

TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Petition # 2024-02617 Dane County ZLR Committee Public Hearing Tuesday, June 18, 2024

Whereas, the Town Board of the Town of Dunn 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: 0 **In Favor** 0 **Opposed**

TOWN BOARD VOTE: 2 **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. Hours of business operation shall be limited to 8:00 am to 5:00 pm, Monday through Friday.
2. No employees may conduct work at the property. The number of employees at the property is limited to no more than two part-time employees. Employees that visit the property shall be limited to infrequent visits of short duration to pick up a truck or trailer that is taken to the job site.
3. No new lighting for the business may be placed on the buildings or on the property. The existing motion lights on the outbuildings are allowed, so long as they do not shine directly on neighboring residences.
4. Trash and recycling collection and bins for the business shall be limited to a 1 to 3 yard dumpster, in addition to the service that is provided by the Town's contracted trash and recycling vendor.
5. Business-related vehicles, equipment, and materials must be stored indoors (within the two accessory buildings depicted on the applicant's site plan, or within replacement accessory buildings). Activities related to the limited family business must be conducted indoors (within the two accessory buildings depicted on the applicant's site plan, or within replacement accessory buildings).
6. Vehicle and equipment storage for the business cannot exceed more than 2 passenger trucks, 2 dump trailers, 1 box truck, 2 box trailers, 1 flat deck trailer, and one skid steer.
7. Work related to the concrete business cannot be conducted at the property. Occasional light mechanical work on, and cleaning and maintenance of, the passenger trucks, trailers, skid steer, or business equipment is allowed, but must take place indoors.
8. No sanitary fixtures or human habitation is allowed in the accessory buildings.
9. Noise related to limited family business is limited to 60 dBA measured at the property line. For a period of a total of 10 minutes per day, decibel levels may reach 100 dBA between 9 am to 5 pm.
10. Customers or clients are not allowed to come to the property for activities related to the limited family business.
11. Should any hazardous, flammable, or explosive materials be stored on the property, they must be stored indoors and according to Occupational Safety and Health Administration (OSHA) and National Fire Protection Association (NFPA) standards. There may be no industrial or manufacturing uses on the property. Any water discharge to the ground must be composed entirely of storm water. Hazardous, toxic, or explosive materials must be disposed of offsite.
12. No business signage is allowed.
13. The CUP shall automatically expire on the sale of the property or the business to an unrelated third party.

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, Cathy Hasslinger, as Town Clerk of the Town of Dunn, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on Monday, May 13, 2024

Town Clerk Cathy Hasslinger **Date** Wednesday, May 15, 2024

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: