

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
07/24/2023	DCPCUP-2023-02604
Public Hearing Date	
09/26/2023	

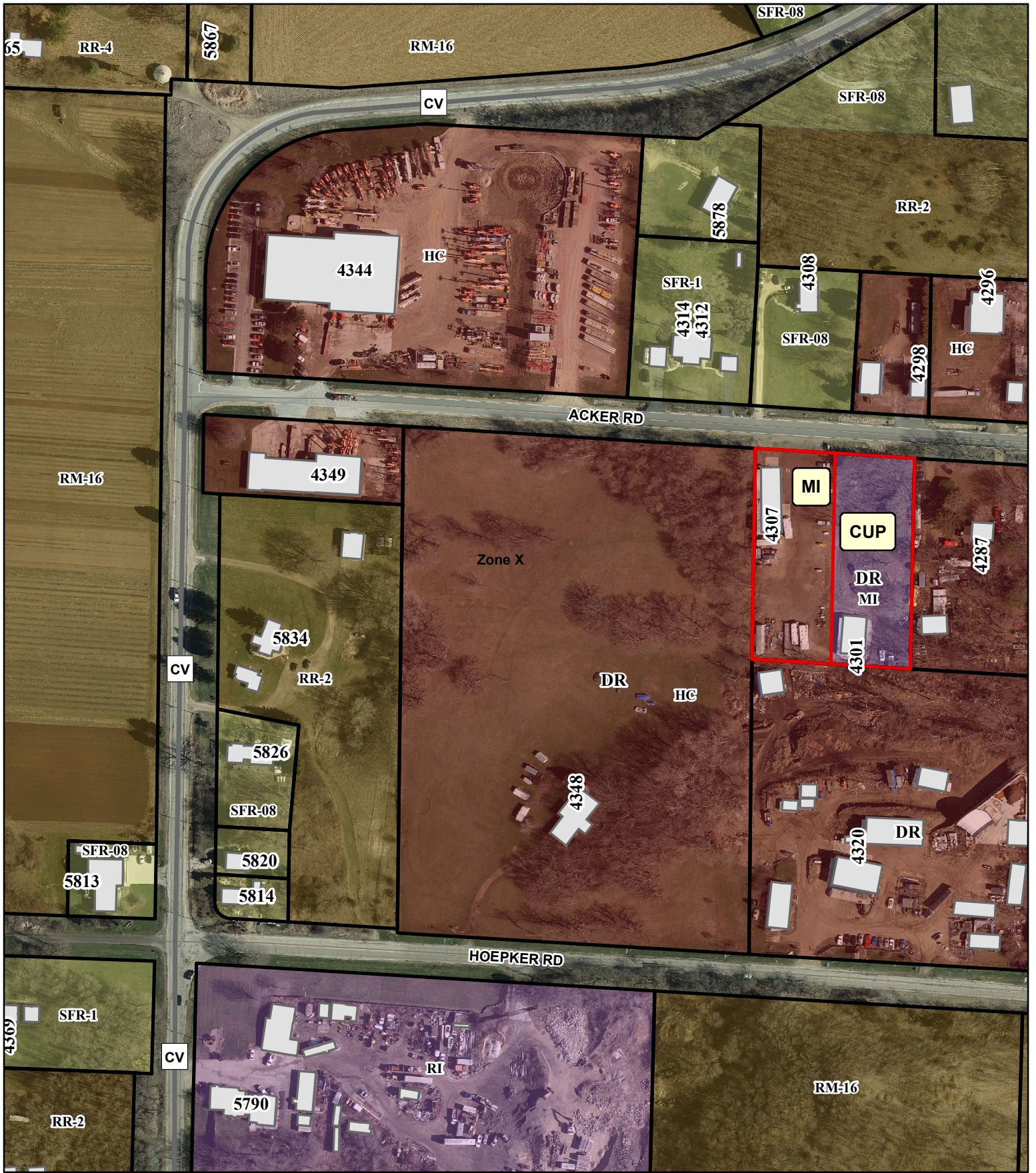
OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME ZACHARY BRUMM	Phone with Area Code (920) 390-1200	AGENT NAME ZACHARY BRUMM	Phone with Area Code (920) 390-1200
BILLING ADDRESS (Number, Street) 242 MILL ST		ADDRESS (Number, Street) 4307 ACKER ROAD	
(City, State, Zip) WATERLOO, WI 53594		(City, State, Zip) Madison, WI 53704	
E-MAIL ADDRESS zbrumm@gmail.com		E-MAIL ADDRESS zbrumm@gmail.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
4301 & 4307 Acker Rd				-	
TOWNSHIP BURKE	SECTION 8	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0810-084-9450-1		---		0810-084-9440-3	



CUP DESCRIPTION
EXPAND EXISTING TYPE 1 SALVAGE OPERATION

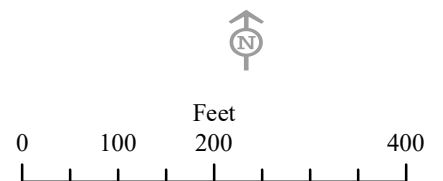
DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.282(3)	1.9

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials RUH1	SIGNATURE:(Owner or Agent)
		PRINT NAME:
		DATE:



CUP 2604

-  Floodway Areas in Zone AE
-  Floodplain





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

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

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION			
Property Owner Name:	ZACHARY BRUMM	Agent Name:	
Address (Number & Street):	4307 ACKER RD	Address (Number & Street):	
Address (City, State, Zip):	MADISON, WI 53704	Address (City, State, Zip):	
Email Address:	zbrumm@gmail.com	Email Address:	
Phone#:	920-390-1200	Phone#:	

SITE INFORMATION

Township:	BURKE	Parcel Number(s):	014/0810-084-9450-1
Section:	8	Property Address or Location:	4307 ACKER RD
Existing Zoning:	HC	Proposed Zoning:	MI
		CUP Code Section(s):	

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use): TYPE 1 SALVAGE OPERATION	Is this application being submitted to correct a violation? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Provide a short but detailed description of the proposed conditional use: Perform Salvage Operations on the property at 4307 Acker Rd. The applicant would like to obtain and Type 1 Salvage License so that he may expand his operation, store vehicles, and sell parts from the site. A Type 1 Salvage Operation is allowed as a CUP under Industrial Zoning. The sales will be generally through the internet.	

GENERAL APPLICATION REQUIREMENTS

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

<input checked="" type="checkbox"/> Complete attached information sheet for standards	<input checked="" type="checkbox"/> Site Plan drawn to scale	<input checked="" type="checkbox"/> Detailed operational plan	<input checked="" type="checkbox"/> Written legal description of boundaries	<input checked="" type="checkbox"/> Detailed written statement of intent	<input checked="" type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature:

Date: 7-21-2023

STANDARDS FOR CONDITIONAL USE PERMITS

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

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

1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The proposed use is to recycle automobiles, which will promote the public interest. The storage of vehicles will be screened by a fence, and the type of operations that may create noise will be within the building.

2. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

The neighborhood is almost all heavy commercial and industrial type uses. The property was previously used for a RV generator repair business and many RV's were temporarily stored on the property. The property will be screened by a fence and well maintained.

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

This area of the Town will eventually be attached to the City of Madison pursuant to the cooperative plan between the municipalities. The City currently has this area planned for future industrial uses.

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

Yes.

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

There will not be a large amount of traffic. On average 5 to 30 trips per day.

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

Yes.

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

It is consistent with Madison's future plan. The Town's and County's plan shows it as Commercial with Industrial next to it.

8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.

- Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:
- Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:
- Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:
- Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:
- Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

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

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.

ZB Salvage would like to expand its current operations from the 4301 Acker Rd property to their additional property at 4307 Acker Rd. ZB Salvage has a Type 1 Salvage license at the 4301 Acker Rd property, to store vehicles on site and to conduct sales from the 4307 Acker Rd property. This would require ZB to obtain industrial zoning and a conditional use permit. ZB would store vehicles and sell parts from those vehicles mostly over the internet. ZB does not intend to have significant retail traffic. ZB sells most inventory on the internet. Stored vehicles will be screened by a fence.

List the proposed days and hours of operation.
Monday through Friday 8:00 am to 5:00 pm, and Saturday 8:00 am to 12 pm.

List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
3 full-time employees + owner (Zachary Brumm)

List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.
There would be normal noises involving trucks delivering vehicles, and forklifts moving vehicles. The act of taking vehicles apart would occur within a building, which would mitigate such noises. All activities would be screened by a fence.

Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.
There would be normal noises involving trucks delivering vehicles, and forklifts moving vehicles. The act of taking vehicles apart would occur within a building, which would mitigate such noises. All activities would be screened by a fence

For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code.
There is an existing storm water permit for both the 4301 and 4307 Acker Rd properties.

List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.
The building has restrooms and a septic tank.

List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Cars will be stored, but most recyclable materials will be removed twice weekly (delivered to purchasing businesses).

Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
There will be trips of tow trucks averaging 5 to 30 trips per day. Acker Road has numerous industrial users.

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.
The site will have the normal materials involved with automobiles.

Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.
Very minimal lighting just on the building (which has been present for many years). There will be no operations after dark.

Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800.
There are no existing signs, The applicant will likely install a sign on the building.

Briefly describe the current use(s) of the property on which the conditional use is proposed.
Previously an RV generator repair business (prior owner).

Briefly describe the current uses of surrounding properties in the neighborhood.
Industrial and heavy commercial.

APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

- Scale and north arrow.
- Date the site plan was created.
- Existing subject property lot lines and dimensions.
- Existing and proposed wastewater treatment systems and wells.
- All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- All dimension and required setbacks, side yards and rear yards.
- Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- Location and dimensions of any existing utilities, easements or rights-of-way.
- Parking lot layout in compliance with s. 10.102(8).
- Proposed loading/unloading areas.
- Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- Any lighting, signs, refuse dumpsters, and possible future expansion areas.

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

- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:

- Hours of operation.
- Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- Compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code.
- Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- Facilities for managing and removal of trash, solid waste and recyclable materials.
- Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- Signage, consistent with section 10.800.

ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. 10.103:

- Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an event plan.
- Domestic pet or large animal boarding must provide additional information in site and operations plans.
- Communication towers must submit additional information as required in s. 10.103(9).
- Farm residences proposed in the FP-35 district must submit additional information as required in s. 10.103(11).
- Mineral extraction proposals must submit additional information as required in s. 10.103(15).



HC

Changes made by Zac Brumm
7-21-2023

HC

LEGEND (PROPOSED)

--- UTILITY AND EASEMENT
 --- EXISTING LINES
 --- EXISTING PROPOSED

GENERAL NOTES

1. LOTS AND TRACTS SHOWN ARE BASED ON RECORD PLANS AND SURVEY DATA. THE SURVEYOR HAS NOT CONDUCTED A FIELD SURVEY OF THIS PROJECT.
2. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
3. THE PROPOSED LOT LINES AND TRACT LINES ARE BASED ON RECORD PLANS AND SURVEY DATA. THE SURVEYOR HAS NOT CONDUCTED A FIELD SURVEY OF THIS PROJECT.
4. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.



WYSER ENGINEERING

BRUMM PROPERTY DEVELOPMENT
TOWN OF BURKE, DANE COUNTY, WI

Revisions:

No.	Date	Description

Graphic Scale	0' 5' 10' 20' 30'
Water Number	23-0810
Set Type	REVIEW
Date Issued	09/16/2022
Sheet Number	C100

