



Dane County Planning & Development

Land Division Review

June 14, 2022

Wisconsin Mapping, LLC
306 West Quarry St.
Deerfield, WI 53531

Re: Agrawal (CSM 10628)
Town of Burke, Section 25
(2 lots, 1.661 acres)
Zoning District: SFR=08, *Single Family*; CUP 2235, *Religious Use*

Attention: Dave Riesop, S-1551

The proposed CSM is a division of Certified Survey Map #12300. There are no sensitive environmental features associated with this property and staff is suggesting the following conditions in order to approve this application:

1. The document is to be completed in accordance with S.236.34, Wisconsin State Statutes.
2. All owners of record are to be included in the owner's certificate. A certificate of consent by all mortgagees/vendors shall be included and satisfied if relevant.
County records indicate the following owners:
 - *AGRAWAL LIVING TR*
3. The required approval certificates are to be satisfied.
 - *Town of Burke*
 - *City of Madison*
 - *Dane County*
4. The location of the driveway(s) shall be shown.
5. Comments from the Zoning Division are to be satisfied:
 - *If the lot is divided the "church" building will be the principal building of the property, it would no longer be considered an accessory building.*
 - *Accommodations will need to be made for church parking. Either a parking plan needs to be developed or a parking easement needs to be created for the properties.*
 - *A joint well agreement is to be recorded.*
 - *A joint driveway agreement (or show second driveway)*
 - *Provide a parking plan on how the parking for the religious use is going to work on proposed lot 1.*

6. Comments from the Planning Division are to be satisfied:
 - *See memo prepared by Senior Planner Alexandra Andros*
7. Comments from the Public Health department are to be recognized:
 - *The plot plan shows the septic area for the house to be close to the property line. The below dimensioned drawing shows the distribution system to be 79' long starting approximately from the east edge of the house towards the drive. Please confirm that the property line will be $\geq 5'$ from the edge of the distribution system to meet setbacks.*
8. Comments from the Dane County Surveyor are to be satisfied:
 - *Add a note indicating that all PLSS Witness Monuments were found and verified per the latest tie sheet on file. A-E 7.08(1)(c)*
9. The following notations are to be added with respect to the Airport Height Limitation District:
 - *Lands covered by this plat are within an area subject to height limitations owing to the operation of aircraft and equipment from a nearby airport. Owners of lands within the area covered by this plat are required by law to restrict the height of trees, other vegetation and man-made structures to less than the height limitations set forth in that certain map dated April 24, 2008, entitled 'Height Limitation Zoning Map, Dane County Regional Truax Field, Madison, Wisconsin', said map being on file in the Dane County Clerk's office.*
 - *Lands covered by this plat are located within an area subject to heightened noise levels emanating from the operation of aircraft and equipment from a nearby airport.*
10. The recordable document is to be submitted for review and approval.



When the above conditions have been fully satisfied, the original document along with a copy of this letter may be submitted for final review and the Dane County approving signature will be affixed. Please allow for ten (10) working days for approving signature. Any questions regarding this letter, please contact myself.

Sincerely,

Daniel Everson
Assistant Zoning Administrator
267.1541

CC: Town of Burke
City of Madison Planning
Public Health Dept.



DANE COUNTY PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

MEMORANDUM

TO: Zoning & Land Regulation (ZLR) Committee

FROM: Alexandra Andros, AICP, Senior Planner

SUBJECT: Jensen, Town of Burke, Section 25

DATE: June 9, 2022

CC: Dan Everson, Assistant Zoning Administrator

*Housing &
Economic Development*
(608)266-4270, Rm. 362

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

As requested by the ZLR, staff provides analysis of subdivision plats and land divisions comparing them against local and county comprehensive plans. In this case, the analysis is for consistency between the proposed land division located in section 25 of the Town of Burke and the goals, objectives and policies of the *Dane County Comprehensive Plan*. This land division, a two-lot CSM, divides one 1.7 acre parcel into two lots, one 0.8 acre in size and the other 0.9 acre in size.

The *Dane County Comprehensive Plan* describes broad policy directions for new development, but refers to component town and municipal plans for detailed land use, subdivision and public infrastructure recommendations. The town of Burke will ultimately be annexed into the Cities of Madison, Sun Prairie and the Village of DeForest, and a cooperative plan was developed to make sure this happens in an orderly fashion.

The subject property is located in the Boundary Adjustment Area-Madison (BAA-M) as described in the final cooperative plan between the town of Burke, City of Madison, City of Sun Prairie, and Village of DeForest. Under the requirements of the cooperative plan, all development in the boundary adjustment areas, including land divisions, must be consistent with the respective city or village plans and ordinances. It appears that this land division is consistent with the Cooperative Plan and Dane County Comprehensive plan.

I hope this information is helpful. Please feel free to contact me at andros@countyofdane.com or 261-9780 if I can be of any further assistance.

TOWN OF BURKE BOARD MINUTES

Tuesday, April 19, 2022 following Annual Meeting of Town Electors
5365 Reiner Rd., Madison WI 53718

ADMINISTRATIVE

It was determined a quorum was present and the meeting was properly posted. The meeting began immediately following the annual Town meeting at 6:24 p.m.

Attendance: Chairman Kevin Viney, Supervisors Steve Berg, Jeff Stieren, Chris Truitt and Lisa Rubrich. Also in attendance: Attorney Chris Hughes, Administrator/Clerk/Treasurer PJ Lentz, Deputy Treasurer/Clerk Elissa Friedl, and Public Works Lead Ron Kurt.

Others in attendance: Laura Hoepker, Terri Hoepker, Robert Procter, Zac Brumm, Manjesh Agrawal, Krystal Baron, Michael Vraniak, Jean Touchett, Jean Armendariz-Kerr, Gary Hebl and others.

PUBLIC INPUT

Chairman Viney moved to reorder the agenda to move the public input section of the meeting to the beginning of the agenda. Motion was seconded by Sup. Rubrich. **Motion carried.**

Laura and Terri Hoepker and their realtor, Jean Armendariz-Kerr, were present to address the Town Board regarding property at the corner of Hoepker and Rattmann. Ms. Armendariz-Kerr indicated the family has an accepted offer on the property. She acknowledged the property is within the protected zone but would like the Town to consider making an exception and indicated the City of Sun Prairie is open to early attachment of this area. She said the developer purchasing the property intends to build 150 units of luxury two-story town homes. Chairman Viney indicated staff and the Town's legal counsel will review the boundary agreement and get back to the Hoepker family.

A resident addressed the Town Board regarding the neighborhood park in Stony Ridge Subdivision. She would like to remove the joint responsibility for park upkeep from the title of her home and would like someone from the Town to check into this and get back to her.

CONSENT AGENDA

- Minutes of March 23, 2022
- Bills and Payroll
- Appoint Ron Kurt as Weed Commissioner for term of May 1, 2022-April 30, 2023

Motion to approve by Sup. Truitt, seconded by Sup. Rubrich. **Motion carried.**

PUBLIC HEARING

Public hearing regarding a Certified Survey Map (CSM) application submitted by Agrawal Living Trust for parcel 0810-252-8470-0 located at 3393 Burke Rd. Hearing was properly noticed in WI State Journal March 28 and April 4, 2022 and notice was mailed to parcel owners within 600 feet. Chairman Viney opened the public hearing at 6:45 p.m. Atty. Gary Hebl, representing the applicant, indicated the CSM splits the property into two parcels with one being the residence and the other a church. With no other members of the public coming forward to speak, Chairman Viney closed the public hearing at 6:48 p.m.

NEW BUSINESS

Resolution 04192022A Approval of CSM application submitted by Agrawal Living Trust for parcel 0810-252-8470-0 located at 3393 Burke Road. Sup. Berg moved for adoption of resolution 04192022A to approve the CSM application for parcel 0810-252-8470-0, 3393 Burke Road with the conditions that the property owner do the following: obtain approval of the CSM from Dane County and the City of Madison; obtain a Town of Burke driveway permit for Lot 2; establish a joint well agreement for Lots 1 and 2; and

pay in full any outstanding charges incurred in the review and action on the CSM by June 30, 2022. If the conditions are not met, the approval of the CSM shall be null and void. Motion was seconded by Sup. Stieren. **Motion carried.**

Discuss possible rezone at 4301 Acker Road from Heavy Commercial to Manufacturing Industrial, appearance by Atty. Robert Procter for Zachary Brumm (ZB Salvage & Recycling). Attorney Procter indicated the property owner has not filed applications yet but wanted an initial discussion about what potential issues could come up during the application process. Atty. Procter indicated Mr. Brumm has purchased the property at 4301 Acker Road with intent to move his business that currently operates about two blocks away. The business recycles items off of vehicles and the remainder of the vehicle is taken to a salvage yard. The business can process up to 100 vehicles a week. The intent with the new location is largely the same business but also store some vehicles on site and sell certain types of parts on the internet. The changes would require a change in zoning according to Dane County. Brumm indicated he has already cleaned up the lot significantly since he purchased it and provided a photo of the type of fence he would like to install to shield the site and indicated recycling takes place indoors to minimize sound. Members of the Board inquired about the length of time vehicles are stored, how liquids from the vehicles are handled and what type of driveway approach would be used. Brumm and Atty. Procter answered the questions and indicated that if they move forward with a rezoning request, they will specifically address these concerns in the proposal. **No action taken.**

Resolution 04192022B Designating Public Depository DMB Community Bank. Sup. Berg moved to adopt resolution 04192022B, seconded by Sup. Stieren. **Motion carried.**

Resolution 04192022C to Claim Standard Allowance for Revenue Loss Calculation for ARPA Funds. Sup. Berg moved to adopt resolution 04192022C, seconded by Sup. Stieren. **Motion carried.**

Street Use Permit Request from Token Creek Lions for July 4, 2022 parade. Sup. Stieren moved to approve the permit for Token Creek Lions for July 4, 2022, seconded by Sup. Berg. **Motion carried.**

2022-23 Board Member Committee Appointments

Current assignments are: ARPA Committee - Berg, Stieren; DeForest/Burke ETZA - Berg, Rubrich; NE Community Court - Truitt; Parks Commission - Rubrich, Stieren; Personnel Committee - Full Town Board; Plan Commission – Berg.

Conference/Community Room/Shelter Rental and cleaning services

Administrator Lentz reported there has been no interest in the part-time parks position but requests are coming in for rentals of both the shelter and community room. She obtained quotes from cleaning companies. One company in the area is willing to clean the room/kitchen as well as public restrooms and the shelter on the weekends for \$220 weekly. Lentz suggested rental revenue go to paying cleaning costs and presented a draft rental agreement for the room with fees for small events, large events, business meetings and an annual use fee for local HOAs/groups. Ron Kurt expressed concern over parking availability if rentals are resumed. Chairman Viney expressed concern over the cost on weeks where there are no rentals and suggested resident and non-resident fees. Sup. Truitt stated he agrees with charging more for parties and a lower fee for business meetings/educational use. Sup. Rubrich suggested the rental fee equals the cleaning fee and inquired about the cost to replace the carpet with vinyl. Further information will be brought to a future meeting.

PUBLIC INPUT

Jean Touchett was present to address the Town Board regarding her lack of access to her lot in Hoffman Acres. She asked if the plat can be redone to remove the easement so she can have a driveway on