

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 Exhibit A. 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.¹ A copy of the Notice of Violation is attached hereto as Exhibit B. 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 Exhibit C 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.

¹ 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

A handwritten signature in black ink, reading "Elizabeth C. Stephens", enclosed within a thin black rectangular border.

Elizabeth C. Stephens

ECS:pjm

Enclosures

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

EXHIBIT A

Elizabeth C. Stephens

From: Hilbert, Hans <hilbert.hans@countyofdane.com>
Sent: Tuesday, November 3, 2020 9:28 AM
To: 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,



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
DCPSHL-2020-00063

OWNER INFORMATION		AGENT/CONTRACTOR INFORMATION	
OWNER NAME ALAN BIRKLE	PHONE (847) 370-4833	AGENT/CONTRACTOR NAME	PHONE
BILLING ADDRESS (Number, Street) 2784 WAUBESA AVE		ADDRESS (Number, Street)	
(City, State, Zip) MADISON, WI 53711		(City, State, Zip)	
E-MAIL ADDRESS BIRKLEA@COMCAST.NET		E-MAIL ADDRESS	
PARCEL NO. 0610-082-1810-7	TOWNSHIP TOWN OF DUNN	SECTION 8	1/4 NW
1/4 NE			
PROPERTY ADDRESS (Assignment of new address is subject to field verification.)	HOUSE NO. 2784	ST. DIRECTION	STREET NAME WAUBESA
		ST. TYPE AVE	
LOT 20	BLOCK	C.S.M. NO. or PLAT NAME WAUBESA BEACH-3RD ADDITION	
ZONING DISTRICT SFR-08 Single Family Residential	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 <input type="checkbox"/> YES <input type="checkbox"/> NO
SHORELAND <input type="checkbox"/> YES <input type="checkbox"/> NO	FLOOD ZONE <input type="checkbox"/> YES <input type="checkbox"/> NO	WETLAND <input type="checkbox"/> YES <input type="checkbox"/> NO	
Existing Impervious Sq. Ft.	Proposed Impervious Sq. Ft.		
Setback from Ordinary High Water Mark	Water Body Name		
		PERMIT FEE \$150.00	

I, the undersigned, am the owner of the property or an authorized agent acting on behalf of the owner of the property. I certify that the work to be performed, as part of this zoning permit, will be constructed as noted on the submitted plans and comply with the applicable zoning ordinances. I understand that failure to comply with any provision or condition of this permit renders this zoning permit null and void and subject to enforcement action.

I acknowledge that I am responsible for complying with State and Federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources web page at 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 for the 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.	SIGNATURE: Owner/Agent	DATE:
---	-------------------------------	--------------

OFFICE USE ONLY				(form version 02.00.00)
DATE ISSUED 06/26/2020	INITIALS HJH3	INSPECTION DATE	INITIALS	
DATE REVIEWED	INITIALS			

DANE COUNTY SHORELAND ZONING PERMIT

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 Issued 6/26/2020

Date Expires 6/26/2021

Issued to: ALAN BIRKLE

Project Description: TEARDOWN/REBUILD SFR

Authorizing such building location and use as shown in the application, plans and specifications on file in the office of the Dane County Zoning Administrator, City-County Building, Madison, WI.

Address: 2784 WAUBESA AVE

Town: TOWN OF DUNN

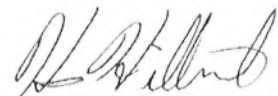
Parcel No. 0610-082-1810-7

Remarks:

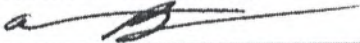
OWNER AND AGENT HAVE AGREED TO COMPLY WITH ALL DANE COUNTY ORDINANCES. ANY UNAUTHORIZED CHANGE FROM THE INFORMATION OR PLANS SUBMITTED WILL INVALIDATE THIS PERMIT.

NOTE: SEPARATE PERMITS MAY BE REQUIRED BY THE STATE, DANE COUNTY OR BY TOWNS HAVING CODES WHICH PERTAIN TO THIS CONSTRUCTION.

Issued by:


DANE COUNTY ZONING DIVISION

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

OWNER NAME ALAN BIRKLE		PHONE (847) 370-4833		AGENT/CONTRACTOR NAME DCPSHL-2010-0008		PHONE	
BILLING ADDRESS (Number, Street) 2784 WAUBESA AVE				ADDRESS (Number, Street)			
(City, State, Zip) MADISON, WI 53711				(City, State, Zip)			
E-MAIL ADDRESS BIRKLEA@COMCAST.NET				E-MAIL ADDRESS			
PARCEL NO. 0610-082-1810-7		TOWNSHIP TOWN OF DUNN		SECTION 8		1/4 NW	
						1/4 1/4 NE	
PROPERTY ADDRESS (Assignment of new address is subject to field verification.)		HOUSE NO. 2784		ST. DIRECTION		STREET NAME WAUBESA	
						ST. TYPE AVE	
LOT 20		BLOCK		C.S.M. NO. or PLAT NAME WAUBESA BEACH-3RD ADDITION			
ZONING DISTRICT SFR-08 Single Family Residential		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 <input type="checkbox"/> YES <input type="checkbox"/> NO	
SHORELAND <input type="checkbox"/> YES <input type="checkbox"/> NO		FLOOD ZONE <input type="checkbox"/> YES <input type="checkbox"/> NO		WETLAND <input type="checkbox"/> YES <input type="checkbox"/> NO			
Existing Impervious Sq. Ft.		Proposed Impervious Sq. Ft.					
Setback from Ordinary High Water Mark		Water Body Name					
				PERMIT FEE \$150.00			
<p>I, the undersigned, am the owner of the property or an authorized agent acting on behalf of the owner of the property. I certify that the work to be performed, as part of this zoning permit, will be constructed as noted on the submitted plans and comply with the applicable zoning ordinances. I understand that failure to comply with any provision or condition of this permit renders this zoning permit null and void and subject to enforcement action.</p> <p>I acknowledge that I am responsible for complying with State and Federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources web page at www.dnr.state.wi.us or contact the Department of Natural Resources Service Center.</p> <p>I hereby consent to the entry on the permitted premises by Dane County zoning inspectors for the purposes of determining compliance with the zoning ordinances.</p>							
Owner & Agent hereby agree to comply with all Dane County Ordinances. Any unauthorized change from the information or plans submitted will invalidate the permit.				SIGNATURE: Owner/Agent 		DATE: 11-7-2010	
OFFICE USE ONLY							
DATE ISSUED 06/26/2010		INITIALS HJH3		INSPECTION DATE		INITIALS	
DATE REVIEWED							

(form version 02.00.00)

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 EB

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.

EXHIBIT B



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#DCPSHIL-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

OWNER NAME ALAN BIRKLE		PHONE (847) 370-4833		AGENT/CONTRACTOR NAME DCPSAL-2020-0003		PHONE	
BILLING ADDRESS (Number, Street) 2784 WAUBESA AVE				ADDRESS (Number, Street)			
(City, State, Zip) MADISON, WI 53711				(City, State, Zip)			
E-MAIL ADDRESS BIRKLEA@COMCAST.NET				E-MAIL ADDRESS			
PARCEL NO. 0610-082-1810-7		TOWNSHIP TOWN OF DUNN		SECTION 8		1/4 NW	
1/4 NE		PROPERTY ADDRESS (Assignment of new address is subject to field verification.) HOUSE NO. 2784		ST. DIRECTION		STREET NAME WAUBESA	
ST. TYPE AVE		LOT 20		BLOCK		C.S.M. NO. or PLAT NAME WAUBESA BEACH-3RD ADDITION	
ZONING DISTRICT SFR-08 Single Family Residential		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 <input type="checkbox"/> YES <input type="checkbox"/> NO	
SHORELAND <input type="checkbox"/> YES <input type="checkbox"/> NO		FLOOD ZONE <input type="checkbox"/> YES <input type="checkbox"/> NO		WETLAND <input type="checkbox"/> YES <input type="checkbox"/> NO			
Existing Impervious Sq. Ft.		Proposed Impervious Sq. Ft.					
Setback from Ordinary High Water Mark		Water Body Name					
				PERMIT FEE \$150.00			

I, the undersigned, am the owner of the property or an authorized agent acting on behalf of the owner of the property. I certify that the work to be performed, as part of this zoning permit, will be constructed as noted on the submitted plans and comply with the applicable zoning ordinances. I understand that failure to comply with any provision or condition of this permit renders this zoning permit null and void and subject to enforcement action.

