



## Dane County Zoning Division

City-County Building  
210 Martin Luther King, Jr., Blvd., Room 116  
Madison Wisconsin 53703  
(608) 266-4266/266-9083  
Fax (608) 267-1540

# DANE COUNTY CONDITIONAL USE PERMIT #2501

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT Conditional Use Permit # 2501 for a secondary farm residence conditioned upon Dane County Code of Ordinances Section 10.101(7)(d)2 and subject to the additional conditions listed below:

**EFFECTIVE DATE OF PERMIT: August 26, 2020**

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

LOCATION: 7741 State Highway 69, Town of Montrose, Dane County, Wisconsin.

### Legal Description:

That part of the Southeast 1/4 of Section 31, Town 5 North, Range 8 East, in the Town of Montrose, Dane County, Wisconsin, bounded and described as follows: Commencing at the Southeast corner of said Section 31; thence North 89° 38' 52" West along the South line of Section 31, 459.86 feet to the true point of beginning of the lands being described; thence continuing North 89° 38' 52" West, 1566.47 feet; thence North 0° 47' 1 0" West, 2255.29 feet to the centerline of State Trunk Highways 69 & 92; thence South 73° 23' 49" East along said centerline, 1219.77 feet; thence South 7° 24' 30" West, 1123.47 feet to an iron rod; thence South 35° 33' 26" East, 985.92 feet to the point of beginning.

### **CONDITIONS:**

1. The balance of the property be deed restricted to prohibit further residential development.
2. The conditional use permit for a farm residence shall expire on the sale of the property to an unrelated third party. Continued use of a farm residence after sale to an unrelated third party shall require approval of a new conditional use permit.
3. 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. Continued use of residence with a revoked conditional use

permit shall require approval of a rezone petition to a zoning district that allows nonfarm residential use.

4. The landowner must record a notice document with the Register of Deeds on the subject property notifying current and future owners of the Conditions 2 and 3 above.
5. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
6. 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 Uniform Dwelling Code.
7. 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.
8. Existing onsite wastewater sewage disposal systems serving the farm residence must be inspected by a licensed plumber to determine its suitability. Any deficiencies 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.
9. If the farm residence 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.

#### THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS OF FACT:

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance, and operation of the proposed conditional use.
3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.
8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220 (1).

#### EXPIRATION OF PERMIT

Upon the allowed land use's cessation or abandonment for a period of one year, this conditional use permit will be deemed to have been terminated and any future use shall be in conformity with the ordinance.