

# Dane County Rezone Petition

<b>Application Date</b>	<b>Petition Number</b>
01/20/2023	DCPREZ-2023-11931
<b>Public Hearing Date</b>	
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 REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
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			

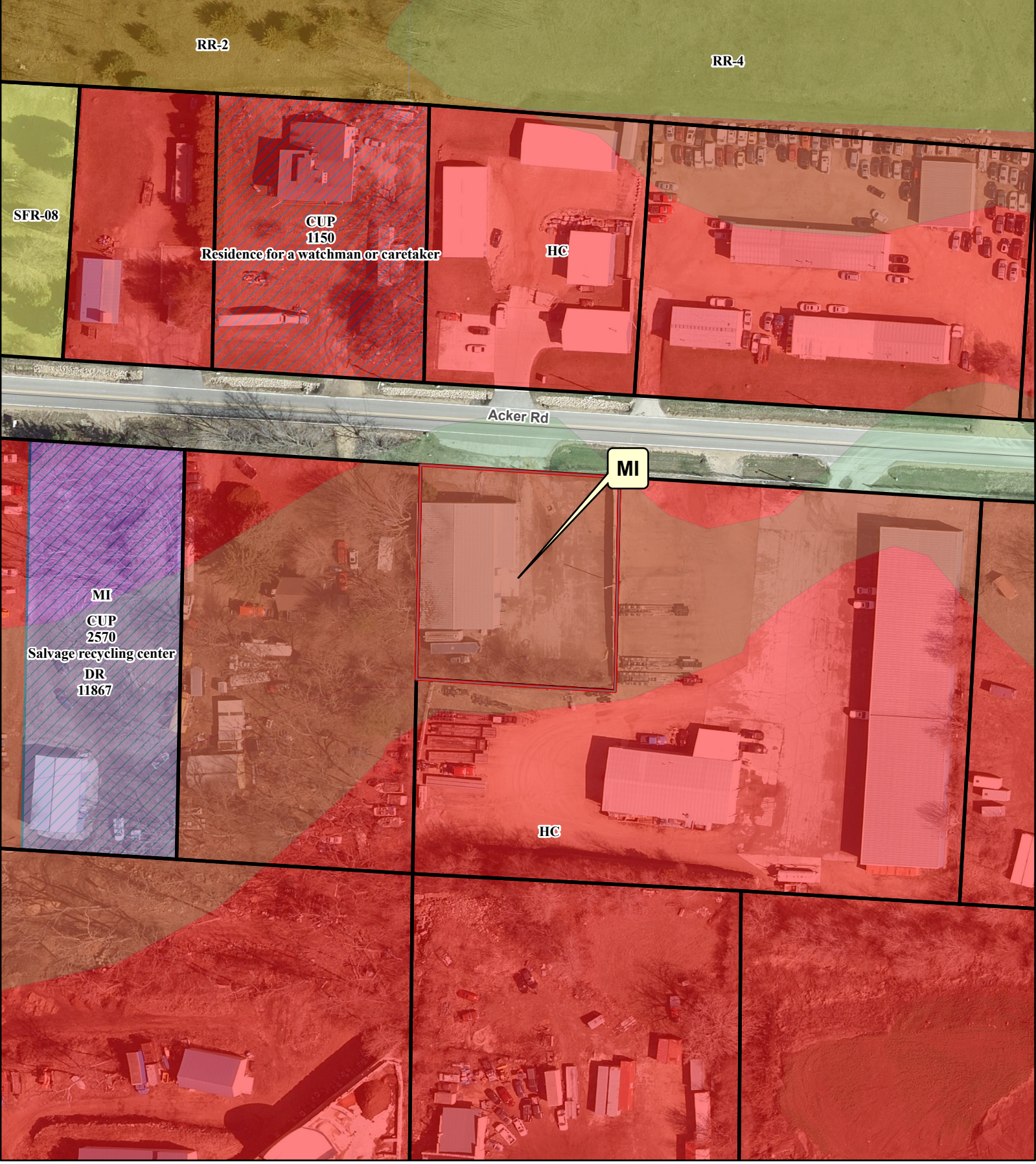
## REASON FOR REZONE

ZONING TO ALLOW AN AUTO SALVAGE YARD BUSINESS

FROM DISTRICT:	TO DISTRICT:	ACRES
HC Heavy Commercial District	MI Manufacturing and Industrial District	0.6

