



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 #2661

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:

GRANTS Conditional Use Permit #2661 for an Electric Generating Facility conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: May 27, 2025

CUP EXPIRATION DATE: none

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

LOCATION: 5416 Easy Street, Town of Vienna (Tax Parcel #0909-344-9000-1)

LEGAL DESCRIPTION:

LOCATED IN PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 34, TOWNSHIP 09 NORTH, RANGE 09 EAST, TOWN OF VIENNA, DANE COUNTY, WISCONSIN. Commencing at the south quarter corner of said Section 34; thence North 89°29'48" East, 500.42 feet along the south line of the Southeast Quarter of said Section 34, thence North 00°30'12" West, 33.00 feet to the North right-of-way line of Easy Street and the POINT OF BEGINNING of the leased area to be described; thence North 89°29'48" East, 200.00 feet along north right-of-way line of Easy Street; thence North 00°30'12" West, 696.00 feet; thence North 29°51'43" West, 123.25 feet; thence North 47°52'50" West, 100.25 feet; thence South 89°29'48" West, 314.00 feet; thence South 44°29'48" West, 106.50 feet; thence South 00°30'12" East, 417.00 feet; thence North 89°29'48" East, 323.50 feet; thence South 00°30'12" East, 379.00 feet to the POINT OF BEGINNING. Said described leased area contains 320,835 Sq. Ft. or 7.365 acres more or less.

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 CUP # 2661:

13. At the end of the leasing agreement equipment will be decommissioned, removed and the site returned to pre-development conditions to the extent practicable.

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.