I acknowledge that I am responsible for complying with State and Federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources web page at 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 for the 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.		SIGNATURE: Owner/Agent 		DATE: 11-7-2020	
OFFICE USE ONLY (form version 02.00.00)					
DATE ISSUED 06/26/2020		INITIALS HJH3		INSPECTION DATE	
DATE REVIEWED		INITIALS		INITIALS	

EXHIBIT C

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 EB

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- _____ - _____
Zoning Permit # DCPZP- _____ - _____

A shoreland zoning Permit will be required prior to a general zoning permit being issued by the Dane County Zoning Division for any development within the shoreland district.

Property Owner Information		Agent Information	
Name	Alan Birkle	Agent Name	
Address	6606 Hayward Court	Agent Address	
City, State, Zip	McHenry, IL, 60050	City, State, Zip	
Phone	847-370-4833	Agent Phone	
E-Mail	birklea@comcast.net	Agent E-mail	

Property/Location Information (http://accessdane.co.dane.wi.us)			
Property Address	2784 Waubesa Avenue	Town/Section	Dunn / 8
Parcel Number(s)	0610-082-1810-7	Zoning District	SFR-08
CSM	Lot 20	Subdivision	Third Addition to Waubesa Beach
		Block/Lot	

Project Description

Demolition of all existing impervious surfaces including house, driveway and sidewalks. 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 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/variance? ☒ No If yes, petition/appeal # _____

Is this permit to correct a violation? ☐ Yes ☒ No

Have you contacted the Dane County Land and Water Resources Department about this project? ☐ Yes ☒ No

Most applications must be accompanied by a survey showing the following:

- ☐ Property lines with dimensions
- ☐ All existing structures
- ☐ Any proposed structures
- ☐ All impervious surfaces
- ☐ All vegetative areas
- ☐ Ordinary High Water Mark
- ☐ Topographic data (2-foot contours)

Permit Fee due at time of application

Please have cash or check payment available at time of application submittal. Checks are payable to Dane County Zoning. The fee for a shoreland zoning permit is \$150.00 and is non-refundable.

I, the undersigned, hereby make application for a shoreland zoning permit and certify to the accuracy of the information. I 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:  Date: 6-9-2020

ZONING OFFICE USE ONLYZONING OFFICE USE ONLY

Project includes development within: (check all that apply)

- ☒ 1000' of a lake or pond ☒ 300' of lake, pond, river or stream ☒ 300' of a floodplain
☐ A floodplain ☐ 75' of a wetland ☐ A wetland ☐ The vegetative buffer zone

☒ **Shoreland** Water body: Warbese Identification: Lebe DNR designated? ☒ Yes ☐ No

☐ **Wetland** ☐ Shoreland wetland ☐ Inland wetland ☐ Wetland < 2 acres

☐ **Floodplain** FEMA map panel: 55025C _____ Flood zone: _____

☐ Floodway ☐ Flood fringe ☐ General floodplain ☐ Flood storage

Lot

☒ Existing ☐ Existing non-conforming ☐ New

Lot ~~49~~ = 49.3
 Lot 19 = 52.3 = 50.8

Impervious Surface Calculations

Area (square feet):			
Total Lot:	7005	Sq Ft	
Within 300' of ordinary high water mark			
	Existing	Additional Proposed	Post Development
Lot	7005		
Primary building footprint			
Accessory building(s)			
Driveway			
Any other impervious			
Total impervious	1989	935	2924
Percent impervious	28.3		41.7%

Project meets shoreland standards: ☐ Yes ☒ No Shoreland zoning permit denied: ☐ Yes ☒ No

Additional Dane County permits needed:

- ☒ Shoreland Erosion Control Permit ☒ Shoreland Mitigation Permit ☐ Variance
☐ Floodplain development permit ☒ Zoning Permit ☐ _____

Additional information required: _____

STATUS: ☐ Shoreland zoning permit and/or zoning permit **issued** contingent upon other permits

☒ Shoreland zoning permit **on hold** for other permits

Issued by [Signature]
Assistant Zoning Administrator

Date _____

STORMWATER MITIGATION REPORT

BIRKLE RESIDENCE TOWN OF DUNN, DANE COUNTY, WISCONSIN

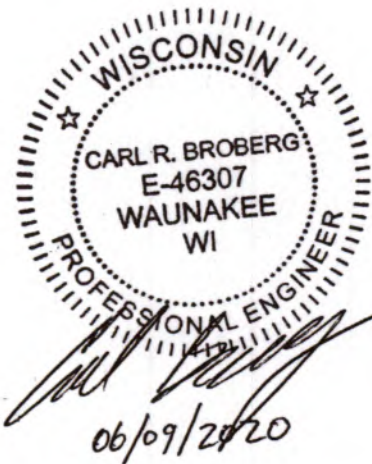
June 9, 2020

PREPARED FOR:

Mr. Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711

PREPARED BY:

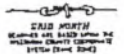
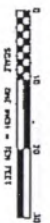
Burse Surveying and Engineering, Inc.
2801 International Lane, Suite 101
Madison, WI 53704
(608) 250-9263



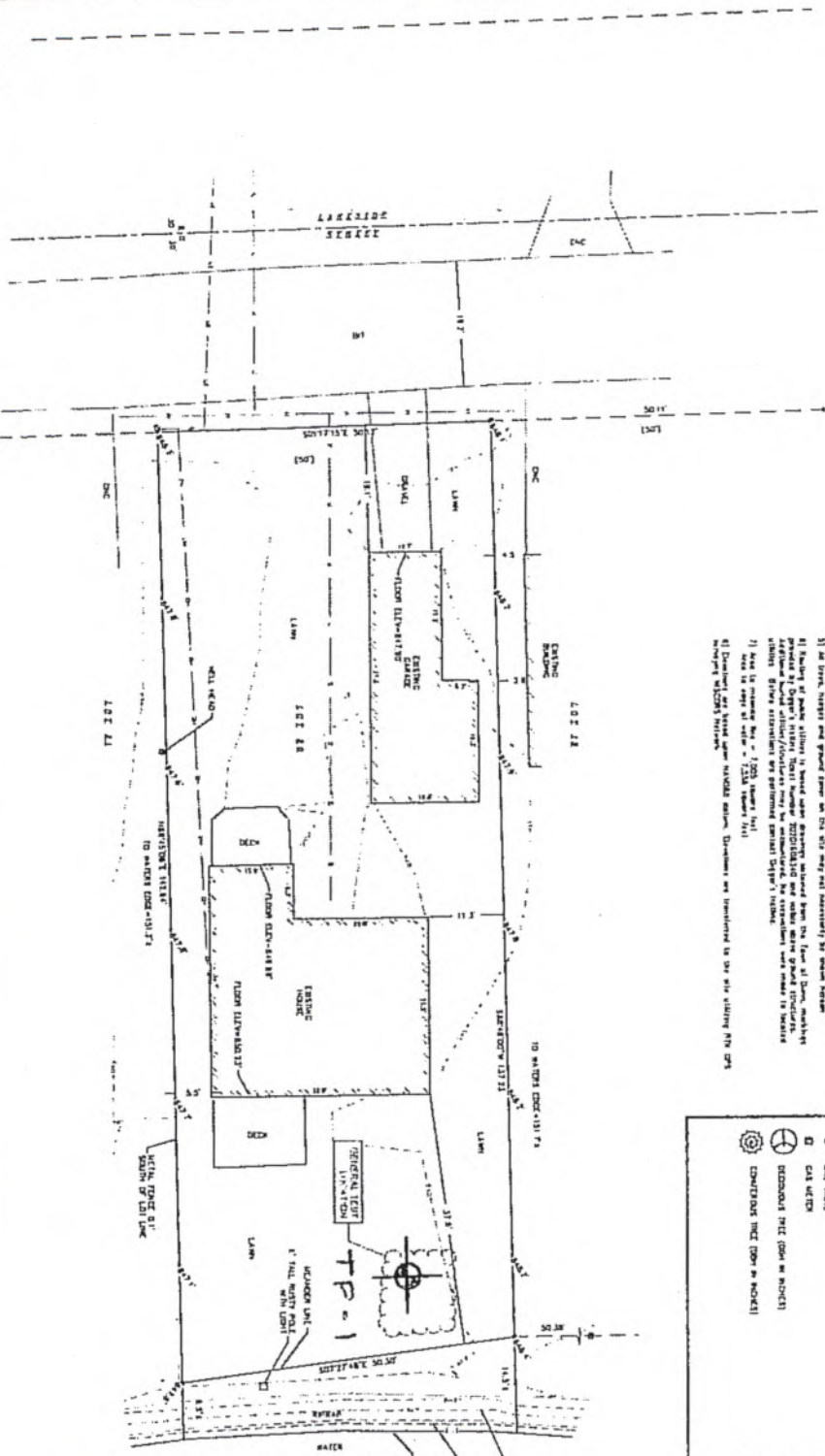
BSE2187-19

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

BOUNDARY AND TOPOGRAPHIC SURVEY

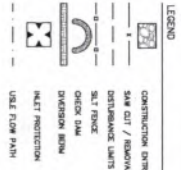
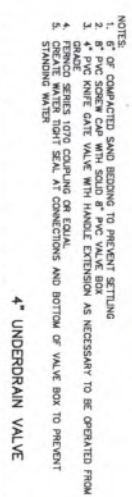


- [illegible]

[illegible][illegible]



- DIGERS' JOURNAL**
- Dial 811 or (800) 242-8511**
- www.DiggersHotline.com**
- SCHEDULE:**
- | | |
|--------------------|-------------------------|
| JUNE 15, 2000 | 6A ET FINCH AND PROGRAM |
| JUNE 15, 2000 | TOP SOIL REMOVAL CON |
| JULY 15, 2000 | BUILDING DEMOLITION |
| SEPTEMBER 15, 2000 | FINE GRADING AND DEEP |
| AUGUST 7, 2001 | MAN GARDEN INSTALLATION |
- EMERGENCY CONTACT:**
- 800-242-8511
800-242-8511
800-242-8511



APPENDIX A

SOILS REPORT

SOIL EVALUATION - STORM

In accordance with SPS 382.365 and 385, Wis. Adm. Code

Attach complete site plan on paper not less than 8 1/2 x 11 inches in size. Plan must include, but not limited to: vertical and horizontal reference point (BM), direction and percent slope, scale or dimensions, north arrow, and BM referenced to nearest road.

Please print all information.

Personal information you provide may be used for secondary purposes (Privacy Law, s. 15.04 (1) (m)).

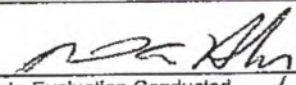
County	Dane
Parcel I.D.	0610-082-1810-7
Reviewed by	Date

Property Owner Al & Holly Birkle		Property Location Govt. Lot SE 1/4 NW 1/4 S 8 T 6 N R 10 E (or W)	
Property Owner's Mailing Address 6606 Hayward Court		Lot # 20	Block # 3rd Addn. To Waubesa Beach
City McHenry,	State IL	Zip Code 60050	Phone Number () () ()
<input type="checkbox"/> City Dunn		<input type="checkbox"/> Village	<input type="checkbox"/> Town
		Nearest Road 2784 Waubesa Av.	

Drainage area _____ <input type="checkbox"/> sq. ft. <input type="checkbox"/> acres	Hydraulic Application Test Method: <input checked="" type="checkbox"/> Morphological Evaluation <input type="checkbox"/> Double-Ring Infiltrometer <input type="checkbox"/> Other (specify) _____
Optional: Test Site Suitable for (check all that apply)	
<input type="checkbox"/> Irrigation <input type="checkbox"/> Bioretention trench <input type="checkbox"/> Trench(es)	
<input type="checkbox"/> Rain garden <input type="checkbox"/> Grassed swale <input type="checkbox"/> Reuse	
<input type="checkbox"/> Infiltration trench <input type="checkbox"/> SDS (> 15' wide) <input type="checkbox"/> Other _____	

TP-1	Obs. #	<input type="checkbox"/> Boring <input checked="" type="checkbox"/> Pit	Ground surface elev. 848.0 ft.	Depth to limiting factor 30 in.	Hydraulic App. Rate				
Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	% Rock Frag.	Inches/Hr
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	l	1msbk	mvfr	cs	0	0.24
IIC1	30-40	2.5YR5/2	m2d10YR5/8	ls	0sg	ml	gs	10	1.63
IIC2	40-66	2.5YR5/2	m2d10YR5/8	grs	0sg	ml		15	3.6
Saturated @42"+									

	Obs. #	<input type="checkbox"/> Boring <input type="checkbox"/> Pit	Ground surface elev. _____ ft.	Depth to limiting factor _____ in.	Hydraulic App. Rate				
Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	% Rock Frag.	Inches/Hr

CST/PSS Name (Please Print) Paul A. Hardy	Signature 	CST/PSS Number 225394
Address 7226 Timberwood Drive, Madison, WI 53719	Date Evaluation Conducted 5-13-2020	Telephone Number 608-848-4869

2786 WAUBESA AVE.

RESIDENTIAL SETBACK LINE

30'

30.30'

30.28'

10.4'

10'

10'

NEW HOME
FIRST FLOOR ELEV. = 851.07
GARAGE FLOOR ELEV. = 848.74

PORCH
WITH
DECK
ABOVE

5.18'

47.5
sq. ft.

5.54'

5.27'

58.03'

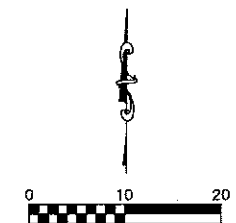
57.68'

ORDINARY HIGH
WATER MARK
845.67'

WATERS EDGE

LAKE
WAUBESA

2782 WAUBESA AVE.



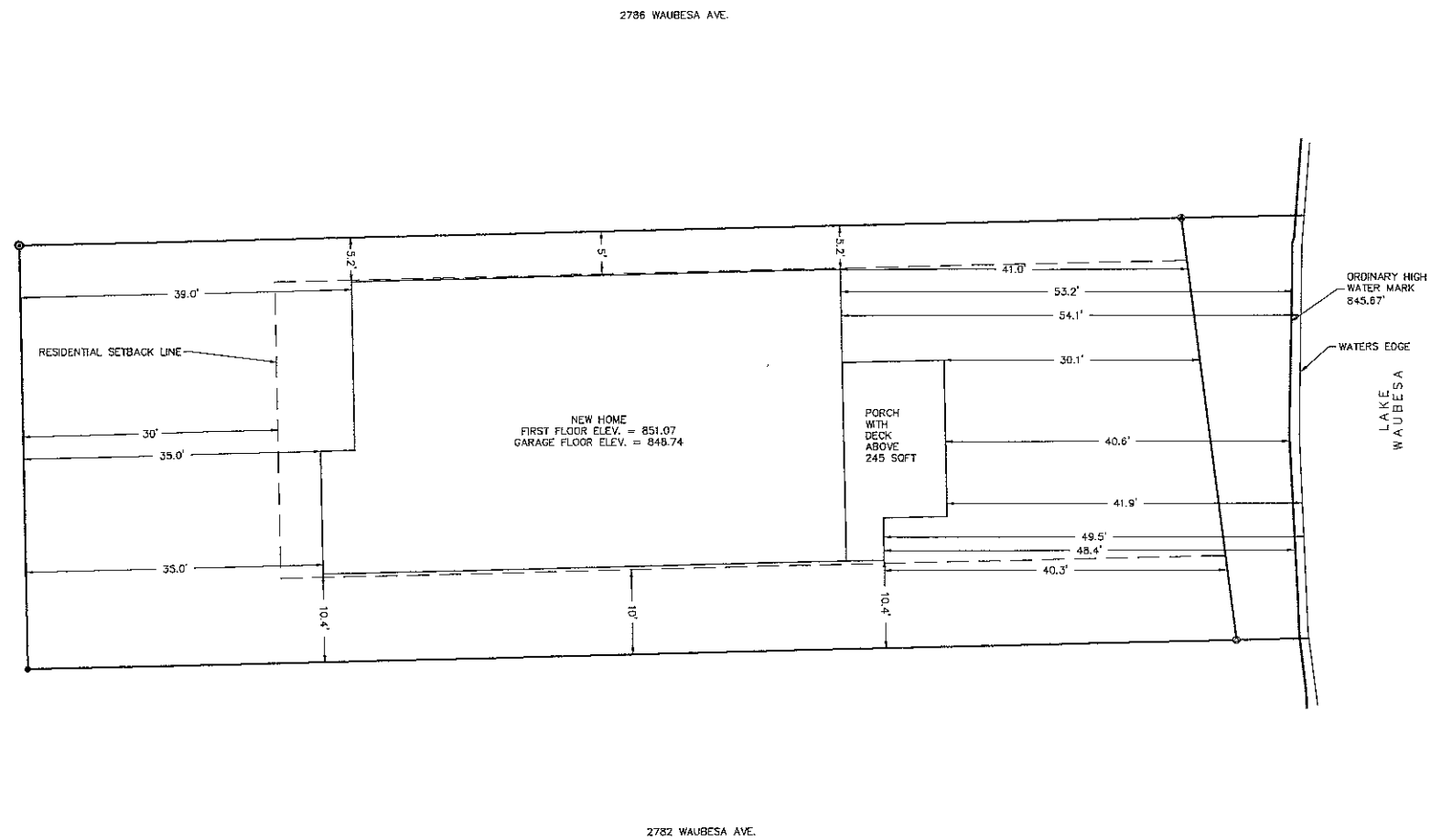
APPROVALS	PROJECT ENG:	MLB
	DESIGNED BY:	CRB
	DRAWN BY:	CRB
	CHECKED BY:	PDF
	APPROVED:	MLB

RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711

Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711

[illegible][illegible]

WAUBESA
AVENUE



Burse
Surveying and Engineering, Inc.

2801 International Lane, Suite 101
Madison, WI 53704
Phone: 608-250-9253
Fax: 608-250-9266
e-mail: mburse@BSE-INC.net
www.bursesurveyeng.com

APPROVAL	DATE	BY
PROJECT	MLB	
DESIGN	CRB	
DRAWING	CRB	
REVISION	CRB	
APPROVAL	MLB	

RESIDENCE

2784 Waubesa Avenue
Madison, WI 53711

Alan Birle

2784 Waubesa Avenue
Madison, WI 53711

PROJECT #:	BSE2187
PLOT DATE:	06/08/2020
REVISION DATES:	
	05/12/2020
	06/09/2020

ISSUE DATES:	
	05/12/2020
	06/09/2020

SITE PLAN

This document contains confidential or proprietary information of Burse Surveying and Engineering, Inc. Neither the document nor the information herein is to be reproduced, distributed, used or disclosed, either in whole or in part, except as specifically authorized by Burse Surveying and Engineering, Inc.

DRAWING NUMBER

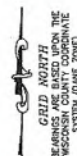
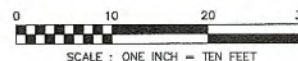
C100



Dial 811 or (800) 242-8511
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



DESCRIPTION FURNISHED:

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 Surveyor, 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.

Dated this _____ day of _____, 2020.

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

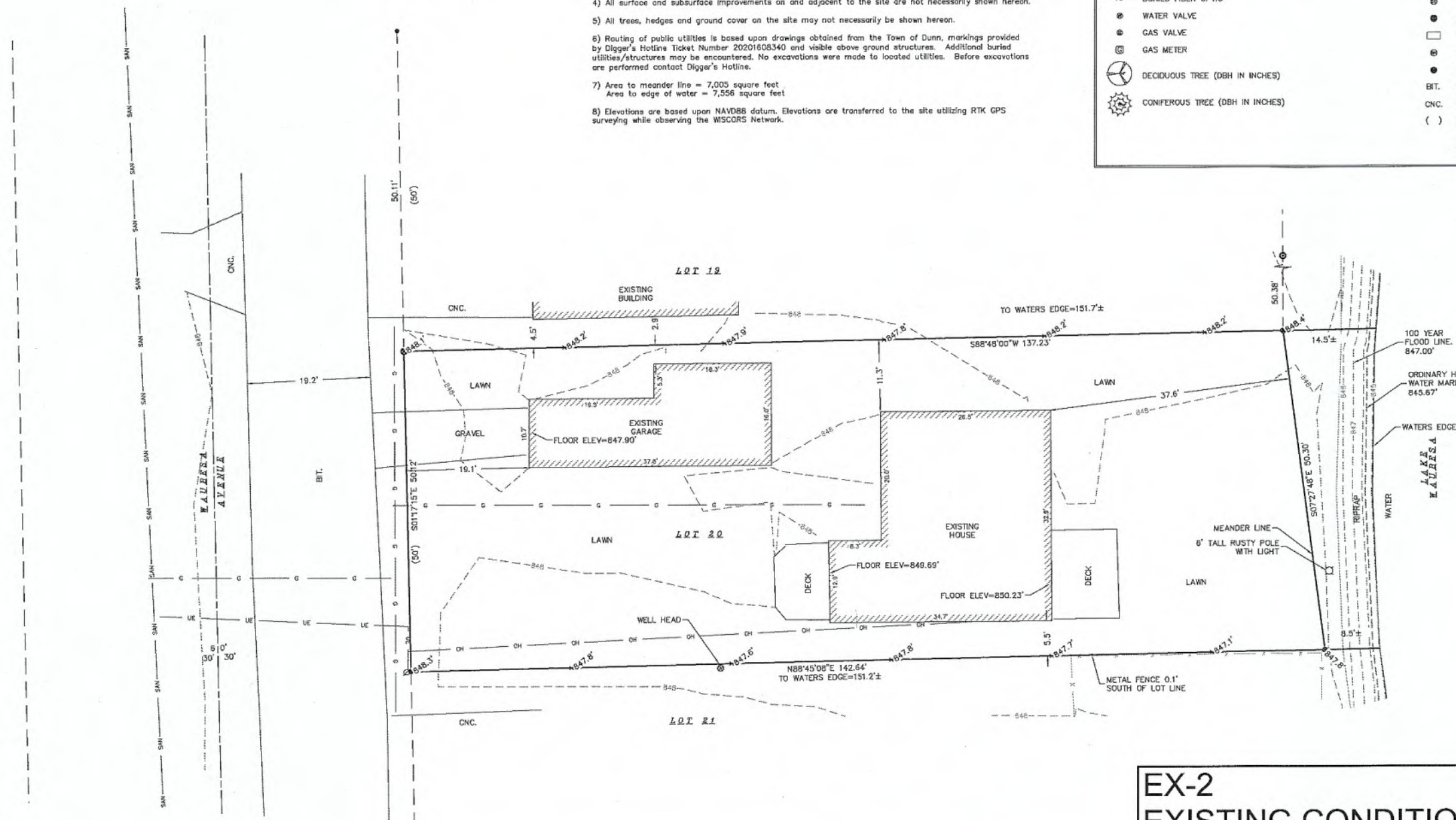


NOTES:

- 1) 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: easements; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land use regulations; and any other facts that on accurate and current title search may disclose. Survey was performed without the benefit of a title report.
- 2) 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.
- 3) Date of field work: 04-20-2020
- 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 Hotline 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 Hotline.
- 7) Area to meander line = 7,005 square feet
Area to edge of water = 7,556 square feet
- 8) Elevations are based upon NAVD83 datum. Elevations are transferred to the site utilizing RTK GPS surveying while observing the WISCONSIN Network.

LEGEND	
● 1" IRON PIPE FOUND	AG AIR CONDITIONER
● 3/4" SOLID IRON ROD FOUND	TV PEDESTAL
● 1-1/4" IRON PIPE FOUND	ELECTRIC PEDESTAL
● MAG NAIL FOUND	UTILITY POLE
● 3/4" X 18" SOLID IRON RE-ROD SET, WT. 1.50 lbs./ft.	LIGHT POLE
✕ 851.2' SPOT ELEVATION	GROUND LIGHT
— OH — OVERHEAD UTILITY WIRE	TELEPHONE PEDESTAL
— B — BURIED GAS LINE	FIRE HYDRANT
— WM — WATER MAIN	SIGN
— SAN — SANITARY SEWER	GUY WIRE
— ST — STORM SEWER	MAILBOX
— UT — BURIED TELEPHONE	BOLLARD
— EB — BURIED ELECTRIC	STORM SEWER INLET
— TV — BURIED CABLE ACCESS TELEVISION LINE	ELECTRIC MANHOLE
— FO — BURIED FIBER OPTIC	TELEPHONE MANHOLE
● WATER VALVE	STORM SEWER MANHOLE
● GAS VALVE	ROUND CATCH BASIN
● GAS METER	STORM SEWER STRUCTURE
● DECIDUOUS TREE (DBH IN INCHES)	SANITARY SEWER MANHOLE
● CONIFEROUS TREE (DBH IN INCHES)	MISC SYMBOL
	BIT. BITUMINOUS PAVEMENT
	CNC. CONCRETE PAVEMENT
	() INDICATES RECORDED AS

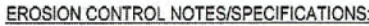
DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT. BUILDINGS ARE MEASURED TO THE NEAREST TENTH OF A FOOT.



EX-2
EXISTING CONDITIONS

SURVEYED FOR :
ALAN BIRKLE

SURVEYED BY :
Burse
surveying & engineering inc.
2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyengr.com



- DIGGERS HOTLINE**
Dial **811** or (800) 242-8511
www.DiggersHotline.com

SCHEDULE:

EMERGENCY CONTACT

TRANSITION TO SOLID 4" PVC PIPING
APPROXIMATELY 1' OUTSIDE OF RAIN GARDEN

PROPOSED RAIN GARDEN

1

2

3

4

5

6

DIRECTION OF FLOW

TRANSITION TO FLEXIBLE NON PERFORATED
PIPING APPROXIMATELY 1' DOWNSTREAM
OF VALVE BOX

NOTES:

1. 6" OF COMPACTED SAND BEDDING TO PREVENT SETTLING
2. 8" PVC SCREW CAP WITH SOLID 8" PVC VALVE BOX
3. 4" PVC KNIFE GATE VALVE WITH HANDLE EXTENSION AS NECESSARY TO BE OPERATED FROM GRADE
4. FERNCO SERIES 1070 COUPLING OR EQUAL
5. CREATE WATER TIGHT SEAL AT CONNECTIONS AND BOTTOM OF VALVE BOX TO PREVENT STANDING WATER

4" UNDERDRAIN VALVE

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.

LEGEND



CONSTRUCTION ENTRANCE



SAW CUT / REMOVAL LIMITS

DISTURBANCE LIMIT: _____
DATE OF RELEASE: _____

CHECK DAM



DIVERSION BERM



INLET PROTECTION

APPROVALS
PROJECT ENG: MLB
DESIGNED BY: CRB
DRAWN BY: CRB
CHECKED BY: PDF
APPROVED: MLB

RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711

Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711

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

REVISION DATES:
05/12/2020
06/08/2020

ISSUE DATES:
05/12/2020
06/08/2020

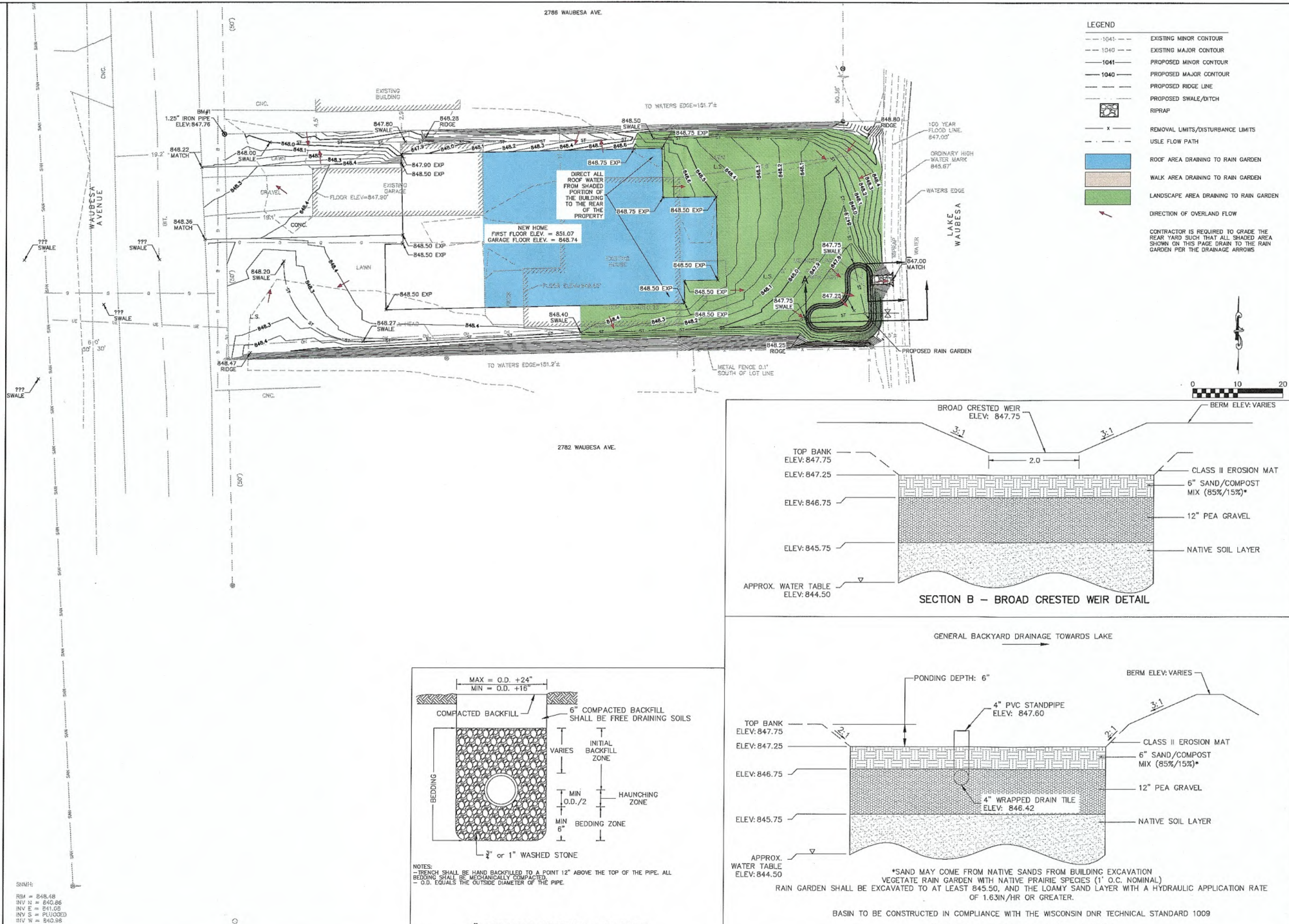
EROSION CONTROL &
UTILITY PLAN

This document contains confidential or proprietary information of Bursse Surveying and Engineering, Inc. Neither the document nor the information herein is to be reproduced, distributed, used or disclosed, either in whole or in part, except as specifically authorized by Bursse Surveying and Engineering, Inc.

DRAWING NUMBER

EX-3

NOT FOR CONSTRUCTION



Burse
Surveying and Engineering, Inc.
2801 International Lane, Suite 101
Madison, WI 53704
Phone: 608-250-9263
Fax: 608-250-9265
e-mail: Burse@BSE-INC.net
www.bursesurveyeng.com

APPROVALS	PROJECT ENG.	MLB	DESIGNED BY	CRB	DRAWN BY	CRB	CHECKED BY	FILE	MLB

RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711
Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711

PROJECT #: BSE2187
PLOT DATE: 06/08/2020
REVISION DATES:
05/12/2020
06/08/2020

ISSUE DATES:
05/12/2020
06/08/2020

GRADING PLAN

This document contains confidential or proprietary information of Burse Surveying and Engineering, Inc. Neither the document nor the information herein is to be reproduced, distributed, used or disclosed, either in whole or in part, except as specifically authorized by Burse Surveying and Engineering, Inc.

DRAWING NUMBER

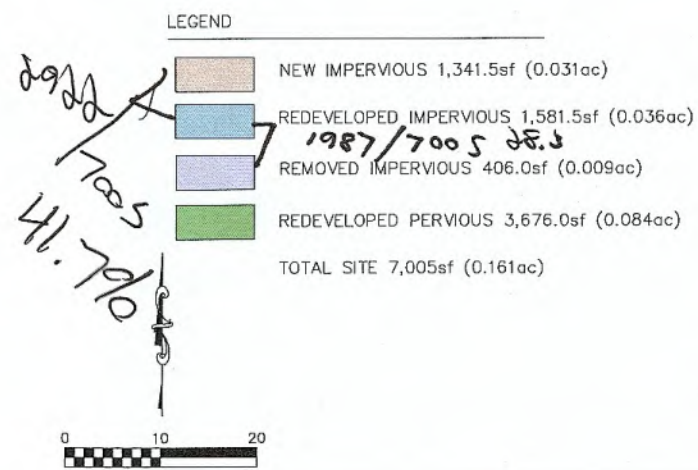
EX-4

NOT FOR CONSTRUCTION

WAUBESA AVENUE



LAKE WAUBESA



Burse
Surveying and Engineering, Inc.
2801 International Lane, Suite 101
Madison, WI 53704
Phone: 608-250-9263
Fax: 608-250-9266
e-mail: Mburse@BSE-INC.net
www.bursesurveyeng.com

APPROVALS	PROJECT ENG.	MLB	MLB	CRE	CRE	CRE	MLB
	DESIGNED BY		SUBMIT				

RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711
Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711

PROJECT #: BSE2187
PLOT DATE: 05/12/2020
REVISION DATES:
05/12/2020

ISSUE DATES:
05/12/2020

PERMIT AREAS

This document contains confidential or proprietary information of Burse Surveying and Engineering, Inc. Neither the document nor the information herein is to be reproduced, distributed, used or disclosed, either in whole or in part, except as specifically authorized by Burse Surveying and Engineering, Inc.

DRAWING NUMBER

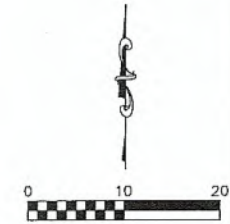
EX-7

NOT FOR CONSTRUCTION



NOTES:

SPOT GRADES INDICATE THE CUT OR FILL BETWEEN THE
EXISTING SURFACE AND THE PROPOSED FINISHED GRADE
SURFACE.



APPROVALS	
PROJECT ENG:	MLB
DESIGNED BY:	CRB
DRAWN BY:	CRB
CHECKED BY:	PDF
APPROVED:	MLB

RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711

Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711

PROJECT #:	BSE2187
PLOT DATE:	06/08/2020
REVISION DATES:	
	05/12/2020
	06/08/2020

ISSUE DATES:	
	05/12/2020
	06/08/2020

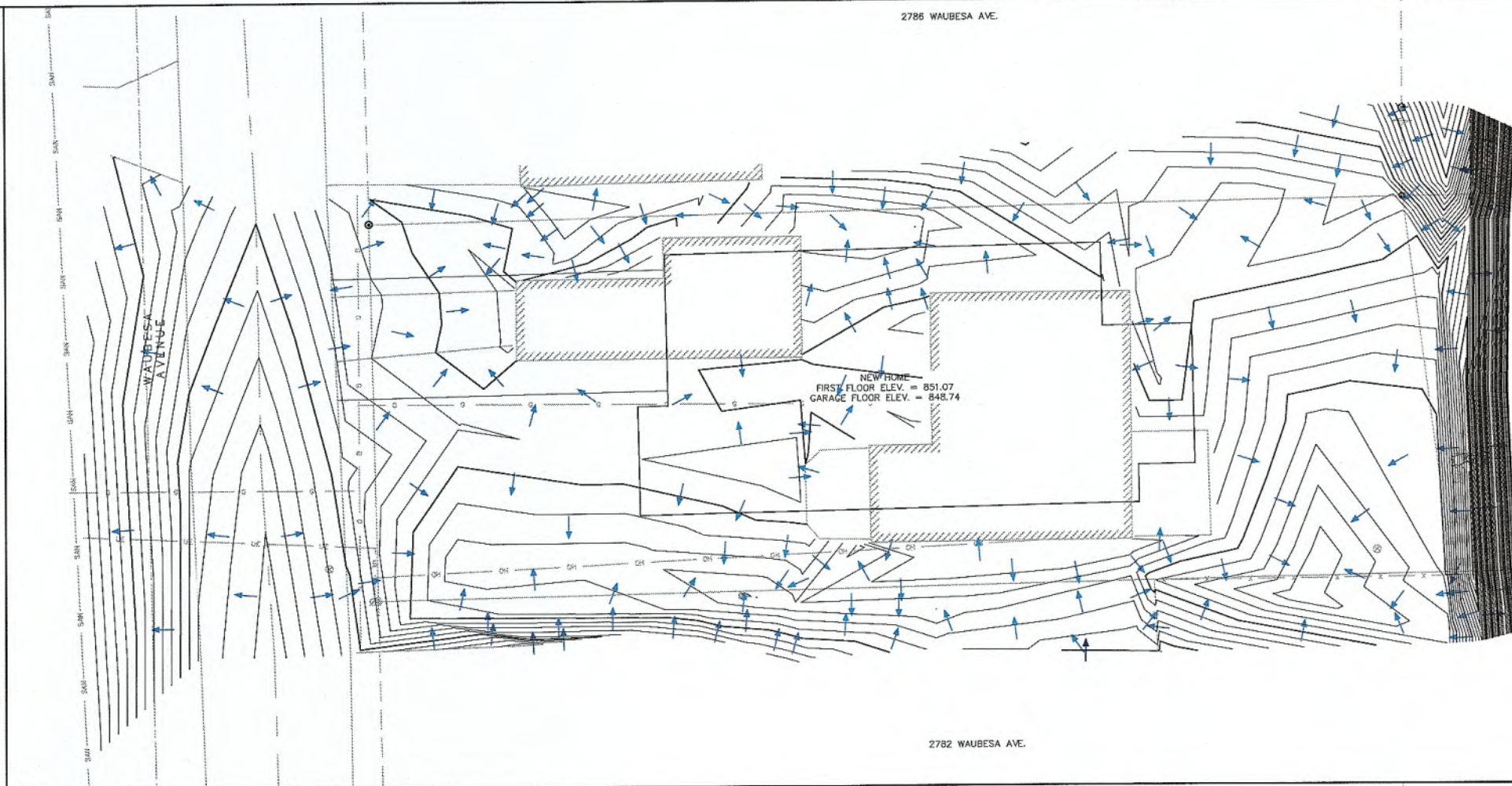
GRADING COMPARISON

This document contains confidential or proprietary information of Bursse Surveying and Engineering, Inc. Neither the document nor the information herein is to be reproduced, distributed, used or disclosed, either in whole or in part, except as specifically authorized by Bursse Surveying and Engineering, Inc.

