



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2617

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 #2617 for a Limited Family Business (Contractor) use conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: June 18, 2024

CUP EXPIRATION DATE: none (see conditions)

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

LOCATION: 1794 Schuster Road, Town of Dunn (Tax Parcel # 0610-312-8720-3)

LEGAL DESCRIPTION:

Part of the NW 1/4 of the NW 1/4 of Section 31, Town 6 North, Range 10 East, in the Town of Dunn, Dane County, Wisconsin, described as follows: Commencing at a point on the West line of said NW 1/4 of the NW 1/4, 193.38 feet North of the Southwest corner thereof; thence East parallel with the South line 440 feet; thence North 165 feet; thence West to the West line of said NW 1/4 of the NW 1/4; thence South along the West line 165 feet to the point of beginning.

CONDITIONS:

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

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 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.
11. 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 # 2617:

12. Hours of business operation shall be limited to 8:00 am to 5:00 pm, Monday through Friday.
13. No employees may conduct work at the property. The number of employees at the property is limited to no more than two part-time employees. Employees that visit the property shall be limited to infrequent visits of short duration to pick up a truck or trailer that is taken to the job site.
14. No new lighting for the business may be placed on the buildings or on the property. The existing motion lights on the outbuildings are allowed, so long as they do not shine directly on neighboring residences.
15. Trash and recycling collection and bins for the business shall be limited to a 1 to 3 yard dumpster, in addition to the service that is provided by the Town's contracted trash and recycling vendor.
16. Business-related vehicles, equipment, and materials must be stored indoors (within the two accessory buildings depicted on the applicant's site plan, or within replacement accessory buildings). Activities related to the limited family business must be conducted indoors (within the two accessory buildings depicted on the applicant's site plan, or within replacement accessory buildings).
17. Vehicle and equipment storage for the business cannot exceed more than 2 passenger trucks, 2 dump trailers, 1 box truck, 2 box trailers, 1 flat deck trailer, and one skid steer.

18. Work related to the concrete business cannot be conducted at the property. Occasional light mechanical work on, and cleaning and maintenance of, the passenger trucks, trailers, skid steer, or business equipment is allowed, but must take place indoors.
19. No sanitary fixtures or human habitation is allowed in the accessory buildings.
20. Noise related to limited family business is limited to 60 dBA measured at the property line. For a period of a total of 10 minutes per day, decibel levels may reach 100 dBA between 9 am to 5 pm.
21. Customers or clients are not allowed to come to the property for activities related to the limited family business.
22. Should any hazardous, flammable, or explosive materials be stored on the property, they must be stored indoors and according to Occupational Safety and Health Administration (OSHA) and National Fire Protection Association (NFPA) standards. There may be no industrial or manufacturing uses on the property. Any water discharge to the ground must be composed entirely of storm water. Hazardous, toxic, or explosive materials must be disposed of offsite.
23. No business signage is allowed.
24. The CUP shall automatically expire on the sale of the property or the business to an unrelated third party.

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.