

TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Petition # DCPCUP-2025-02658 Dane County ZLR Committee Public Hearing Tuesday, April 22, 2025

Whereas, the Town Board of the **Town of** Middleton having considered said conditional use permit application, be it therefore resolved that said conditional use permit is hereby (check one): ☒ **APPROVED**

☐ **DENIED (If DENIED, PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)**

PLANNING COMMISSION VOTE: 7 **In Favor** 0 **Opposed**

TOWN BOARD VOTE: 5 **In Favor** 0 **Opposed**

Whereas, in support of its decision, the Town Board has made appropriate **findings of fact** that the standards listed in section 10.101(7) (d) 1, Dane County Code of Ordinances, and section 10.220 (1) (a), if applicable, are found to be (check one):

☒ **SATISFIED**

☐ **NOT SATISFIED (PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)**

THE CONDITIONAL USE PERMIT IS SUBJECT TO THE FOLLOWING CONDITION(S):

1. That all Town Ordinances are complied with during the life of the CUP.
2. The Conditional Use approval is limited to parcel number 038/0708-064-2534-5, also known as 4653 Pine Manor Circle.
3. The Town finds that the proposed conditional use is consistent with the adopted Town Comprehensive Plan;
4. The Town finds that the proposal meets the general standards for conditional use permits per Dane County Ordinances 10.101(7)(h)(1);
5. The CUP is granted subject to all standard conditions specified in Dane County Zoning Ordinance Section 10.101(7)(h) (2) (page 10-26 of Dane County Zoning Ordinance).
6. In addition, the Town specifies the following:
 - a. The outdoor lighting is acceptable as proposed.
 - b. That the proposed two-car detached garage being 31.4 ft from the front property line is acceptable.
 - c. That the accessory structure' s maximum 19.5' height and median roof height of 14.5' is acceptable.
 - d. That a driveway permit shall be required from the Town of Middleton to construct the driveway as proposed.

PLEASE NOTE: The following space, and additional pages as needed, are reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, Barbara Roesslein, as Town Clerk of the Town of Middleton, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on Monday, April 14, 2025

Town Clerk Barbara Roesslein **Date** Wednesday, April 16, 2025

FINDINGS OF FACT FOR DENIED CONDITIONAL USE PERMITS

If the Conditional Use Permit application is denied, please complete the following section. For each of the standards, indicate if the standard was found to be satisfied or not satisfied. Please note the following from sections 10.101 (7) (c) 2 f g and 10.101 (7) (c) 3 d e :

“The zoning committee or applicable town board must deny a permit if it finds that the standards for approval are not met, and must approve a permit when the zoning committee and applicable town board determine that the standards for approval are met.”

**PLEASE INDICATE THE APPROPRIATE FINDING
FOR EACH STANDARD (CHECK ONE / STANDARD)**

- | | |
|---|---|
| 1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare. | 1. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 2. That 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. | 2. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 3. That 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. | 3. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made. | 4. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. | 5. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 6. That the conditional use shall conform to all applicable regulations of the district in which it is located. | 6. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 7. That the conditional use is consistent with the adopted town and county comprehensive plans. | 7. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 8. If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the findings described in s. 10.220 (1). | 8. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |

THIS SECTION IS RESERVED FOR FURTHER EXPLANATION OF THE FINDINGS: