

Homburg Equipment, Inc.

4621 Tonyawatha Trail
Monona, WI 53716

March 7, 2006

City of Madison
Department of Planning & Development
215 Martin Luther King Jr. Blvd.
P. O. Box 2984
Madison, WI 53701-2984

Ladies & Gentlemen:

With this letter we are making a formal request to change the zoning of the following parcel within the City of Madison:

Part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ Section 2, T7N, R10E, City of Madison, Dane County, Wisconsin, being more fully described as follows: Commencing at the West $\frac{1}{4}$ corner of said Section 2; thence N $87^{\circ}55'36''$ E, along the South line of said Northwest $\frac{1}{4}$, 856.42 feet; thence N $20^{\circ}09'19''$ E, 81.02 feet to the North right-of-way line of Milwaukee Street and the point of beginning; thence N $16^{\circ}44'19''$ E, along the Southeasterly right-of-way of Interstate highway "94", 123.02 feet; thence Northeasterly, along said right-of-way, on a curve to the right having a radius of 1045.92 feet and a long chord bearing N $20^{\circ}51'15''$ E, 150.07 feet; thence continuing Northeasterly, along said right-of-way on a curve to the right having a radius of 1045.92 feet and a long chord bearing N $39^{\circ}47'35''$ E, 535.22 feet; thence continuing Northeasterly, along said right-of-way on a curve to the right having a radius of 1045.92 feet and a long chord bearing N $56^{\circ}55'47''$ E, 84.39 feet; thence S $00^{\circ}06'43''$ W, 707.87 feet to the North right-of-way line of Milwaukee Street; thence N $82^{\circ}54'07''$ W, along said North line, 71.16 feet; thence continuing, along said right-of-way, S $87^{\circ}55'36''$ W, 430.20 feet to the point of beginning. Said Parcel Contains 228,011 Sq. Ft. or 5.23 Acres.

The purpose of this zoning request is to make the existing use of this parcel conforming. This parcel has been zoned temporary Agricultural since 1962 when it was annexed into the City to enable the construction of the Badger Interchange. We are requesting a zoning change to restricted M-1 zoning to allow the existing construction yard, and a conditional use permit to allow the continued use of batch plants for construction materials.

We are also requesting a property line adjustment between parcels to ensure the full extent of the existing use is within the proposed parcel. This adjustment adds approximately 1.1 acres to the existing parcel, basically moving the Eastern edge of the parcel to 10' east of the existing driveway and creating the 5.23 acre parcel that is described above.

This parcel is adjacent to our existing Milwaukee Street quarry and has been an ancillary use to the quarry for many years. We are voluntarily restricting the uses of the proposed M-1 zoning to match the existing type of use, and those uses that would reasonably be anticipated for a quarry/construction operation.

There are currently no permanent structures on the site.

This parcel is owned by Homburg Equipment, Inc., a family business. The owners and principals of the business are myself, my brother Andrew Homburg, and my parents Harold & Shirley Homburg. The current uses adjacent to this parcel are The Interstate highway to the North & West, our Quarry to the South, and our farm to the East.

The current use of the site is a construction yard. At times, there will also be a batch plant in the construction yard. There are very high grade aggregates at the adjacent pit which make this an attractive site for the existing batch plant. Batching the concrete nearby limits unnecessary hauling of the aggregates, thus reducing fuel usage, truck wear, and other unnecessary environmental impacts. The active area of the yard is a crushed stone surface, and the site is gated & locked when not in use. There is a substantial natural green space between the active area of the parcel & Milwaukee Street including an incredible, massive oak tree (see attached photos) that is well protected. The entrance is a boulevard entrance which allows exiting large trucks & semis adequate room to stack while still allowing large vehicles to enter and maneuver on site. The current set up has worked well for many years without any problems that we are aware of. We understand that we will need to move one gate out of the right of way, and pave the driveways up to the gates.

We will record a deed restriction against the property restricting the allowed uses under M-1 zoning for the site to the following (with paraphrased description):

- 1 (accessory uses)
- 2 (agricultural uses)
- 10 (contractor offices, shops, & yards)
- 38 (storage yard)
- 41 (weighing)
- conditional use #3 (asphalt or concrete batching or redi-mix plants).

The hours of operation of this site are quite variable, and mirror those of the adjacent quarry. Many times during a month the gates will not even be unlocked. However, when the pavement for East Washington Avenue is being poured, for example, the batch plant may run from 6:00 in the morning to 7:00 at night. The only time the site is used in non-daylight hours is when major batching is taking place, which is very rare. When this occurs the lighting for the site is provided by the batch plant.

At such time as the existing quarry is depleted, and a Zoning change is requested for the quarry & the remainder of our farm south of the Interstate, we agree to a review of the zoning on this parcel also.

I am enclosing 12 copies of this letter of intent, the required plan sets, and the application fee.

If you have any questions please do not hesitate to contact this office.

Sincerely,



Chris A. Homburg, P.E.
Homburg Equipment, Inc.



View of property from Southwest looking across Milwaukee Street.



View of property from Southeast looking across Milwaukee Street.