



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2596

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 #2596 for outdoor storage of more than 12 vehicles / pieces of equipment conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: 27 July, 2023

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

LOCATION: 204 County Highway U, Section 34, Town of Primrose

LEGAL DESCRIPTION:

The east 400 feet of the north 200 feet of the south 385 feet of the southeast 1/4 of the northwest 1/4 of Section 34, Town 5 North, Range 7 East, Town of Primrose, Dane County, WI. Contains 2.45 acres.

CONDITIONS:

Standard Conditions that apply to all conditional uses

1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
2. 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.
3. 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.
4. 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.

5. 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.
6. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
7. Off-street parking must be provided, consistent with s. 10.102(8).
8. 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.
9. 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.
10. 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.
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. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.

Conditions Specific to CUP 2596

13. 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.
14. 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. No boats, equipment, supplies or other materials shall be stored within 75-feet of the ordinary high water mark of the intermittent stream, nor within 75 feet of the wetland boundary.
15. The conditional use permit is not transferrable upon sale of the business or the property to non-family members.
16. 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.
17. 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.
18. 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.
19. No signs shall be allowed in association with the business conditional use permit on the property.

20. Permanent outside lighting is not permitted. (Flashlights etc. are OK for temporary use to complete repairs)
21. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
22. Natural tree and brush screening of the view of LC parcel will be maintained behind the barn as described in CUP application 02596.
23. Any new buildings must meet Township of Primrose current standards at the time of construction.
24. 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.
25. An Emergency Response plan shall be submitted to the Town within 30 days of CUP approval (fire extinguishers etc.).
26. This CUP shall become effective upon Rezone Petition 11955, to rezone the land to LC Limited Commercial, becoming effective.

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.