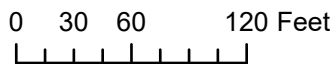
<b>C.S.M REQUIRED?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	<b>PLAT REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>DEED RESTRICTION REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>INSPECTOR'S INITIALS</b>  RUH1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>
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COMMENTS: NEW CERTIFIED SURVEY MAP REQUIRED FOR NEW PROPERTY BOUNDARY



**Legend**

- Floodplain
- Class 2
- Wetland
- 6 in Color Orthophoto (2022)**
- Class**
- Class 1
- Red: Red



Petition 11931  
**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:	\$395
Farmland Preservation:	\$495
Commercial:	\$545
<ul style="list-style-type: none"> <li>• PERMIT FEES DOUBLE FOR VIOLATIONS.</li> <li>• ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION.</li> </ul>	

## REZONE 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

### PROPERTY INFORMATION

Township:	T08NR10E	Parcel Number(s):	014/0810-084-9680-3 AND 014/0810-084-9688-5
Section:	8	Property Address or Location:	4281 Acker Rd, Town of Burke, Wisconsin

### REZONE DESCRIPTION

**Reason for the request.** In the space below, please provide a brief but detailed explanation of the rezoning request. Include both current and proposed land uses, number of parcels or lots to be created, and any other relevant information. For more significant development proposals, attach additional pages as needed.

Is this application being submitted to correct a violation?  
 Yes  No

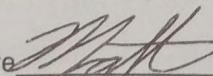
We are currently an automotive repair, type 4 vehicle salvage, and automotive vehicle sales business and want to obtain a type 1 vehicle salvage license which requires a change in zoning to Manufacturing Industrial (MI) with conditional use permit to operate a salvage yard.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
HC	MI	0.753

**Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine 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 commercial development proposals, or as may be required by the Zoning Administrator.**

- |  |  |  |   |   |
|--|--|--|---|---|
| <input checked="" type="checkbox"/> Scaled drawing of proposed property boundaries | <input checked="" type="checkbox"/> Legal description of zoning boundaries | <input checked="" type="checkbox"/> Information for commercial development (if applicable) | <input checked="" type="checkbox"/> Pre-application consultation with town and department staff | <input checked="" type="checkbox"/> Application fee ( <b>non-refundable</b> ), payable to the Dane County Treasurer |
|--|--|--|---|---|

I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

Owner/Agent Signature 

Date 1/19/20



**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:	\$395
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Commercial:	\$545
<ul style="list-style-type: none"> <li>• PERMIT FEES DOUBLE FOR VIOLATIONS.</li> <li>• ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION.</li> </ul>	

## REZONE 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#:	

### PROPERTY INFORMATION

Township:		Parcel Number(s):	
Section:		Property Address or Location:	

### REZONE DESCRIPTION

<p><b>Reason for the request.</b> In the space below, please provide a brief but detailed explanation of the rezoning request. Include both current and proposed land uses, number of parcels or lots to be created, and any other relevant information. For more significant development proposals, attach additional pages as needed.</p>	<p><b>Is this application being submitted to correct a violation?</b>          Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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Existing Zoning District(s)	Proposed Zoning District(s)	Acres

**Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine 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 commercial development proposals, or as may be required by the Zoning Administrator.**

<input type="checkbox"/> Scaled drawing of proposed property boundaries	<input type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable)	<input type="checkbox"/> Pre-application consultation with town and department staff	<input type="checkbox"/> Application fee ( <b>non-refundable</b> ), payable to the Dane County Treasurer
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I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

Owner/Agent Signature \_\_\_\_\_ Date \_\_\_\_\_

## SUPPLEMENTAL INFORMATION FOR COMMERCIAL DEVELOPMENT

A scaled site plan and detailed operations plan must be submitted for commercial rezone applications. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach the relevant maps and plans listed below to your application form.

