

## **TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT**

Regarding Petition # DCPREZ-2023-02596 Dane County ZLR Committee Public Hearing Tuesday, June 27, 2023

**Whereas**, the Town Board of the **Town of Primrose** 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:**      5 **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)The Limited Commercial activity shall be limited to a small family business operating to repair boats, recreational vehicles and equipment like chain saws, lawn mowers etc.
- 2)The outdoor storage of boats will be in the 2.4 acre area rezoned to Limited Commercial as shown in Exhibit A. Test running motors can be done outside the LC zone when necessary due to their size or their needing higher water pressure to test run onsite. The majority of boats will be stored behind the barn.
- 3)The conditional use permit is not transferrable upon sale of the business or the property to non-family members.
- 4)The limited commercial business shall be limited to a maximum of the equivalent of 2 full-time employees in addition to the owner, Alex Elkins.
- 5)Hours of business operation shall be: 8am - 9pm Monday - Sunday. After 8 pm on Monday - Saturday and on Sundays, motors that can be test run in water tanks will be run in water tanks to reduce overall noise.
- 6)The amount of motor work, noise, customer drop-offs and traffic as described in CUP application 02596 shall be permitted as part of the business operation.
- 7)No signs shall be allowed in association with the business conditional use permit on the property.
- 8)Permanent outside lighting is not permitted. (Flashlights etc. are OK for temporary use to complete repairs)
- 9)All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
- 10)Natural tree and brush screening of the view of LC parcel will be maintained behind the barn as described in CUP application 02596.
- 11)Any new buildings must meet Township of Primrose current standards at the time of construction.
- 12)Gas, oil, and other toxic or hazardous waste must be stored in secured containers and disposed of properly at the Dane County Clean Sweep site or comparable sites, and/or facilities that burn the oil or gas. Records of disposal of waste must be submitted to Town Board.
- 13)An Emergency Response plan shall be submitted to the Town within 30 days of CUP approval. (fire extinguishers etc.)

**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, Ruth Hansen, as Town Clerk of the Town of Primrose, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on Monday, May 15, 2023

**Town Clerk**

Ruth Hansen

**Date**

Wednesday, May 17, 2023

## **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.  SATISFIED /  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.  SATISFIED /  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.  SATISFIED /  NOT SATISFIED
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.  
4.  SATISFIED /  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.  SATISFIED /  NOT SATISFIED
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.  
6.  SATISFIED /  NOT SATISFIED
7. That the conditional use is consistent with the adopted town and county comprehensive plans.  
7.  SATISFIED /  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.  SATISFIED /  NOT SATISFIED

**THIS SECTION IS RESERVED FOR FURTHER EXPLANATION OF THE FINDINGS:**