DRAWING NUMBER

EX-8

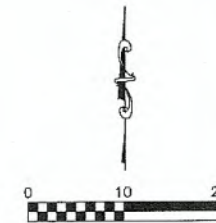
NOT FOR CONSTRUCTION



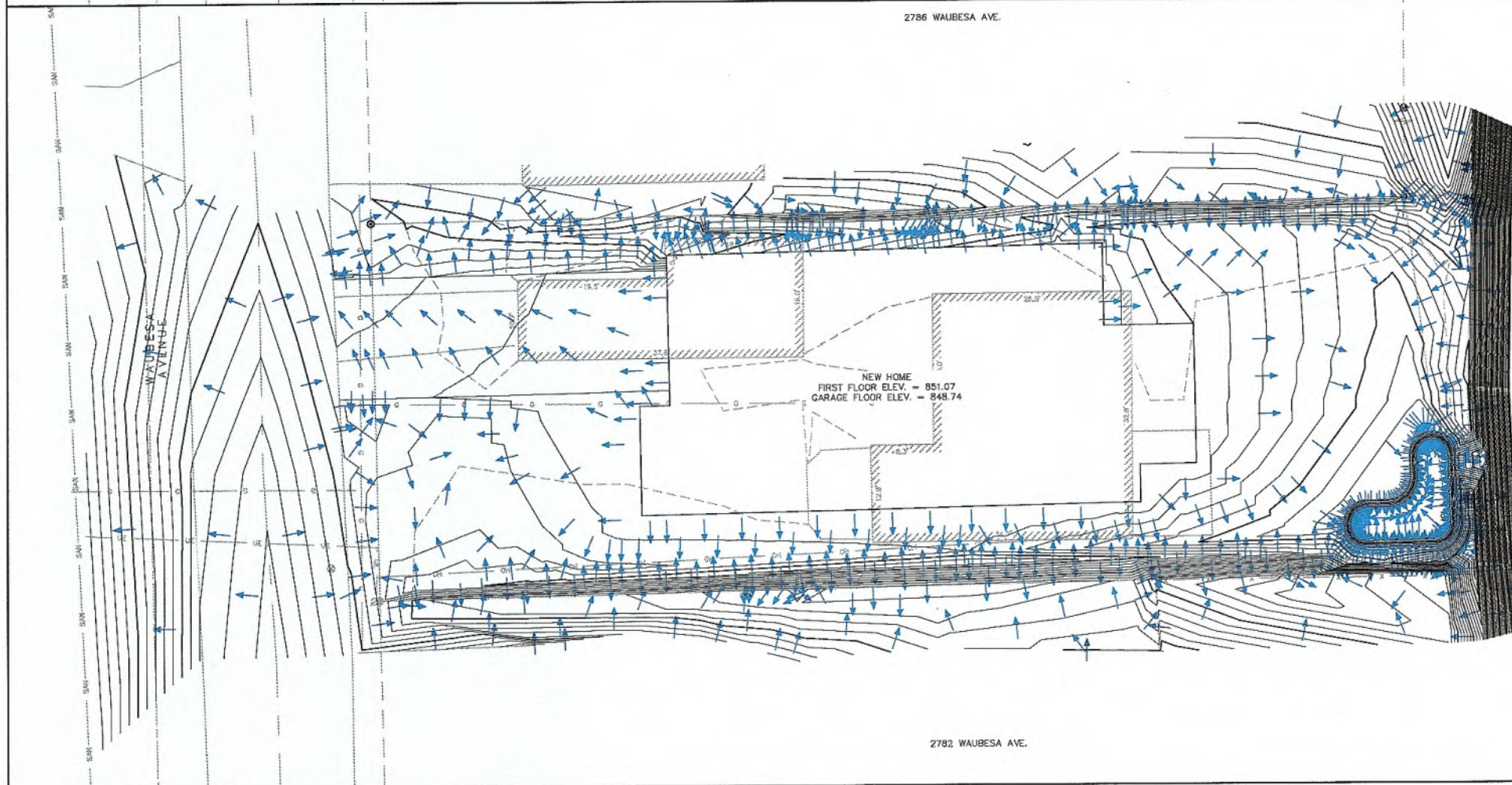
LAKE
WAUBESA

NOTES:

0.1' MINOR CONTOURS AND 0.5' MAJOR CONTOURS WITH
SLOPE ARROWS ARE DISPLAYED TO SHOW EXISTING FLOW
CONDITIONS AT THE PROPERTY LINES.



EXISTING



LAKE
WAUBESA

NOTES:

0.1' MINOR CONTOURS AND 0.5' MAJOR CONTOURS WITH
SLOPE ARROWS ARE DISPLAYED TO SHOW PROPOSED FLOW
CONDITIONS AT THE PROPERTY LINES.



PROPOSED

Burse
Surveying and Engineering, Inc.
2801 International Lane, Suite 101
Madison, WI 53704
Phone: 608-250-9263
Fax: 608-250-9266
e-mail: MBurse@BSE-INC.net
www.burseengineering.com

APPROVALS
PROJECT ENG. MLD
DESIGNED BY: CRB
CHECKED BY: CRB
SLOPE COMP. BY: MLD
DATE: 06/08/2020

RESIDENCE
2784 Waubesa Avenue
Madison, WI 53711
Alan Birkle
2784 Waubesa Avenue
Madison, WI 53711

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

REVISION DATES:
05/12/2020
06/08/2020

ISSUE DATES:
05/12/2020
06/08/2020

SLOPE COMPARISON

This document contains confidential or
proprietary information of Burse Surveying
and Engineering, Inc. Neither the document
nor the information herein is to be
reproduced, distributed, used or disclosed,
either in whole or in part, except as
specifically authorized by Burse Surveying
and Engineering, Inc.

DRAWING NUMBER

EX-9

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 No.	Description	Estimated 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



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	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=%R _x R _x K _x LS _x C (tons/acre)	Percent Reduction Required
												(7.5 tons/acre)
disturb ground	6/15/2020	7/1/2020	11.3%	150	Gn	0.17	1.9%	59	0.16	1.00	0.5	
disturb ground	7/1/2020	9/15/2020	47.3%	150	Gn	0.17	2.2%	81	0.20	1.00	2.5	
seeding	9/15/2020	----	26.8%	150	Gn	0.17	2.2%	81	0.20	0.40	0.6	
		----	----	----		----			----	----	----	
		----	----	----		----			----	----	----	
		----	----	----		----			----	----	----	
		----	----	----		----			----	----	----	
		----	----	----		----			----	----	----	
TOTAL											3.5	NONE

Land Disturbing Activities:

input

disturb ground
 apply mulch
 seed and mulch
 seeding
 sod
 paving

definition

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
 installation of sod
 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.

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

**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

BSE2187-19

APPENDIX F

Landscape Plan



Proposed extent of Phase 2 installation

*Note: All walls and steps to be installed on compacted base of 1" clear stone, over continuous roll geotextile fabric. Backfill with 12" using 1" clear stone



Scott Gier Designs
408-836-8448
sgierlandscapes.com

CLIENT
Alan Birkle
2784 Waubesa Ave
Madison, WI 53711

PROJECT
Shoreline Improvements

DRAWN BY
SG

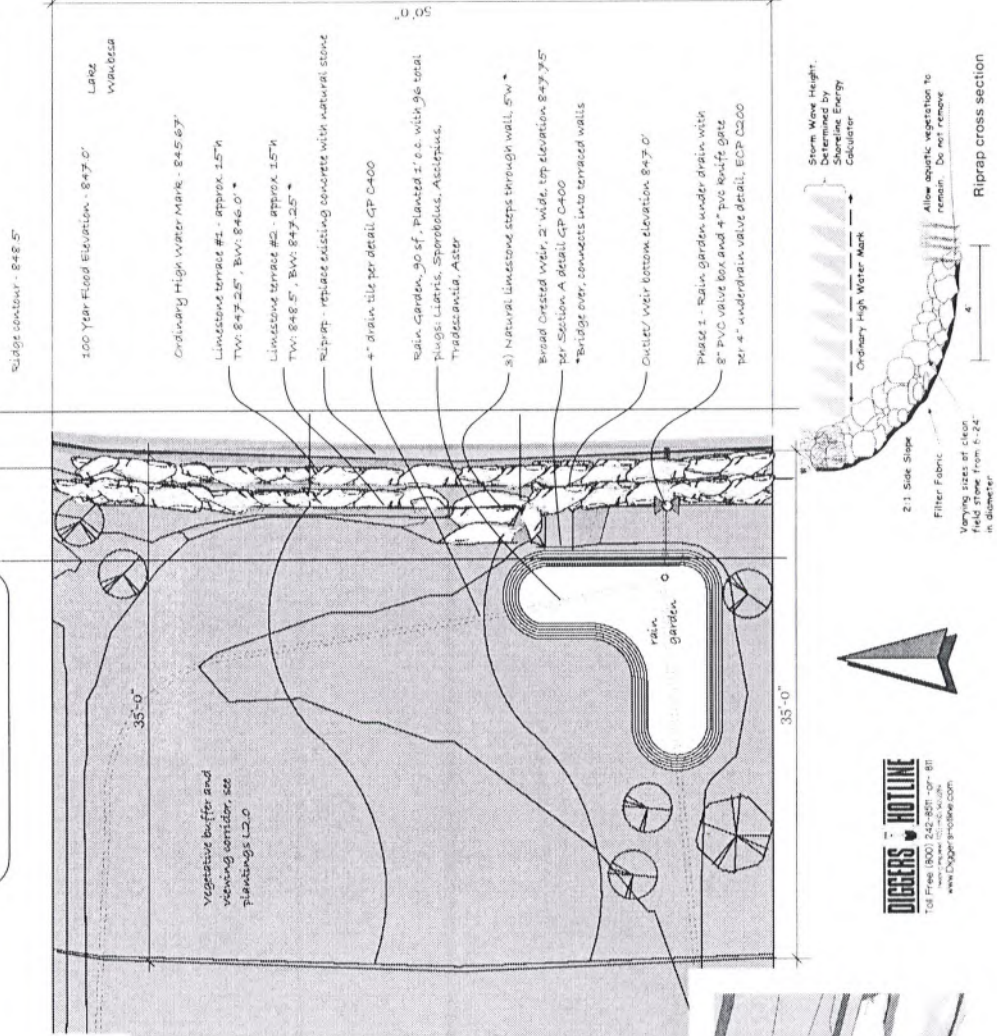
ISSUE
23 June 2020
14 Aug 2020

DESCRIPTION
shoreline plan - phase 1

SCALE
1/8" = 1'-0"

