

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
01/20/2023	DCPCUP-2023-02590
Public Hearing Date	
03/28/2023	

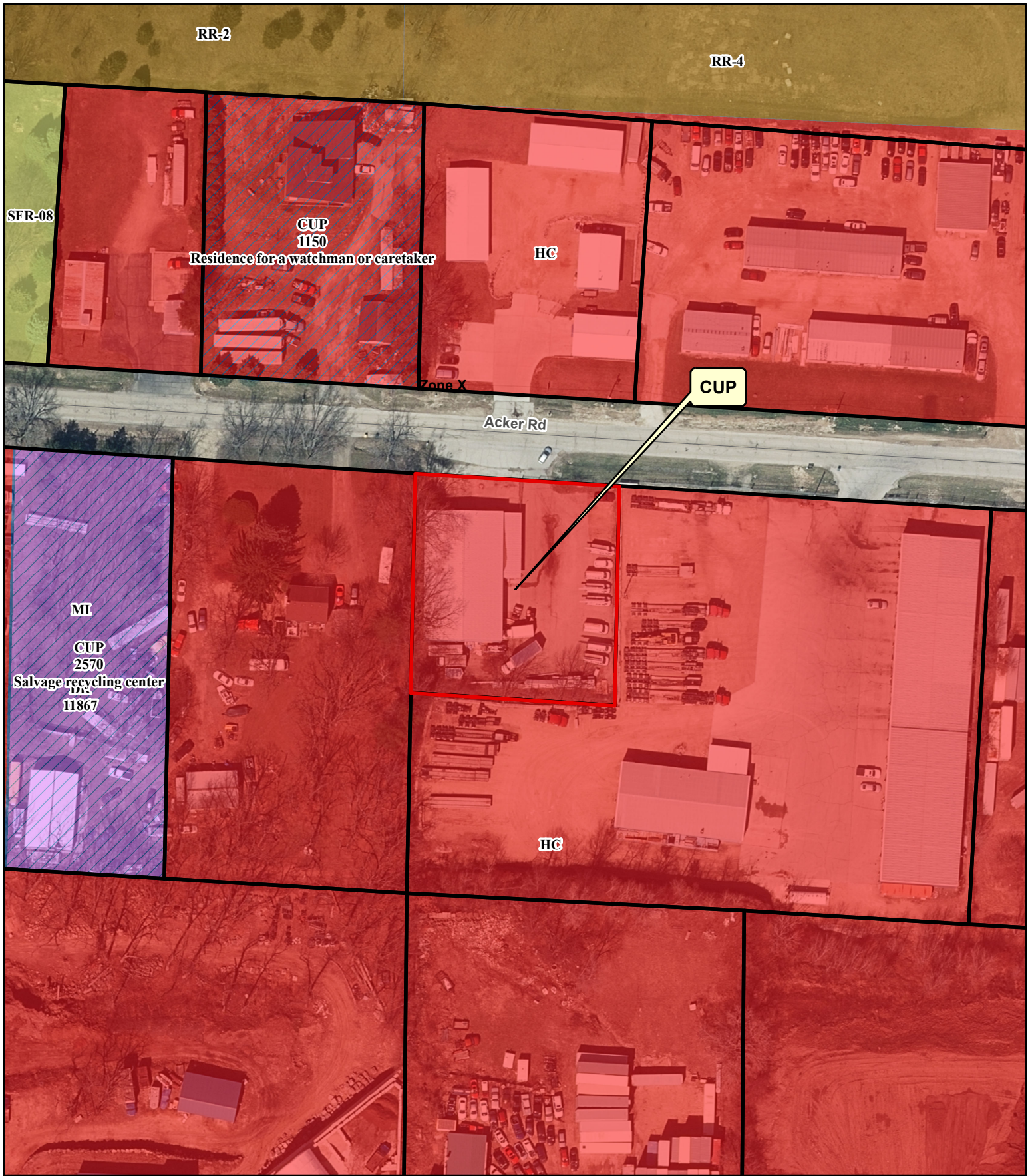
OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME LINDUS PROPERTIES LLC	Phone with Area Code	AGENT NAME MATTHEW HUNTER	Phone with Area Code (608) 852-4982
BILLING ADDRESS (Number, Street) 2149 MAIER CT		ADDRESS (Number, Street) 4281 ACKER RD	
(City, State, Zip) LUCK, WI 54853		(City, State, Zip) Madison, WI 53704	
E-MAIL ADDRESS		E-MAIL ADDRESS madisonautorecyclingllc@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	
4281 Acker Rd.				-	
TOWNSHIP BURKE	SECTION 8	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0810-084-9680-3		---		0810-084-9688-5	

CUP DESCRIPTION
Salvage yard

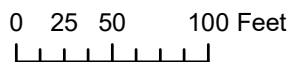
DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.282(3)	0.6

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



Legend

-  Wetland
-  Floodplain



CUP 02590
LINDUS PROPERTIES LLC



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:	Lindus Properties LLC	Agent Name:	Matthew Hunter
Address (Number & Street):	2149 Maier Ct	Address (Number & Street):	4281 Acker Rd
Address (City, State, Zip):	Luck, WI 54853	Address (City, State, Zip):	Madison, WI 53704
Email Address:	kevin.lindus@lindusco.com	Email Address:	madisonautorecyclingllc@gmail.com
Phone#:	715-760-5160	Phone#:	608-852-4982

SITE INFORMATION

Township:	T08NR10E	Parcel Number(s):	014/0810-084-9680-3 AND 014/0810-084-9688-5
Section:	08	Property Address or Location:	4281 Acker Rd, Town of Burke, Wisconsin
Existing Zoning:	HC	Proposed Zoning:	MI
		CUP Code Section(s):	

DESCRIPTION OF PROPOSED CONDITIONAL USE

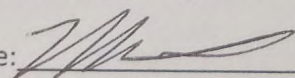
<p>Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):</p> <p>Salvage Yard</p>	<p>Is this application being submitted to correct a violation?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>Provide a short but detailed description of the proposed conditional use:</p> <p>The business on this property is currently a Type 4 automotive salvage business and would like to sell parts removed from vehicles before salvaging them which requires a Type 1 automotive salvage license. The Type 1 automotive salvage license allows the use of our secure yard for storage of vehicles and this requires a Conditional Use Permit and zoning of Manufacturing Industrial.</p>	

GENERAL APPLICATION REQUIREMENTS

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

<input 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: 1/19/2023



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

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PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

Property Owner Name:		Agent Name:	
Address (Number & Street):		Address (Number & Street):	
Address (City, State, Zip):		Address (City, State, Zip):	
Email Address:		Email Address:	
Phone#:		Phone#:	

SITE INFORMATION

Township:		Parcel Number(s):	
Section:		Property Address or Location:	
Existing Zoning:	Proposed Zoning:	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):	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide a short but detailed description of the proposed conditional use:	

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Owner/Agent Signature: _____

Date: _____

STANDARDS FOR CONDITIONAL USE PERMITS

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

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

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.
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.
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.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.
7. The conditional use is consistent with the adopted town and county comprehensive plans.
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.
List the proposed days and hours of operation.
List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
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.
Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.
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.
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.
List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.
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.
Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800 .
Briefly describe the current use(s) of the property on which the conditional use is proposed.
Briefly describe the current uses of surrounding properties in the neighborhood.

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:

