

Dane County
Conditional Use Permit
Application

Application Date	C.U.P Number
07/02/2025	DCPCUP-2025-02674
Public Hearing Date	
09/16/2025	

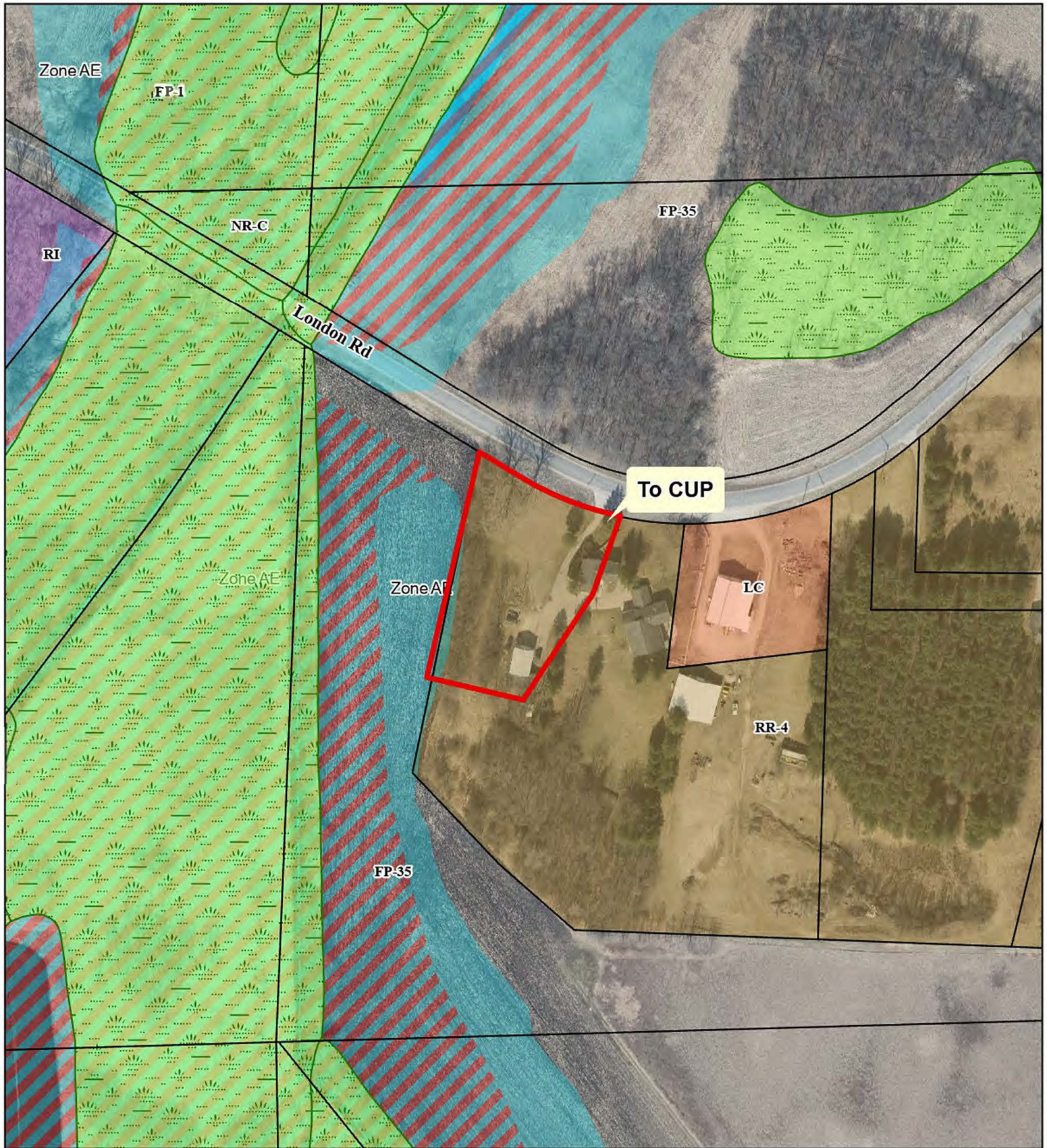
OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DENNIS AND BEVERLY SMITHBACK	Phone with Area Code (608) 516-9850	AGENT NAME DENNIS SMITHBACK	Phone with Area Code (608) 516-9850
BILLING ADDRESS (Number, Street) PO BOX 456		ADDRESS (Number, Street) <input type="checkbox"/>	
(City, State, Zip) DEERFIELD, WI 53531		(City, State, Zip)	
E-MAIL ADDRESS		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
575 London Rd					
TOWNSHIP DEERFIELD	SECTION 27	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0712-274-9855-0		---		---	

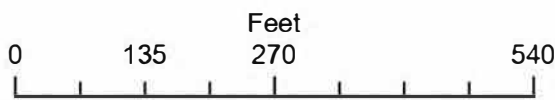
CUP DESCRIPTION
Limited Family Business (Tattoo Parlor)

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.243(3)	2.42

DEED RESTRICTION REQUIRED?	Inspectors Initials	SIGNATURE:(Owner or Agent)	
<input type="checkbox"/> Yes <input type="checkbox"/> No	RUH1		PRINT NAME:
Applicant Initials _____			DATE:



CUP 2674
DENNIS AND BEVERLY
SMITHBACK



- Proposed Zoning Boundary
- Tax Parcel Boundary
- Wetland Class Areas
- 1% Annual Chance Flood Hazard
- Regulatory Floodway



Dane County
Department of Planning and Development
Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703
(608) 266-4266

Application Fees	
General:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION			
Property Owner Name:	Dennis A Smithback	Agent Name:	
Address (Number & Street):	575 London Rd	Address (Number & Street):	
Address (City, State, Zip):	Deerfield, WI, 53531	Address (City, State, Zip):	
Email Address:		Email Address:	
Phone#:	608-516-9850	Phone#:	

SITE INFORMATION			
Township:	Deerfield	Parcel Number(s):	0712-274-9855-0
Section:	27	Property Address or Location:	on CSM 10609 Lot 4 at 575 London Rd
Existing Zoning:		Proposed Zoning:	
		CUP Code Section(s):	

DESCRIPTION OF PROPOSED CONDITIONAL USE	
Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use): Limited Family Business	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Provide a short but detailed description of the proposed conditional use: Continue current business Smitty's guns as has been running since 2007. Would like to add an appointment only tattoo parlor to the family business. This proposed section to be utilized by the tattoo parlor is currently equipped with plumbing and a bathroom. It is attached to the back of the storage shed that is at the end of the driveway.	

GENERAL APPLICATION REQUIREMENTS					
Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. <u>Only complete applications will be accepted.</u> All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.					
<input checked="" type="checkbox"/> Complete attached information sheet for standards	<input checked="" type="checkbox"/> Site Plan drawn to scale	<input checked="" type="checkbox"/> Detailed operational plan	<input checked="" type="checkbox"/> Written legal description of boundaries	<input checked="" type="checkbox"/> Detailed written statement of intent	<input checked="" type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: _____

Date: _____

STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections 10.220(1) and 10.103 of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

This will not endanger the neighbors as the majority of the land around the business is farmland.

2. 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.

The current business and future tattoo business will not bring any damages to the surrounding areas.

3. 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.

The businesses will be on our land, and surroundings area are farmland and wet lands.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

Access road will be existing driveway and parking area.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

No public street will be affected and no additional access driveway.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

We will follow all regulations

7. The conditional use is consistent with the adopted town and county comprehensive plans.

Reviewed with the township prior to application and was approved.

8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.

- Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:
- Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:
- Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:
- Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:
- Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.
Amend C.U.P 2267 to include use of current shop for tattoo parlor.

List the proposed days and hours of operation.

Hours will not be outside of 8am-10pm as listed on the previous C.U.P. This will most likely be by appointment only on weekends.

List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.

0

List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.

Do not apply

Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.

None

For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.

NA, using existing building

List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.

Does not apply **BUILDING HAS RESTROOM & RUNNING WATER. ALSO HAS IT'S OWN SEPTIC SYSTEM**

List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Use current waste management for the town of Deerfield. Weekly pick up.

Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

20-50 per week

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

None

Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.

No changes to current CPU

Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. [10.800](#).

No changes

Briefly describe the current use(s) of the property on which the conditional use is proposed.

Smitty's guns

Briefly describe the current uses of surrounding properties in the neighborhood.

Farmland and residences

APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

☐ SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

- ☒ Scale and north arrow.
- ☒ Date the site plan was created.
- ☒ Existing subject property lot lines and dimensions.
- ☒ Existing and proposed wastewater treatment systems and wells.
- ☒ All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- ☒ All dimension and required setbacks, side yards and rear yards.
- ☒ Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- ☒ Location and dimensions of any existing utilities, easements or rights-of-way.
- ☒ Parking lot layout in compliance with s. [10.102\(8\)](#).
- ☒ Proposed loading/unloading areas.
- ☒ Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- ☒ All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- ☒ Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- ☒ Any lighting, signs, refuse dumpsters, and possible future expansion areas.

☐ NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:

- ☒ Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- ☒ Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

☐ OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:

