



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2696

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

GRANTS Conditional Use Permit #2696 for a Temporary concrete batch plant operation conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: March 24, 2026

CUP EXPIRATION DATE: none (see below)

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

LOCATION: 3690 Rutland-Dunn Town Line Road, Section 34, Town of Dunn

LEGAL DESCRIPTION: A parcel of land located in Section 34 and Section 35 of the Town of Dunn, T06N, T10E, Dane County, Wisconsin, as described as follows: Commencing at the SE corner of Section 34, thence West along the southern boundary of Section 34, 450 feet; thence North, 900 feet; thence East, 800 feet; thence South 900 feet, thence West along the southern boundary of Section 35, 350 feet to the point of beginning. Contains approximately 16.5 acres.

CONDITIONS:

Standard Conditions for all Conditional Use Permits from 10.101(7):

1. Any conditions required for specific uses listed under s. 10.103 (see below).
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. 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 Commercial Building Code or Uniform Dwelling Code.
4. 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.
5. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
6. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems 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.

7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
11. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
12. 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.

Conditions specific to this CUP:

13. The Conditional Use Permit shall only be valid for a parcel of land located in Section 34 and Section 35 of the Town of Dunn, within the area described in the CUP petition legal description until December 31, 2027, and shall become void prior if concrete operations are concluded by Michels Road & Stone LLC, if the property is sold by Wingra Real Estate LLC, or if the following conditions below are not followed.
14. General hours are 6:00 AM to 7:00 PM Monday through Saturday.
15. The maximum number of trucks per hour at any given time shall be 25.
16. The route of truck traffic shall be limited to Rutland Dunn Townline Road and Lake Kegonsa Road in order to access Highway 51 or State Road 138.
17. Trucks may not be parked or stored within the road right-of-way.
18. All outdoor lighting for the concrete operations shall be directed downward and away from adjacent properties and public rights-of-way, and no light shall spill over neighboring property lines.
19. Water trucks shall be used, as necessary, to limit dust formation from stockpiles and access roads.
20. All trucks and equipment shall only use white or grey noise backup alarms.
21. Engine breaking is prohibited for all vehicles either entering, leaving or driving onsite.
22. Noise from the CUP operation shall be limited to 70 dBA measured at the property line.
23. Wingra Real Estate LLC or Michels Road & Stone LLC must provide appropriate dumpsters for proper waste disposal.
24. Wingra Real Estate LLC or Michels Road & Stone LLC must provide sanitary facilities per OSHA standards.
25. All requirements and conditions of Wingra Real Estate LLC's and Michels Road & Stone LLC WPDES permit must be complied with.
26. Upon the expiration of the CUP permit or cessation of concrete operations, Wingra Real Estate LLC or Michels Road & Stone LLC shall restore the site to its pre-concrete operation condition, by removing all concrete batch plant equipment, materials, and structures.
27. Where applicable and as necessary, the site shall be re-graded and free of debris or contamination.

28. Wingra Estate LLC or Michels Road & Stone LLC shall notify the Town of Dunn in writing a minimum of two weeks prior to starting concrete operations for both 2026 and 2027 WisDOT Highway 51 projects. Both the Town Highway Department and Wisconsin Department of Transportation (DOT) shall subsequently inspect and document the road conditions of the truck routes before the start of the CUP activities.
29. Wingra Real Estate LLC or Michels Road & Stone LLC shall notify the Town of Dunn in writing within two weeks of completion of both 2026 and 2027 WisDOT Highway 51 projects. Both the Town Highway Department and Wisconsin Department of Transportation (DOT) shall subsequently inspect and document the road conditions of the truck routes.
 - a. Any road damage(s) resulting from the CUP activities must be promptly repaired by Wingra Real Estate LLC or Michels Road & Stone LLC.
 - b. If the damage is hazardous, repairs should be made immediately.
30. For minor damage that occurred in 2026, repairs must be completed within four weeks of the completion of 2026 WisDOT Highway 51 projects. For minor damage that occurred in 2027, repairs must be completed within four weeks of the completion of 2027 WisDOT Highway 51 projects.
31. Michels Road & Stone LLC shall provide emergency contact information to the Town and neighbors within 300 feet of the parcel and shall respond within 30 minutes to calls from these neighbors regarding CUP violations.
32. The installation and operation of the temporary concrete batch plant shall be limited exclusively to public road projects. The batch plant operations shall terminate after each WisDOT specific project. The temporary concrete batch plant shall not be used for any purpose other than the specific public road projects. Using the batch plant for general construction projects shall render the CUP null and void and cause for the immediate removal of the batch plant.
33. The Conditional Use Permit shall expire on December 31, 2027.

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.

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.