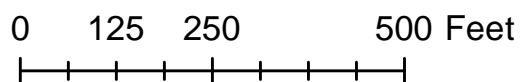
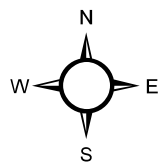
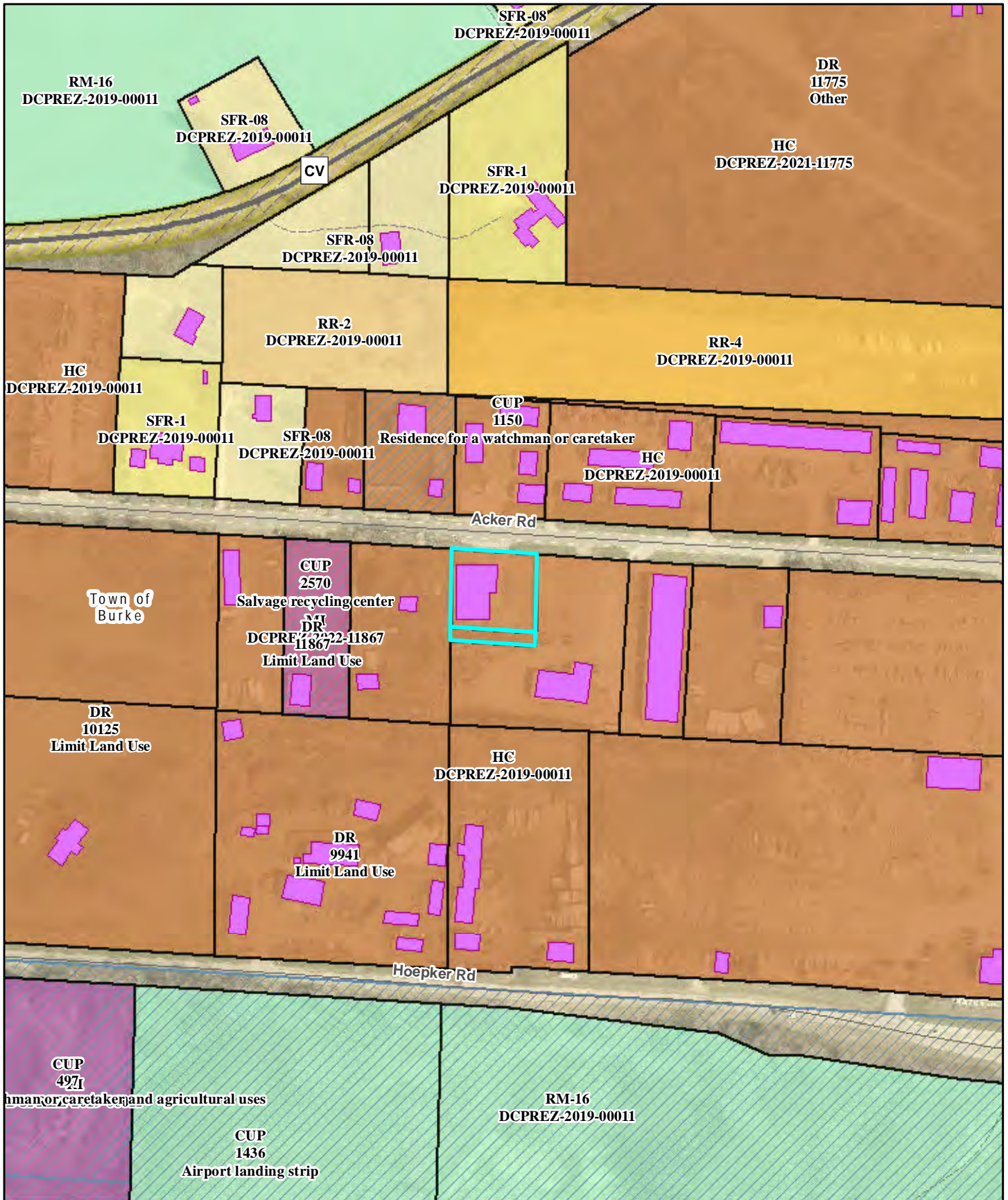
- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

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\(15\)](#).



