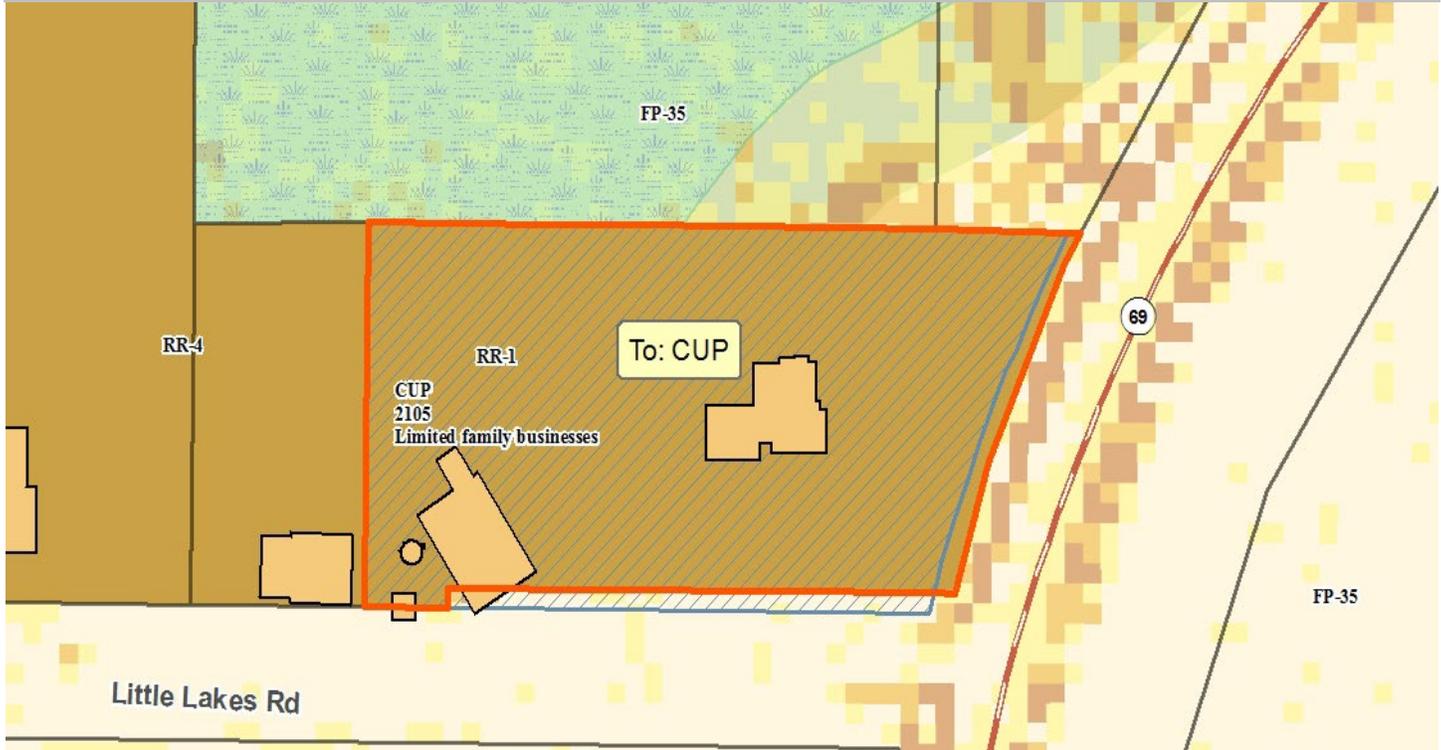


Staff Report  Zoning and Land Regulation Committee	Public Hearing: November 23, 2021		CUP 02543
	<u>Zoning Amendment Requested:</u> TO CUP: LIMITED FAMILY BUSINESS-GENERAL BUILDING CONTRACTOR		<u>Town/Section:</u> MONTROSE, Section 27
	Size: 1.5 Acres	<u>Survey Required.</u>	<u>Applicant</u> TIM J SCOTT
	<u>Reason for the request:</u> LIMITED FAMILY BUSINESS-GENERAL BUILDING CONTRACTOR		<u>Address:</u> 7002 LITTLE LAKES ROAD



DESCRIPTION: Landowners seeks a conditional use permit to operate a family-run contractor operation, with a showroom for occasional clients, on property in the RR-1 zoning district.

OBSERVATIONS/ FACTUAL INFORMATION: There was formerly a limited family business archery shop on the premises (CUP 2105, approved 4/28/2009). According to information provided by the applicant, the archery shop has since been abandoned. Proposed contractor and showroom operations would take place on the first floor of an existing barn. The second floor of the barn has an existing private use area, with sanitary facilities. Second-floor sanitary fixtures and other plumbing will be disconnected and capped. There is an existing 2,200-square foot gravel parking area that is partially within the right-of-way of Little Lakes Road.

TOWN PLAN: The property is within a farmland preservation area in the *Town of Montrose / Dane County Comprehensive Plan* and the *Dane County Farmland Preservation Plan*. The plan supports limited commercial uses that are compatible with agriculture.

RESOURCE PROTECTION: Wetlands and floodplain associated with a perennial tributary to the Sugar River lie within 19 feet of the existing barn. As long as outdoor storage is limited and parking and vehicles are away from floodplains, no significant impacts anticipated.

STAFF: See page 3 for recommended conditions of approval. Note that staff conditions include the conditions recommended by the Town of Montrose below.

TOWN: The Town of Montrose Board voted to approve, with conditions:

- 1) the second story plumbing be capped, and;
- 2) they will use the other building on the property as their residence.

Questions? Contact Brian Standing at standing@countyofdane.com

Recommended Conditions of Approval

1. Use shall be limited to an office, showroom and limited storage associated with a family-run contractor business.
2. Outdoor storage will be limited to one trailer, to be stored on the Little Lakes Road side of the property, and well away from mapped floodplains. Outdoor storage of materials is prohibited. All other activities must take place within the first floor of the barn, as shown on the site plan.
3. Operating hours are Monday through Friday, 8:00 a.m. to 6:00 p.m., with not more than four weekend meetings with clients per month.
4. All client meetings shall be by appointment only, not to exceed five meetings per month. Aside from owner's personal vehicles, no more than two passenger vehicles associated with clients shall be on the premises at any one time.
5. All outdoor lighting must be downward-directed and designed to avoid spill onto neighboring properties.
6. One on-premise wall sign is permitted, not to exceed 4' by 8' in size.
7. No hazardous, toxic or explosive materials may be stored on the premises.
8. The use shall employ no more than one or one full-time equivalent, employee who is not a member of the family residing on the premises.
9. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
10. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
11. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
12. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
13. Existing sanitary facilities and other plumbing on the second floor of the barn shall be disconnected and capped, as specified by the zoning administrator. Onsite wastewater sewage disposal systems serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
14. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
15. At least two off-street, gravel or paved parking spaces must be provided, consistent with s. 10.102(8). At the request of the Town of Montrose, the landowner must provide alternative parking locations that meet all requirements of s.10.102(8) and are completely outside the right-of-way of Little Lakes Road.
16. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
17. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
18. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
19. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
20. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.

21. If any use allowed by an approved conditional use permit is abandoned for one year or more, the associated conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.
22. This conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.