TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Petition # DCPCUP-2018-02444 Dane County ZLR Committee Public Hearing Tuesday, December 18, 2018

Whereas, the Town Board of the **Town of** Christiana having considered said conditional use permit application, be it therefore resolved that said conditional use permit is hereby (check one):

☑ **APPROVED**

☐ **DENIED (IF DENIED, PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)**

PLANNING COMMISSION VOTE: 4 **In Favor** 1 **Opposed**

TOWN BOARD VOTE: 2 **In Favor** 1 **Opposed**

Whereas, in support of its decision, the Town Board has made appropriate **findings of fact** that the standards listed in section 10.255(2)(h), Dane County Code of Ordinances, and section 10.123(3)(a), if applicable, are found to be (check one):

☑ **SATISFIED**

☐ **NOT SATISFIED (PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)**

THE CONDITIONAL USE PERMIT IS SUBJECT TO THE FOLLOWING CONDITION(S):

Operate from May to October; Pizza Night (Sundays, hours of operation 4:30 pm to 9:00 pm) and Cooking Classes (Monday, Tuesday, and Wednesday, hours of operation 4:00 pm to 8:00 pm, limited to 10 people).

PLEASE NOTE: The following space, and additional pages as needed, are reserved for comment by the minority voter(s), **OR,** for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

Objections voiced included the following.

1) According to the State Highway Department, Highway 73 is statutorily controlled through §84.25 and any change in use to the property's non-residential driveway other than 6 (more or less) in/out agricultural uses per year requires approval from the Statewide Access Committee.

2) The proposed commercial property uses do not conform to the Town's Comprehensive Plan.

I, Kathy Wilson, as Town Clerk of the Town of Christiana, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on Tuesday, November 13, 2018

Kathleen Wilson
Town Clerk

Monday, November 19, 2018
Date

FINDINGS OF FACT FOR DENIED CONDITIONAL USE PERMITS

If the Conditional Use Permit application is denied, please complete the following section. For each of the standards, indicate if the standard was found to be satisfied or not satisfied. Please note the following from section 10.255(2)(b):

> *"No permit shall be granted when the zoning committee or applicable town board determines that the standards are not met, nor shall a permit be denied when the zoning committee and applicable town board determine that the standards are met."*

	PLEASE INDICATE THE APPROPRIATE FINDING FOR EACH STANDARD (CHECK ONE / STANDARD)
1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.	**1. ☑ SATISFIED / ☐ NOT SATISFIED**
2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.	**2. ☑ SATISFIED / ☐ NOT SATISFIED**
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.	**3. ☑ SATISFIED / ☐ NOT SATISFIED**
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.	**4. ☑ SATISFIED / ☐ NOT SATISFIED**
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.	**5. ☑ SATISFIED / ☐ NOT SATISFIED**
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.	**6. ☑ SATISFIED / ☐ NOT SATISFIED**

THIS SECTION IS RESERVED FOR FURTHER EXPLANATION OF THE FINDINGS: