONTOURS WITH SLOPE ARROWS ARE DISPLAYED TO SHOW EXISTING FLOW CONDITIONS AT THE PROPERTY LINES. 2801 International Lane, Suite 10) Madison, WI 53704 Phone: 608-250-9263 Fax: 608-250-9266 e-mail: Mourse@BSE-INC.net www.bursesurveyergr.com CONSTRUCTION NEW HOME— FIRST FLOOR ELEV. = 851.07 GARAGE FLOOR ELEV. = 848.74 RESIDENCE 2784 Waubesa Avenue Madison, WI 53711 Alan Birkle 2784 Waubesa Avenue Madison, WI 53711 500000 EXISTING 2782 WAUBESA AVE. 2786 WAUBESA AVE. NOTES: 0.1' MINOR CONTOURS AND 0.5' MAJOR CONTOURS WITH SLOPE ARROWS ARE DISPLAYED TO SHOW PROPOSED FLOW CONDITIONS AT THE PROPERTY LINES. PROJECT #: BSE2187 PLOT DATE: 06/08/2020 06/08/2020 05/12/2020 SLOPE COMPARISON DRAWING NUMBER 20000 EX-9 PROPOSED 2782 WAUBESA AVE.

### COST ESTIMATE

The following table summarizes the estimated cost of completion and installation of all elements of erosion control and storm water management for the proposed development.

Item		Estimated			-/-
No.	Description	Quantity	Unit	Unit Price	Amount
1	Silt Fence	330	LF	\$2.50	\$825.00
2	Pond Grading	10	CY	\$150.00	\$1,500.00
3	4" Pipe and Pond Outlet	1	EA	\$600.00	\$600.00
4	Medium Riprap	4	CY	\$50.00	\$200.00
5	Restoration	800	SY	\$3.00	\$2,400.00
6	Remove Silt Fence	330	LF	\$1.00	\$330.00
	Total				\$5,855.00

Cost Estimate BSE2187 Revised 5/12/2020 EX-6 COST COMPARISION



### **Universal Soil Loss Equation for Construction Sites**

### Dane County Land Conservation Division



Developer:	Alan Birkle	
Project:	2784 Waubesa Avenue	
Date:	6/9/2020	

Version 2.2

Land Disturbing Activity	- 1	Begin Date	End Date	Period % R	Annual R Factor	Soil Map Unit	Soil Erodibility K Factor	Slope (%)	Slope Length (feet)	LS Factor	Land Cover C Factor	Soil loss A=%RxRxKxLSxC (tons/acre)	Percent Reduction Required
													(7.5 tons/acre)
disturb ground	7	6/15/2020	7/1/2020	11.3%	150	Gn	0.17	1.9%	59	0.16	1.00	0.5	
					PERSONAL PROPERTY.								
disturb ground	Ĭ	7/1/2020	9/15/2020	47.3%	150	Gn	0.17	2.2%	81	0.20	1.00	2.5	
seeding	7	9/15/2020		26.8%	150	- Gn	0.17	2.2%	81	0.20	0.40	0.6	
	×												
*	·		<del></del>										
	7	ALCO NO RESERVO DE COMO DE COM				San San San San			A 10			ACMASSICATION FOR THE STATE WALLES DV	
											TOTAL	3.5	NONE

Land Disturbing Activities:

input

seeding

definition

disturb ground apply mulch seed and mulch activity which leaves the ground devoid of vegetation application of straw mulch at 1.5 tons/acre

seeding and application of straw mulch at 1.5 tons/acre

temporary or permanent seeding without the use of mulching materials

sod installation of sod paving providing 100% co

providing 100% cover to disturbed ground with paving materials or stone

EX-5 USLE

Designed By:	CRB
Date	6/5/2020
Checked By:	PDF
Date	6/5/2020

Notes:

Seeding established by winter. Rain garden installaion completed sping-fall 2021.

### STORMWATER MITIGATION REPORT (MINOR STRUCTURES)

### **EXHIBIT D**

### BIRKLE RESIDENCE TOWN OF DUNN, DANE COUNTY, WISCONSIN



August 19, 2020 Revised Sept. 14, 2020 Revised Oct. 16, 2020 Revised Oct. 21, 2020

### PREPARED FOR:

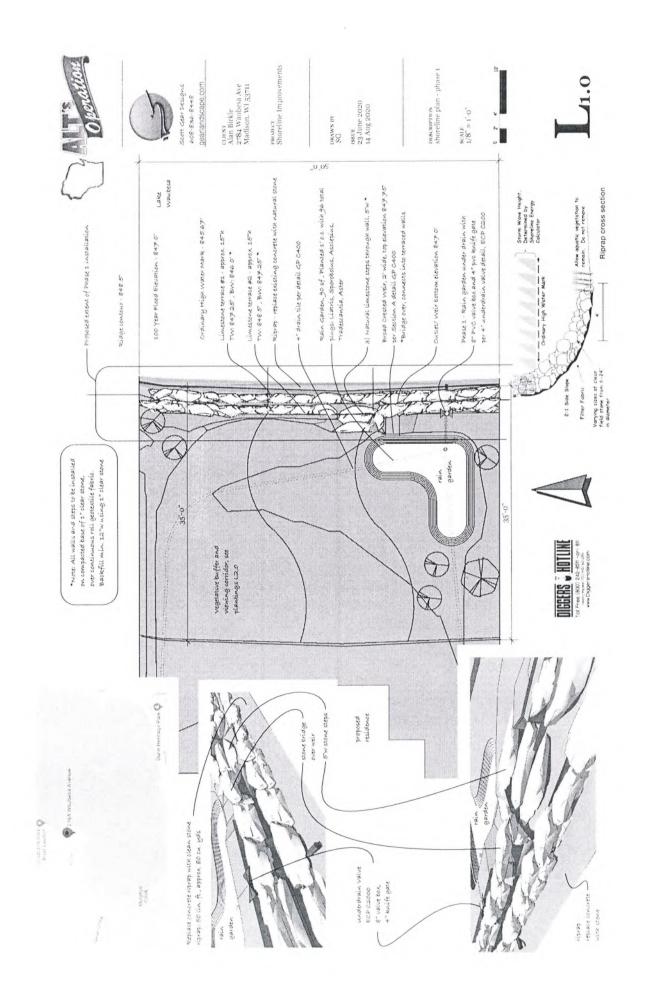
Mr. Alan Birkle 2784 Waubesa Avenue Madison, WI 53711

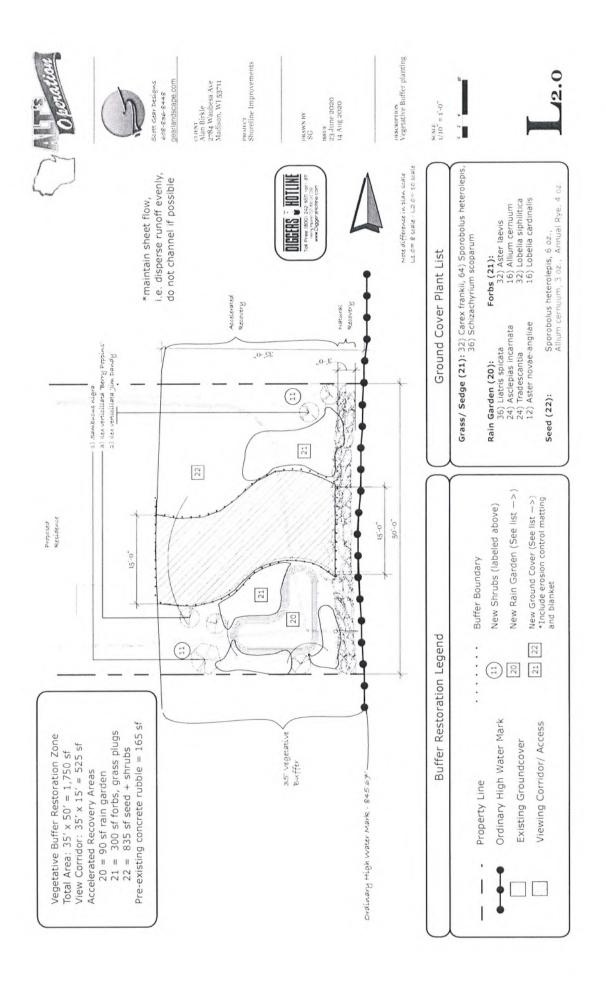
### PREPARED BY:

Burse Surveying and Engineering, Inc. 2801 International Lane, Suite 101 Madison, WI 53704 (608) 250-9263

# **APPENDIX F**

Landscape Plan





### **EXHIBIT E**

### Elizabeth C. Stephens

From:

Tuggle, Jason < tuggle.jason@countyofdane.com>

Sent:

Monday, November 2, 2020 12:09 PM

To:

birklea@comcast.net

Cc:

Peter Fortlage; Dean Hefter; Hilbert, Hans

Subject:

2784 Waubesa Ave - Shoreland Mitigation Permit MG2020-0194

Attachments:

MG2020-0194 Permit Card 2020-11-02 120726.pdf

Good Afternoon Alan,

The shoreland mitigation permit application and associated mitigation plan have been reviewed and approved. The approval letter and permit card are attached. Please post the permit on site for the duration of the project. The mitigation permit does not expire.

Please contact our office if you have any questions regarding the permit requirements.

Thank you,



Jason Tuggle
Urban Erosion Control Anal
Water Resource Engineerin
(608) 224-3735 | (c) (608) 5



# Dane County Water Resource Engineering **Shoreland Mitigation Permit**

NW 1/4 of Section 8	1,989	933	0
Location	Redeveloped Impervious (sq ft) Location	New Impervious (sq ft)	Disturbed Lands (sq ft)
Town of Dunn		Alan Birkle	
Municipality			Issued To
0610-082-1810-7		Jason Tuggle	
Parcel Number			Issued By
Alan Birkle		Jason Tuggle	
Landowner			Approved By
2784 Waubesa Ave	4	MG2020-0194	Z
Project Name			Permit Number

specified above. Other permits may be required. perpetuity. This card must be posted prominently on site until all disturbed soil has been stabilized. This permit is only for the items the date included below for erosion control permits. Stormwater management and shoreland mitigation permits are valid in Chapter 11 or 14, Dane County Code of Ordinances. The plan shall be in effect for the duration of the permit. The permit expires on An erosion control, stormwater management, or shoreland mitigation plan for this project has been reviewed and approved under

Z	7/14/2021	10/1/2020
Expiration Date	Stabilization Date	Start Date

For questions or concerns related to this permit please contact Dane County's Water Resource Engineering Division at 608.224.3730

### AUTHORIZATION AND APPOINTMENT OF AGENT

**TO:** Dane County Planning & Development Department, Zoning Division

I, Alan Birkle, appoint Axley Brynelson, LLP as my agent and authorize Axley Brynelson, LLP to appear and act on my behalf in all matters related to the Notice of Violations occurring at 2784 Waubesa Avenue, Parcel #0610-082-1810-7, Permit #DCPSHL-2020-00063 issued on May 25, 2021 by Dane County Planning & Development, Zoning Division.

Dated this 25th day of June, 2021.