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

**OPERATIONAL 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 PROPERTY OWNERS. Provide contact information for additional property owners, if applicable.**

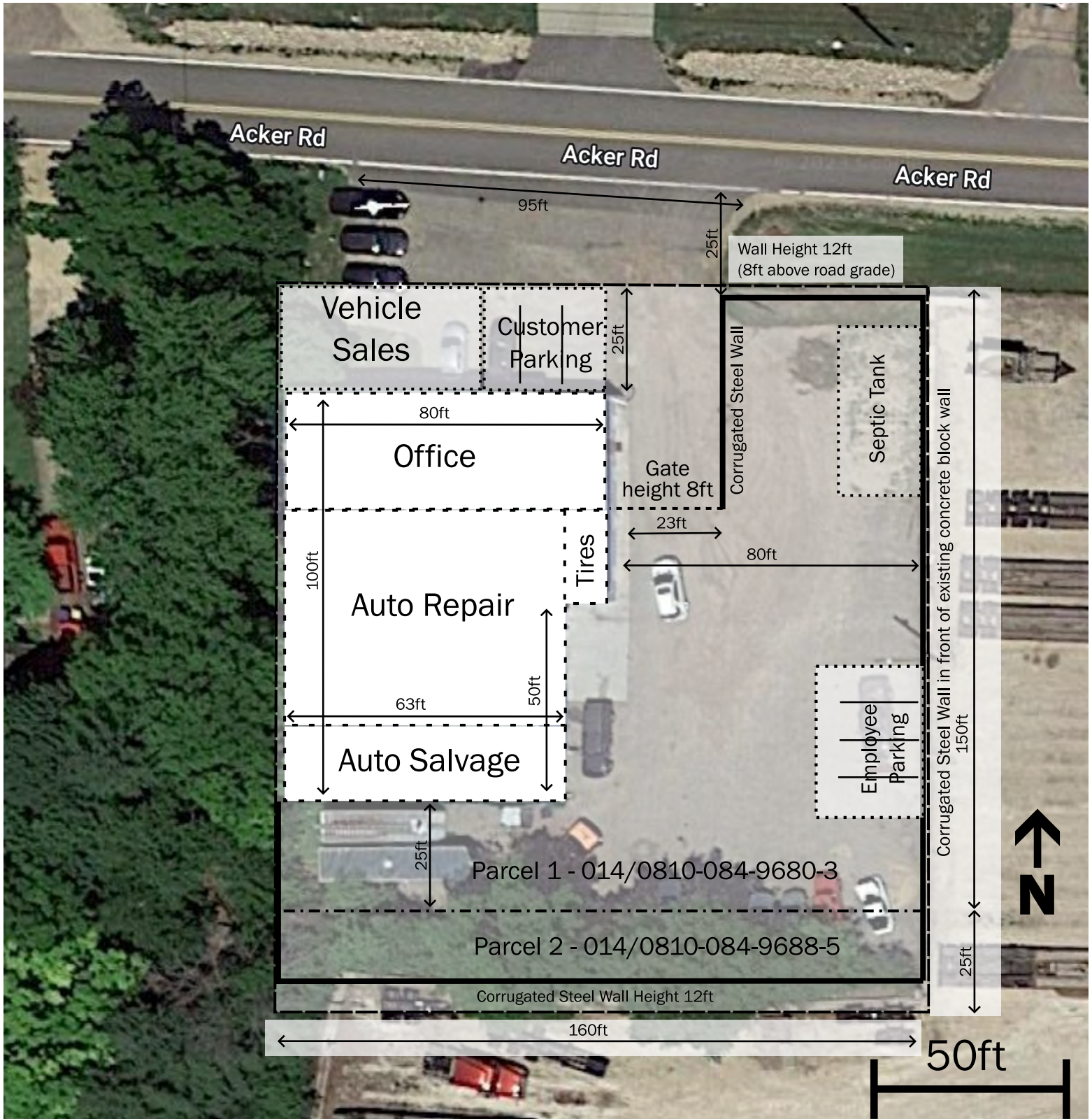
<b>Additional Property Owner Name(s):</b>	
<b>Address (Number &amp; Street):</b>	
<b>Address (City, State, Zip):</b>	
<b>Email Address:</b>	
<b>Phone Number:</b>	

