

TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Petition # 2375 Dane County ZLR Committee Public Hearing 4/25/2017

Whereas, the Town Board of the Town of Burke 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 10.255(2)(h), Dane County Code of Ordinances, and section 10.123(3)(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):

see attached resolution

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, Brenda Ayers, as Town Clerk of the Town of Burke, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on April 18, 2017.

Brenda Ayers
Town Clerk

4/19/2017, 2017.
Date

**TOWN OF BURKE
RESOLUTION NO. 04182017A**

**RESOLUTION BY THE TOWN BOARD OF THE TOWN OF BURKE
CONDITIONALLY APPROVING CONDITIONAL USE PERMIT (CUP) 2375
SUBMITTED BY TWO TALL DISTILLERY**

WHEREAS, an application for CUP for a tavern the purpose of operating a distillery at 5353 Maly Rd unit B (parcel number 0810-243-8892-3) was submitted to the Town for review and action by Two Tall Distillery.; and

WHEREAS, the Plan Commission has reviewed the Conditional Use Permit application and recommended conditional approval (Plan Commission Resolution 03082017 is attached); and

WHEREAS, the Town Board has reviewed and considered the Plan Commission's recommendation.

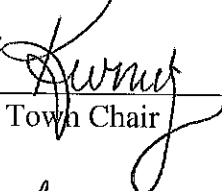
NOW, THEREFORE, the Town Board hereby approves CUP 2375 with the following conditions:

- 1) The CUP is limited to 5353 Maly Rd Unit B first floor inside only.
- 2) The applicant shall apply for, receive and keep current Federal and State permits pertaining to the operation of a distillery and remain compliant with rules thereof.
- 3) On site consumption is limited to taste samples as allowed under the manufacturer permit issued by the DOR (currently 1.5 ounces per person per day).
- 4) Hours of operations shall be limited to Thursday and Friday 4 p.m. to 8 p.m., Saturday 11 a.m. to 5 p.m. and Sunday 12 p.m. to 3 p.m.
- 5) Occupancy is limited to 20 people (including staff and customers); never to exceed the limit imposed the by the Fire Inspector for the Sun Prairie Volunteer Fire Department Inc.
- 6) Any free standing signage must be approved by the City of Madison.
- 7) Operator will take adequate measures to ensure employees and customers obey Town of Burke parking regulations as to not impede traffic on Maly Road.

The above Resolution was duly adopted by the Town Board of the Town of Burke, Dane County, Wisconsin, at a meeting on April 18, 2017.

APPROVED:

By


Kevin Viney, Town Chair

ATTEST:


Brenda Ayers, Town Clerk/Treasurer

PLAN COMMISSION RESOLUTION 03082017

Resolution by the Plan Commission for the Town of Burke Recommending to the Town Board the Conditional Approval of Conditional Use Permit (CUP) 2375 for operating a tavern requested by Two Tall Distillery.

RECITALS

- A. Two Tall Distillery wishes to operate a small craft distillery at 5353 Maly Rd.
- B. Zoning regulations consider the use to be a tavern which requires a Conditional Use Permit (CUP).
- C. An application for a CUP for tavern has been submitted to the Town for review and action.

Now therefore, the Plan Commission for the Town of Burke hereby recommends that the Town Board approve the Conditional Use Permit subject to the following conditions:

- 1) The CUP is limited to 5353 Maly Rd Unit B first floor inside only.
- 2) The applicant shall apply for, receive and keep current Federal and State permits pertaining to the operation of a distillery and remain compliant with rules thereof.
- 3) On site consumption is limited to taste samples as allowed under the manufacturer permit issued by the DOR (currently 1.5 ounces per person per day).
- 4) Hours of operations shall be limited to Thursday and Friday 4 p.m. to 8 p.m., Saturday 11 a.m. to 5 p.m. and Sunday 12 p.m. to 3 p.m.
- 5) Occupancy is limited to 20 people (including staff and customers); never to exceed the limit imposed the by the Fire Inspector for the Sun Prairie Volunteer Fire Department Inc.
- 6) Any free standing signage must be approved by the City of Madison.
- 7) Operator will take adequate measures to ensure employees and customers obey Town of Burke parking regulations as to not impede traffic on Maly Road.

The above resolution was adopted by the Plan Commission of the Town of Burke, Dane County, Wisconsin, at a meeting on March 8, 2017.

TOWN OF BURKE PLAN COMMISSION

By _____, Chair
Mike Vraniak