

TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Petition # 2015 - 2312 Dane County ZLR Committee Public Hearing Tuesday, April 28, 2015

Whereas, the Town Board of the **Town of** Springdale _____ 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: 6 **In Favor** 0 **Opposed**

TOWN BOARD VOTE: 2 **In Favor** 0 **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):

1. The limited family business shall be limited to landscaping, lawn care and snow plow business. 2. The business shall be conducted within the existing 2400 square foot accessory building. The building shall not be expanded; and no improvements of plumbing and office space shall be added. 3. The hours of operation shall be Monday through Friday, from 7:30 a.m. to 4 p.m. 4. Outside loudspeakers are prohibited. 5. Outside signs are prohibited. 6. All employees except one or one full-time equivalent, shall be a member of the family residing on the property. 7. The conditional use permit shall become null and void upon sale of the property to an unrelated third party. 8. No customers shall conduct business at the site. No retail sales shall be conducted on the property. 9. Up to three trucks and three trailers, not to exceed 16' in length, shall be parked on the property. 10. No open burning of material brought in from job sites shall be permitted. 11. Outdoor lighting, except for required security lighting, shall be operational only during hours of operation. All lighting shall be shielded to prevent glare into the night sky or direct-beam illumination of neighboring residences. All new lighting fixtures shall use full cut-off fixtures which prevent all upward transmission of light. Note: On 6/1/2015, the calculation of the number of employees is based on information reported by J. Nicholson: J. Nicholson lives on the site and is the co-owner. His brother lives off -site and is co-owner. His brother comes to the site approximately 3 hours/week. One non-family member lives off-site and comes to the site approximately 2 hours/week. The total number of hours per week worked by employees who do not reside on the premises is 5 hours/week.

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.

I, Vicki Anderson _____, as Town Clerk of the Town of Springdale _____, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on Monday, June 15, 2015

Vicki Anderson
Town Clerk

Wednesday, June 17, 2015
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. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> 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. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> 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. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made. | 4. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> 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. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 6. That the conditional use shall conform to all applicable regulations of the district in which it is located. | 6. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |

THIS SECTION IS RESERVED FOR FURTHER EXPLANATION OF THE FINDINGS: