
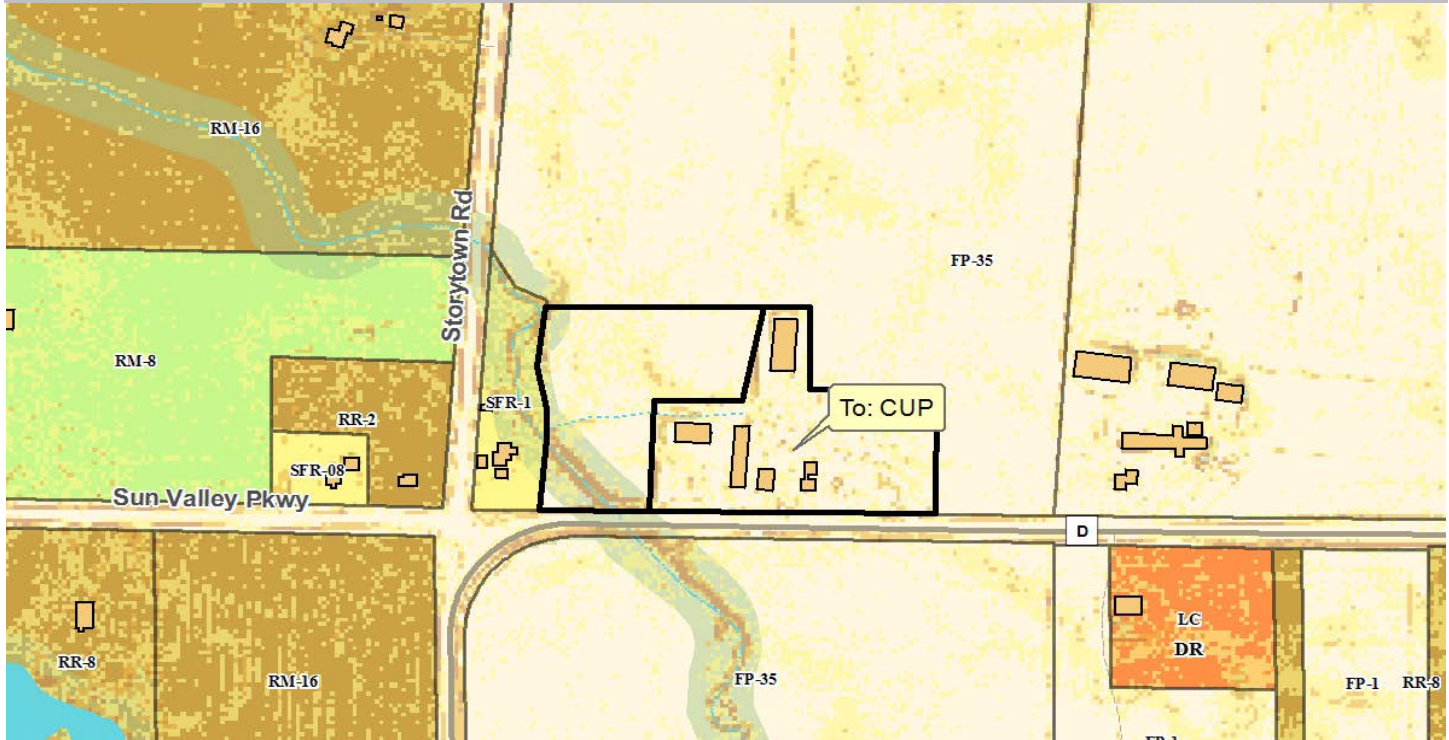


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> May 12, 2020	CUP 02495
	<i>Zoning Amendment Requested:</i> TO CUP: caretakers residence, outdoor storage, storage of more than 12 pieces of equipment outside	<i>Town/Section:</i> OREGON, Section 5
	<i>Size:</i> 4.87 Acres	<i>Survey Required.</i>
	<i>Reason for the request:</i> caretakers residence, outdoor storage, storage of more than 12 pieces of equipment outside	<i>Applicant:</i> PETERSON TR, PHILIP L & CAROL L <i>Address:</i> 5900 COUNTY HIGHWAY D



DESCRIPTION: Madison Commercial Landscapes seeks a conditional use permit for a caretaker’s residence, outdoor storage of materials and storage of 23 pieces of equipment outdoors, on an existing LC zoned parcel.

OBSERVATIONS/ FACTUAL INFORMATION: Petition 11530 (March 24, 2020 agenda) rezoned this parcel to the LC Limited Commercial Zoning District.

TOWN PLAN: The property is within a Rural Preservation Area in the Town of Oregon / Dane County Comprehensive Plan and in a Farmland Preservation Area in the Dane County Farmland Preservation Plan. Density caps apply. If CUP 2495 for the caretaker’s residence is approved, there will be 7 homesites remaining on the property.

RESOURCE PROTECTION: An intermittent stream corridor runs within 300 feet of the southwestern corner of the LC lot. If the stream is determined to be navigable, shoreland erosion control will be required for any land disturbance and impervious surface limits within 300 feet of the ordinary highwater mark will apply.

STAFF: See page 2 for recommended conditions of approval.

TOWN: The Town of Oregon Board of Supervisors approved, with conditions, on April 28, 2020. Note recommended conditions on Page 2 incorporate both town and staff recommended conditions.

Questions? Contact Brian Standing 608-267-4115, standing@countyofdane.com

CUP 2495 Recommended Conditions of Approval

1. No on-site customers or retail sales.
2. No more than 13 employees on site.
3. Normal hours of operation are 6:30 a.m. to 7:00 p.m., but winter snow removal hours may depend on weather.
4. No more than 9 pieces of equipment may be stored outside overnight.
5. Outdoor storage is limited to basic materials. All tires, parts, salt and ice melt must be stored indoors. Outdoor storage of mulch and dirt to be stored in bins located behind the shop building. No outdoor storage of parts, tires or other non-essential equipment or materials.
6. No debris piles.
7. No burning on-site.
8. No fertilizer, chemicals or permanent fuel tanks on site.
9. Signage limited to one free standing unlit sign in compliance with Dane County sign ordinance.
10. Operator to maintain trash removal contract. One garbage dumpster will be located behind the oversized carport
11. No outside loudspeakers.
12. Vegetative screening, consistent with Section 10.102(12), Dane County Code, must be maintained along the western side of the property, to shield the adjacent RR-2 zoning lot. Additional evergreen screening must be installed along CTH D from the new, shared driveway, to the existing driveway to be eliminated.
13. This conditional use permit will expire on the sale of the property to a third party. Continuation of the conditional use after sale to a third party will require approval of a new conditional use permit.
14. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
15. 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.
16. 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.
17. 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.
18. 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.
19. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
20. Off-street parking must be provided, consistent with [s. 10.102\(8\)](#). Employee parking to be located on the west side of the shop.
21. Joint driveway agreement must be recorded, and a copy submitted to the zoning administrator and the Town Clerk.
22. 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 born by the landowner. Costs born by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
23. 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.
24. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
25. 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.
26. 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.

27. If any use allowed by an approved conditional use permit 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.