# 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

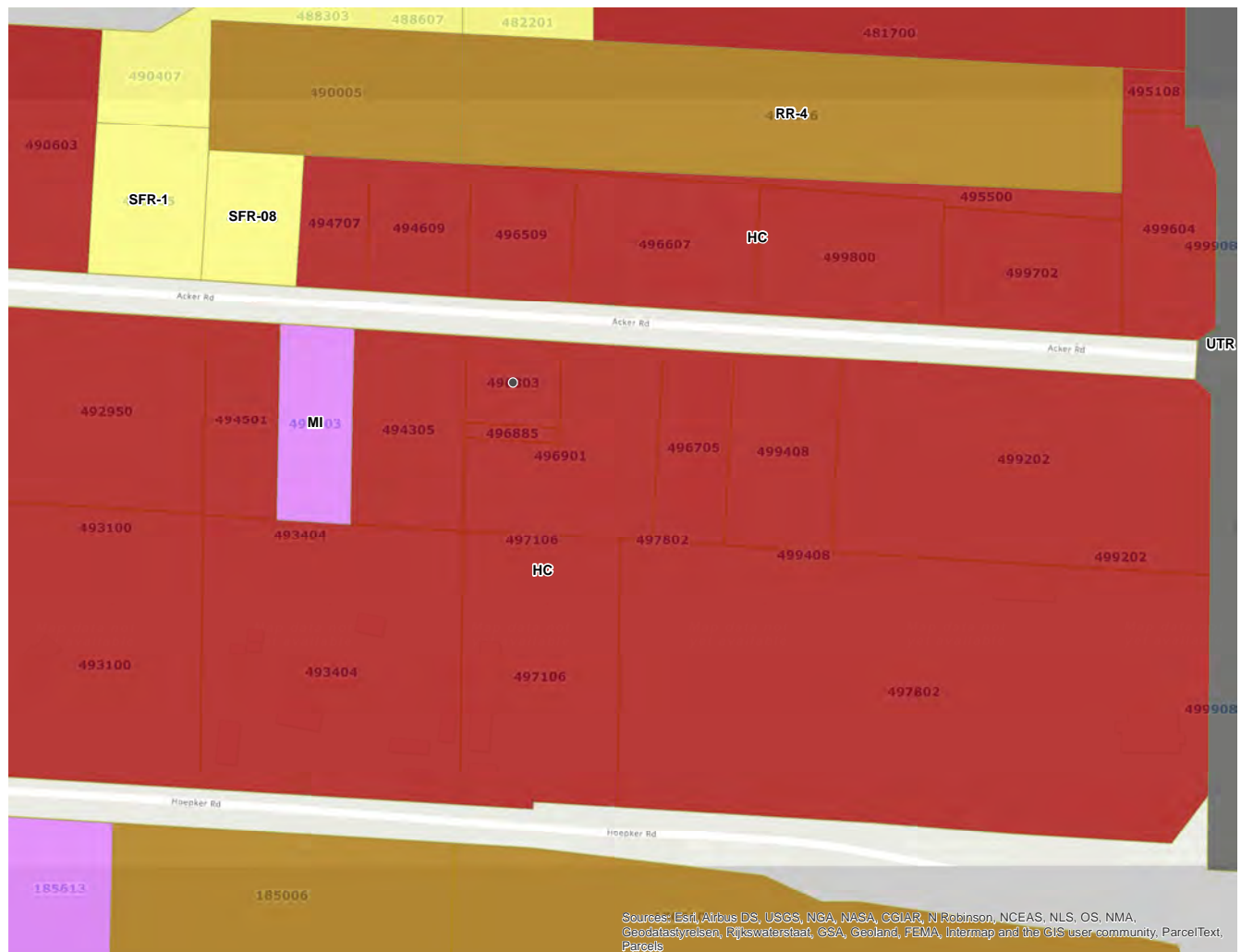
4281 Acker Rd, Towne of Burke, Wisconsin

## 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



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyreisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, ParcelText, Parcels

**HC to MI**

Parcel 1 – 014/0810-084-9680-3

LOT 1 CSM 727 CS3/268 DESCRIBED AS SECTION 8-8-10 PART OF THE SE ¼, SE ¼ 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.