DIGGER'S OUTLINE
 Toll Free (800) 242-8588 or 811
 www.DiggersOutline.com

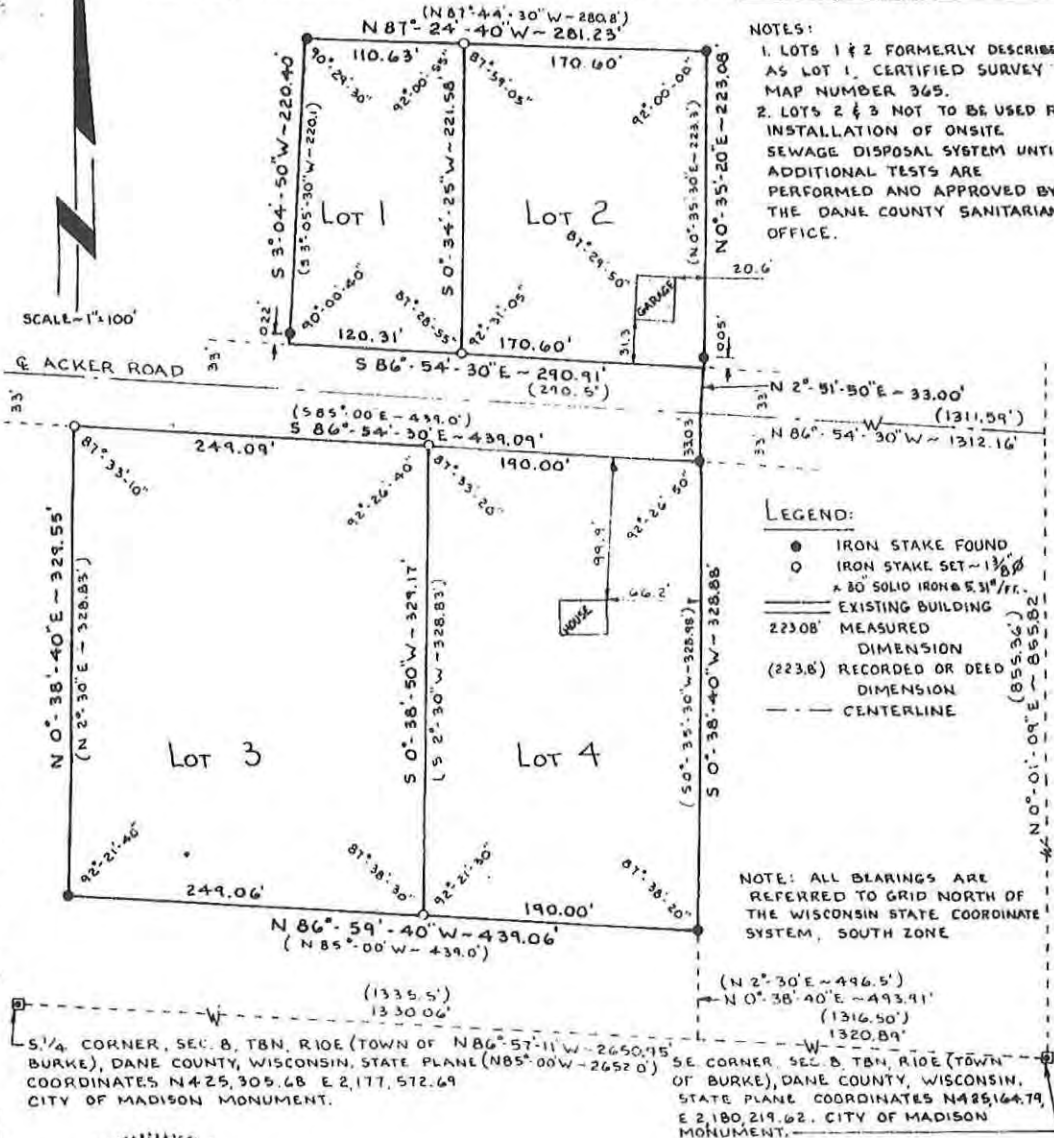
PLAT OF SURVEY
DONALD L. PAULSON
Surveyor
Madison, Wisconsin

CERTIFIED SURVEY NUMBER 816

DOCUMENT NUMBER 1325421

NOTES:

1. LOTS 1 & 2 FORMERLY DESCRIBED AS LOT 1, CERTIFIED SURVEY MAP NUMBER 365.
2. LOTS 2 & 3 NOT TO BE USED FOR INSTALLATION OF ONSITE SEWAGE DISPOSAL SYSTEM UNTIL ADDITIONAL TESTS ARE PERFORMED AND APPROVED BY THE DANE COUNTY SANITARIAN'S OFFICE.



1.50 IN



I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE ACCORDING TO THE DESCRIPTIONS FURNISHED AND THAT THE ABOVE PLAT IS A CORRECT REPRESENTATION OF THE LOT LINES THEREOF.

Madison, Wisconsin Donald L. Paulson
DONALD L. PAULSON
Land Surveyor #5-728

I have complied with Sec. 76.34 of the Statutes of the State of Wisconsin

REVISED - 5-12-72 D.L.P.

Arnold and P. Sheridan, Inc.
157 Ohio Avenue
Madison, Wisconsin 53704

Arnold and P. Sheridan, Inc.
226 South Park Street
Madison, Wisconsin 53715

April 7, 1972
S 7200-1

Sheet 1 of 2

Legibility Impaired

PLAT OF SURVEY
DONALD L. PAULSON
Surveyor
Madison, Wisconsin

CERTIFIED SURVEY NUMBER 816
DOCUMENT NUMBER 1325421

DESCRIPTION: Part of the S.E. 1/4, Sec. 8, T8N, R10E (Town of Burke) Dane County, Wisconsin to-wit:

Commencing at the City of Madison Monument at the S.E. corner of said Section 8, thence N 0°-01'-09" E, 855.82'; thence N 86°-54'-30" W, 1312.16' to the point of beginning; thence S 0°-38'-48" W, 33.03'; thence continuing S 0°-38'-40" W, 328.88'; thence N 86°-59'-40" W, 439.00'; thence N 0°-38'-48" E, 329.55'; thence S 86°-54'-30" E, 439.09'; thence N 0°-38'-48" E, 33.03'; thence N 2°-51'-50" E, 33.00'; thence N 0°-35'-20" E, 223.08'; thence N 87°-24'-40" W, 281.23'; thence S 3°-04'-50" W, 220.40'; thence S 86°-54'-30" E, 290.91'; thence S 2°-51'-50" W, 33.00' to the point of beginning.

<p>APPROVED FOR RECORDING PER PLAN DEPARTMENT ACTION <u>May 2, 1972</u> <i>Charles R. Dinauer</i> C. R. DINAUER, Sec. Date <u>5-12-72</u> RAD</p>	<p>APPROVED FOR RECORDING PER DANE COUNTY AGRICULTURE, ZONING, PLANNING AND WATER RESOURCES COMMITTEE <i>[Signature]</i> AUTHORIZED REPRESENTATIVE Date _____</p>
---	---

Received for record this 12 day of May 1972, at 2⁰⁰ o'clock P. M. and recorded in Volume 4 of Certified Surveys, Page 31 and 32.

Harold E. Hill
HAROLD E. HILL, Register of Deeds
Dane County, Wisconsin
By: Marian Jordan, Deputy

S.H.F., Inc.
143 Olive Avenue
Madison, Wisconsin 53704

Arnold and O'Sheridan, Inc.
630 South Park Street
Madison, Wisconsin 53715

April 7, 1972
S 7209-2

Sheet 2 of 2



DocId:1036524
T.:9440560

STATE BAR OF WISCONSIN FORM 7 - 2003
TRUSTEE'S DEED

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

Document Number _____ Document Name _____
THIS DEED, made between Kensel J. Disrud and Maria K. Disrud, Trustees of the Disrud Living Trust dated December 27, 2018

("Grantor," whether one or more), and Zachary Brumm

("Grantee," whether one or more). Grantor conveys to Grantee, without warranty, the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in DANE County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Parcel A:

Lot 3, EXCEPT the East 124.5 feet of Lot 3, Certified Survey Map 816, recorded in Vol. 4 of Certified Survey Maps, page 31, as #1325421, in the Town of Burke, Dane County, Wisconsin.

RETURN TO
Zachary Brumm
242 Mill St.
Waterloo, WI, 53594

Tax Parcel No
014-0810-084-9450-1 (Pcl A)

Dated this 8 day of November, 2022.

Disrud Living Trust dated December 27, 2018
Maria K. Disrud
Maria K. Disrud, Trustee

Disrud Living Trust dated December 27, 2018
Kensel J. Disrud
Kensel J. Disrud, Trustee

AUTHENTICATION

Signature(s)

Authenticated this ____ day of _____, 20__

*
TITLE: MEMBER OF STATE BAR OF WISCONSIN

(If not, _____
Authorized by 706.06, Wis. Stats)

THIS INSTRUMENT WAS DRAFTED BY
Perry J. Armstrong

(Signatures may be authenticated or acknowledged Both are not necessary)

*Names of persons signing in any capacity should be typed or printed below their signatures

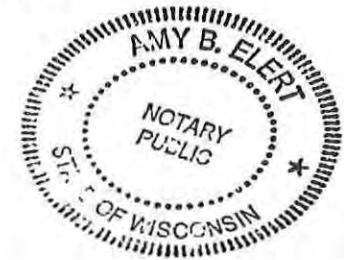
File No 122090010

ACKNOWLEDGMENT

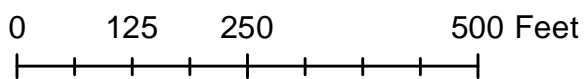
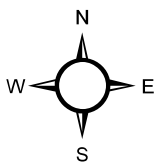
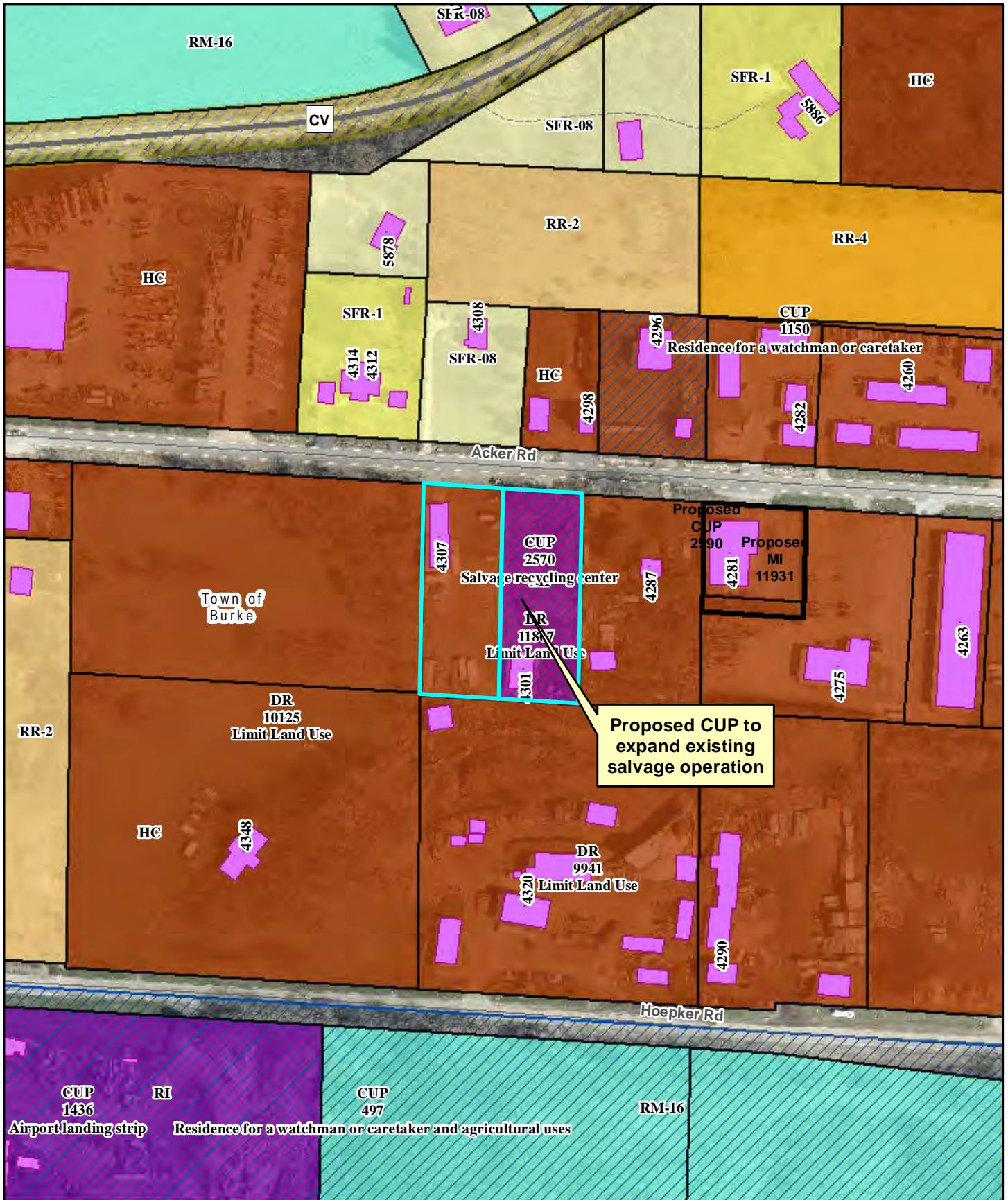
STATE OF WISCONSIN)
) ss.
COUNTY OF)

Personally came before me this 8 day of November, 2022 the above named Maria K. Disrud, Trustee to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Amy B. Elert
Amy B. Elert
Notary Public County, Wis. Columbia County WI
My Commission expires: is permanent
11/25/23



T-500,000
(1500 00)
(1)



CUP 2604
4301 & 4307 Acker Road

CUP 2604 Legal Description

Lot 3, Certified Survey Map No. 816, recorded in Vol. 4 of Certified Survey Maps, pages 31 & 32, as #1325421, in the Town of Burke, Dane County, Wisconsin.