0 2 4 10'

L1.0



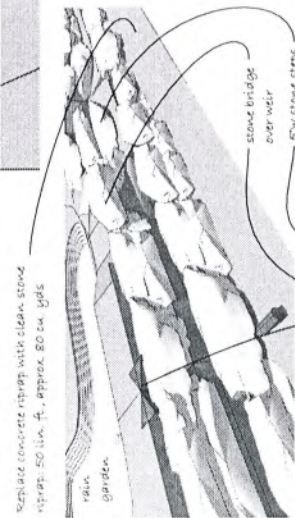
DIGGERS • HOTLINE
Toll Free (800) 242-8807 ext. 881
www.diggershotline.com

2784 Waubesa Avenue
Madison, WI 53711

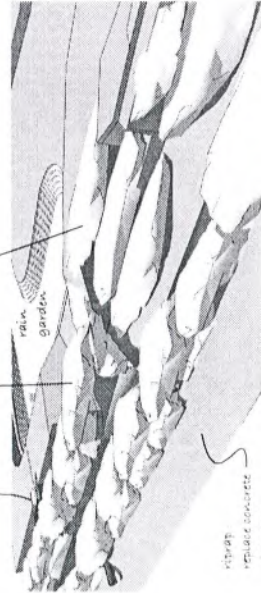
2784 Waubesa Avenue
Madison, WI 53711

Madison, WI

Dun in Heritage Park



Underdrain Valve
ECP C2000
8" valve box
4" knife gate



Riprap
Fill with concrete
with stone



Scott Gar Designs
408-834-8448
gearlandscapes.com

CLIENT
Alan Birkle
2-84 Waubesa Ave
Madison, WI 53711

PROJECT
Shoreline Improvements

DRAWN BY
SG

ISSUE
23-June 2020
14-Aug 2020

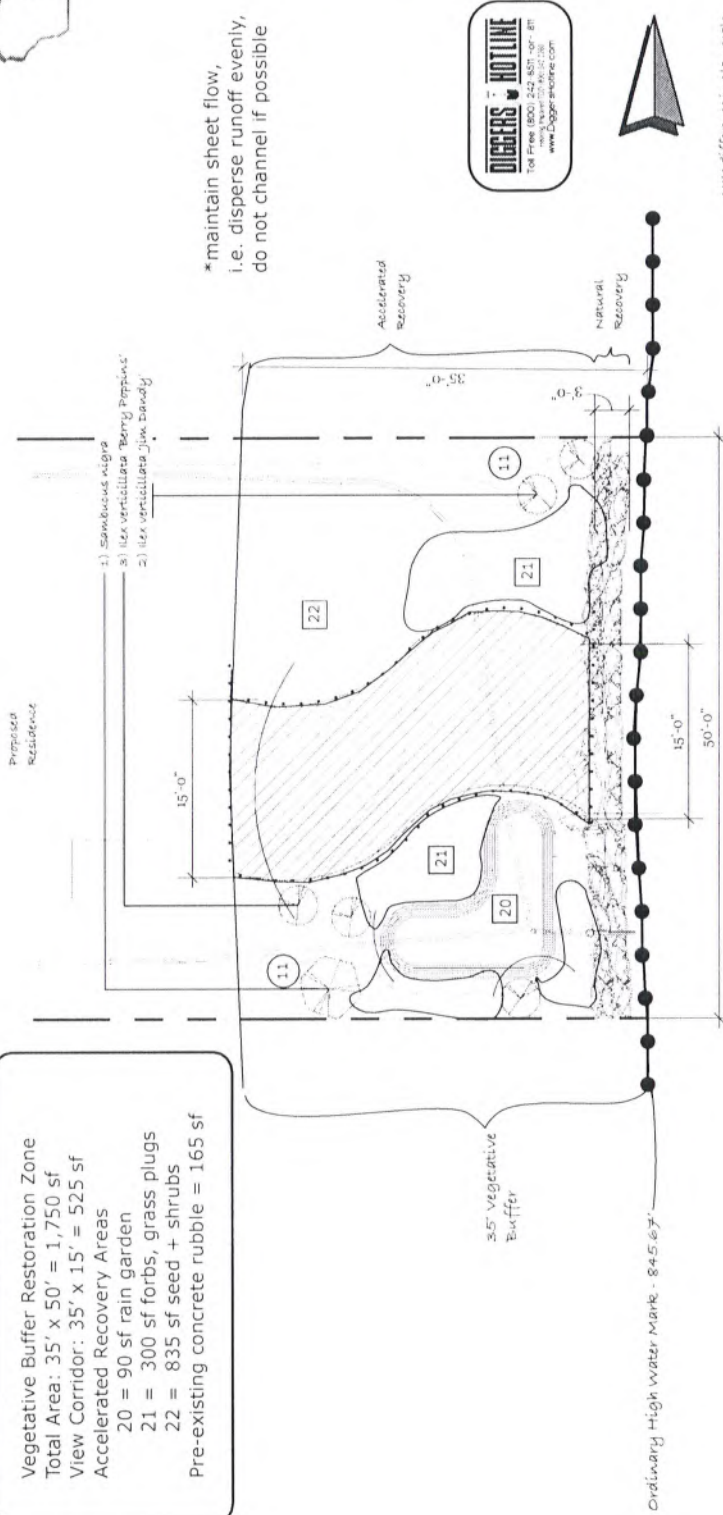
DESCRIPTION
Vegetative Buffer planting

SCALE
1/10" = 1'-0"



L2.0

*maintain sheet flow,
i.e. disperse runoff evenly,
do not channel if possible



Noted difference in plan scale
L1.0 = 8 scale - L2.0 = 1.0 scale

Ground Cover Plant List

Grass/ Sedge (21): 32) Carex frankii, 64) Sporobolus heterolepis, 36) Schizachyrium scoparium

Rain Garden (20):

36) Liatris spicata
24) Asclepias incarnata
24) Tradescantia
12) Aster novae-angliae

Forbs (21):

32) Aster laevis
16) Allium cernuum
32) Lobelia siphilitica
16) Lobelia cardinalis

Seed (22):

Sporobolus heterolepis, 6 oz.,
Allium cernuum, 3 oz., Annual Rye, 4 oz.

Buffer Restoration Legend

- Property Line
- Ordinary High Water Mark
- Existing Groundcover
- Viewing Corridor/ Access
- Buffer Boundary
- New Shrubs (labeled above)
- New Rain Garden (See list -->)
- New Ground Cover (See list -->)
- Include erosion control matting and blanket

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

Permit Number	MG2020-0194			Project Name	2784 Maubesa Ave
Approved By				Landowner	
	Jason Tuggle				Alan Birkle
Issued By				Parcel Number	
	Jason Tuggle				0610-082-1810-7
Issued To				Municipality	
	Alan Birkle				Town of Dunn
Disturbed Lands (sq ft)	New Impervious (sq ft)	Redeveloped Impervious (sq ft)	Location		
0	933	1,989	NW 1/4 of Section 8		
An erosion control, stormwater management, or shoreland mitigation plan for this project has been reviewed and approved under 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 the date included below for erosion control permits. Stormwater management and shoreland mitigation permits are valid in perpetuity. This card must be posted prominently on site until all disturbed soil has been stabilized. This permit is only for the items specified above. Other permits may be required.					
Start Date	Stabilization Date		Expiration Date		
10/1/2020	7/14/2021		Does Not Expire		


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.



Alan Birkle