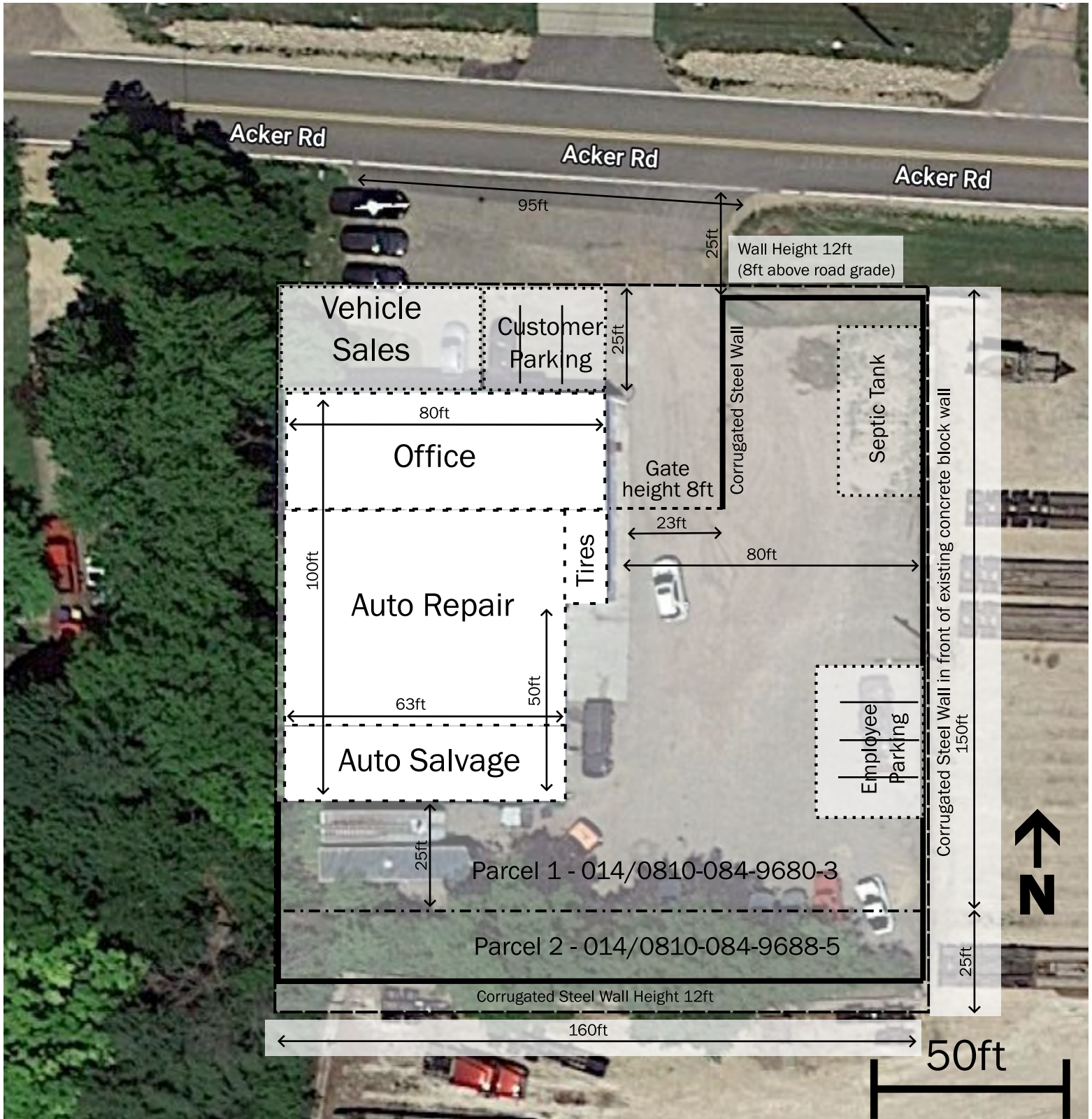
CUP 2588
Neighborhood Map

4281 Acker Site Plan

Parcel 1: 014/0810-084-9680-3

Parcel 2: 014/0810-084-9688-5

Prepared: 01/19/2023



Business Narrative and Request

4281 Acker Rd, Town of Burke, Wisconsin

Madison Auto Recycling LLC is a full spectrum automotive services business. Besides automotive maintenance and repair, we buy and sell vehicles as well as salvage and recycle vehicles.

Under our current license as a Type 4 automotive salvage business, we are only able to sell the vehicles for scrap metal. We would like to expand our business to dismantling vehicles and selling the parts which requires a Type 1 automotive salvage license from WisDOT. This license will permit us to sell parts removed from salvaged vehicles before delivery to a scrap metal recycler. It will also permit us to store vehicles in our secure, screened yard. To satisfy the full use of the Type 1 salvage license, our property needs a Conditional Use Permit (CUP) and to be zoned as Manufacturing Industrial (MI). The only part of a Type 1 salvage operation not permitted by the current Heavy Commercial (HC) zoning is the use of our secure, screened yard for storage of vehicles.

Our auto parts sales will be conducted online via the Internet and by telephone with delivery by truck, mail, or courier. Salvage operations are physically partitioned from both the vehicle sales and repair operations.

Operational Narrative

4281 Acker Rd, Town of Burke, Wisconsin

- 1. Hours of Operation.** Monday through Friday 8:00 a.m. to 6:00 p.m., and Saturday 8:00 a.m. to 12 p.m.
- 2. Number of Employees.** Three full time employees.
- 3. Noise/Odors.** There would be normal noises involving trucks delivering vehicles, and forklift moving vehicles. The act of taking vehicles apart would occur within a building, which would mitigate such noises.
- 4. Outside Storage and Activities.** The Applicant would store vehicles outside screened by the fence. Other than storing and moving vehicles, almost all activities would happen within the building.
- 5. Stormwater and Erosion Control.** The applicant will comply with all stormwater and erosion control requirements.
- 6. Sanitary Facilities.** There are restrooms facilities as well as sept
- 7. Managing Trash and Recyclable Materials.** All recyclable materials will be stored behind fencing. Cars will be stored outside, but most recyclable materials will be removed once a week.
- 8. Traffic.** There will be trips of tow trucks averaging 5 to 35 trips a day. Acker Road is an industrial road. The trucks used by the Applicant are under CDL weight and smaller than multiple trucks used by other businesses in the exact neighborhood.
- 9. Hazardous Material.** The site will have the normal materials involved with automobiles. The applicant removed all fluids for stored vehicles, and has to comply with all Department of Natural Resources requirements.
- 10. Outdoor Lighting.** There will be very little lighting, which would be lighting on the building.
- 11. Signage.** There would be a limited sign on the building in compliance with all County ordinances.

Legal Description

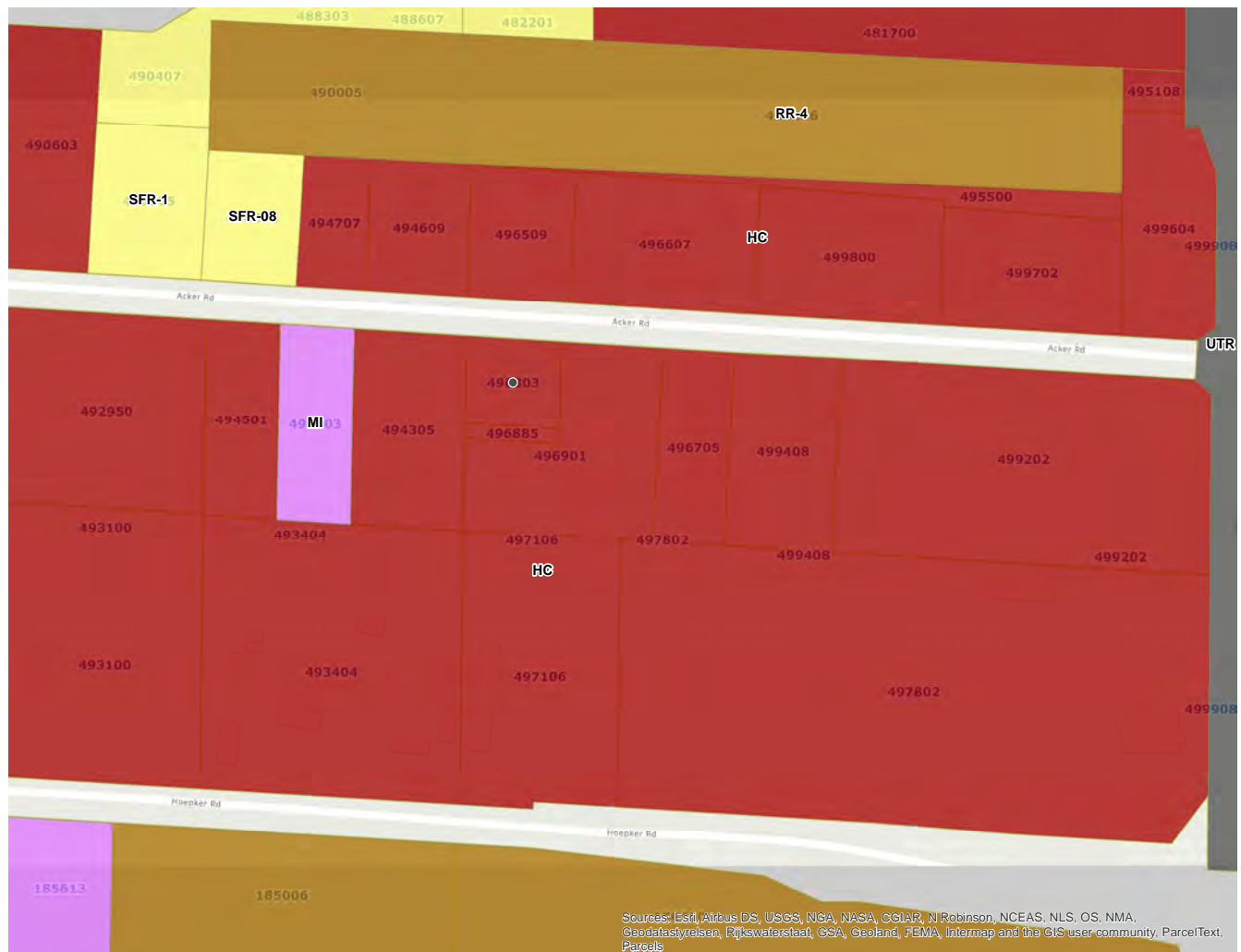
4281 Acker Rd, Towne of Burke, Wisconsin

Parcel 1 – 014/0810-084-9680-3

LOT 1 CSM 727 CS3/268 DESCR AS SEC 8-8-10 PRT SE1/4 SE1/4 COM SEC SE COR TH N 858.36 FT TH N86DEG W 1310.2 FT TO POB TH S 180 FT TH S86DEG E 160 FT TH N 180 FT TH N86DEG W 160 FT ALG C/L ACKER RD TO POB

Parcel 2 – 014/0810-084-9688-5

PRT LOT 2 CSM 727 CS3/268 DESCR AS COM SEC 8-8-10 SE COR TH N 858.36 FT TH N86DEGW 978.01 FT TH S3DEGW 361.29 FT TH N86DEGW 318.97 FT TH N 156.95 FT TO POB TH CON N 25.00 FT TH N86DEGE 160.00 FT TH S 25 FT TH S86DEGW 160.00 FT TO POB



CUP 2590 Legal Description

Parcel 1 – 014/0810-084-9680-3

LOT 1 CSM 727 CS3/268 DESCRIBED AS SECTION 8-8-10 PART OF THE SE $\frac{1}{4}$, SE $\frac{1}{4}$ COMMENCING AT SECTION SE CORNER THENCE NORTH 858.36 FT THENCE N86DEG WEST 1310.2 FT TO POINT OF BEGINNING; THENCE SOUTH 180 FT THENCE S86DEG EAST 160 FT THENCE N 180 FT THENCE N86DEG WEST 160 FT ALG CENTERLINE OF ACKER RD TO POINT OF BEGINNING.

AND

Parcel 2 – 014/0810-084-9688-5

PRT LOT 2 CSM 727 CS3/268 DESCRIBED AS COM SEC 8-8-10 SE CORNER THENCE NORTH 858.36 FT THENCE N86DEG WEST 978.01 FT THENCE S3DEG WEST 361.29 FT THENCE N86DEG WEST 318.97 FT THENCE N 156.95 FT TO POINT OF BEGINNING; THENCE CON NORTH 25.00 FT THENCE N86DEG EAST 160.00 FT THENCE S 25 FT THENCE S86DEG WEST 160.00 FT TO POINT OF BEGINNING.