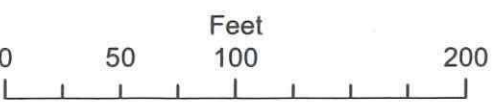
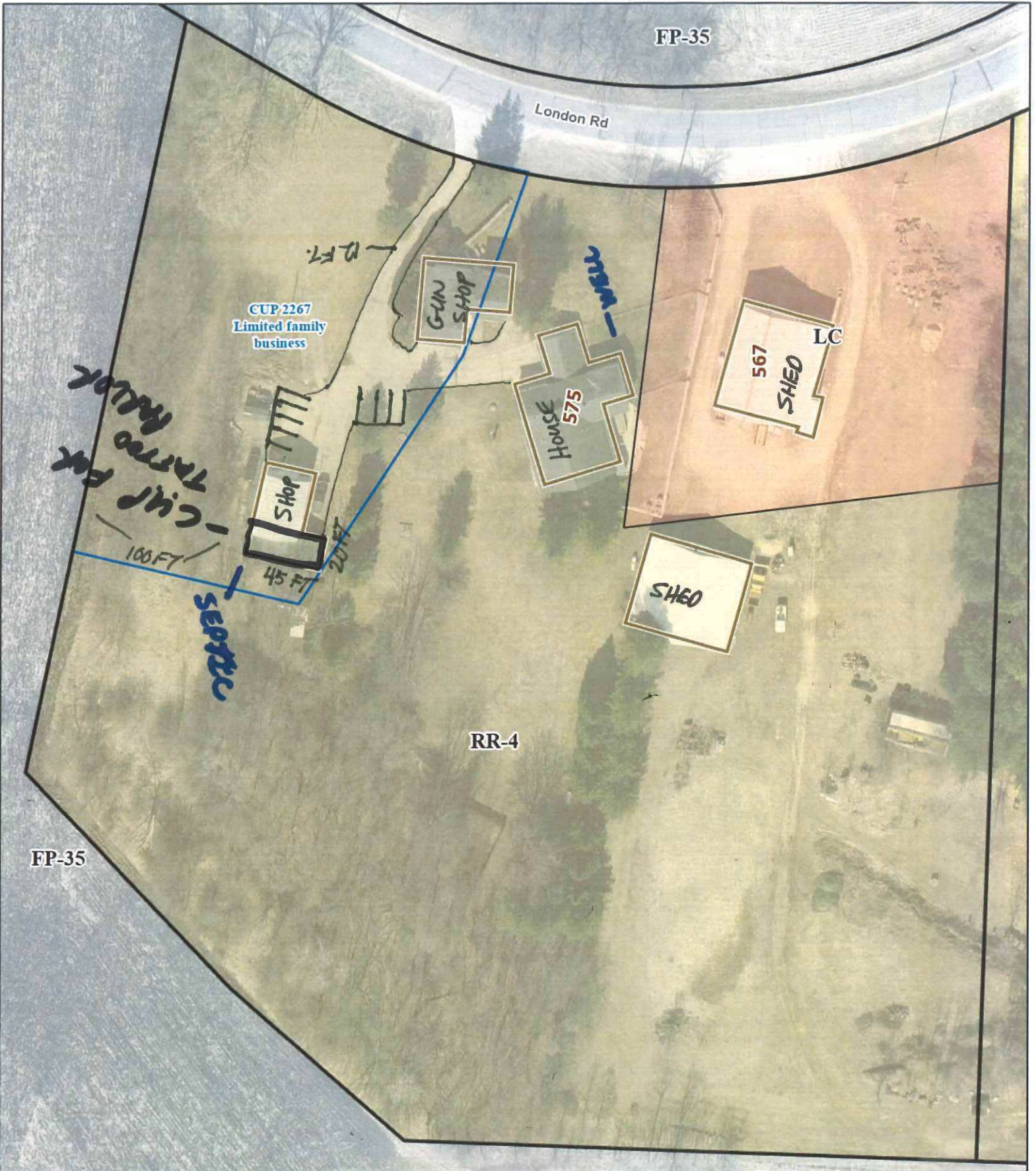
- ☒ Hours of operation.
- ☒ Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- ☒ Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- ☒ Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- ☒ Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- ☒ Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- ☒ Facilities for managing and removal of trash, solid waste and recyclable materials.
- ☒ Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- ☒ A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- ☒ Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- ☒ Signage, consistent with section [10.800](#).

☐ ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):

- ☐ Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an [event plan](#).
- ☐ [Domestic pet](#) or [large animal boarding](#) must provide additional information in site and operations plans.
- ☐ Communication towers must submit additional information as required in s. [10.103\(9\)](#).
- ☐ Farm residences proposed in the FP-35 district must submit additional information as required in s. [10.103\(11\)](#).
- ☐ Mineral extraction proposals must submit additional information as required in s. [10.103\(15\)](#).

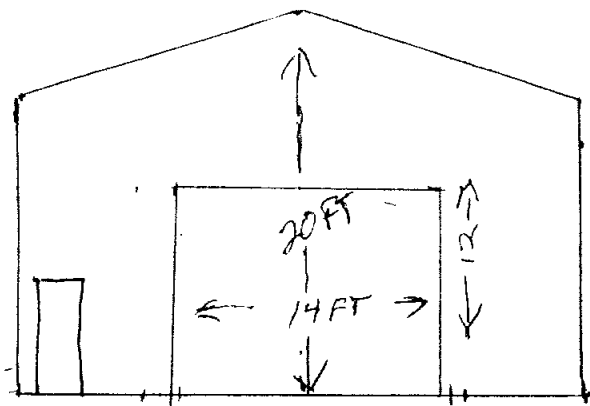
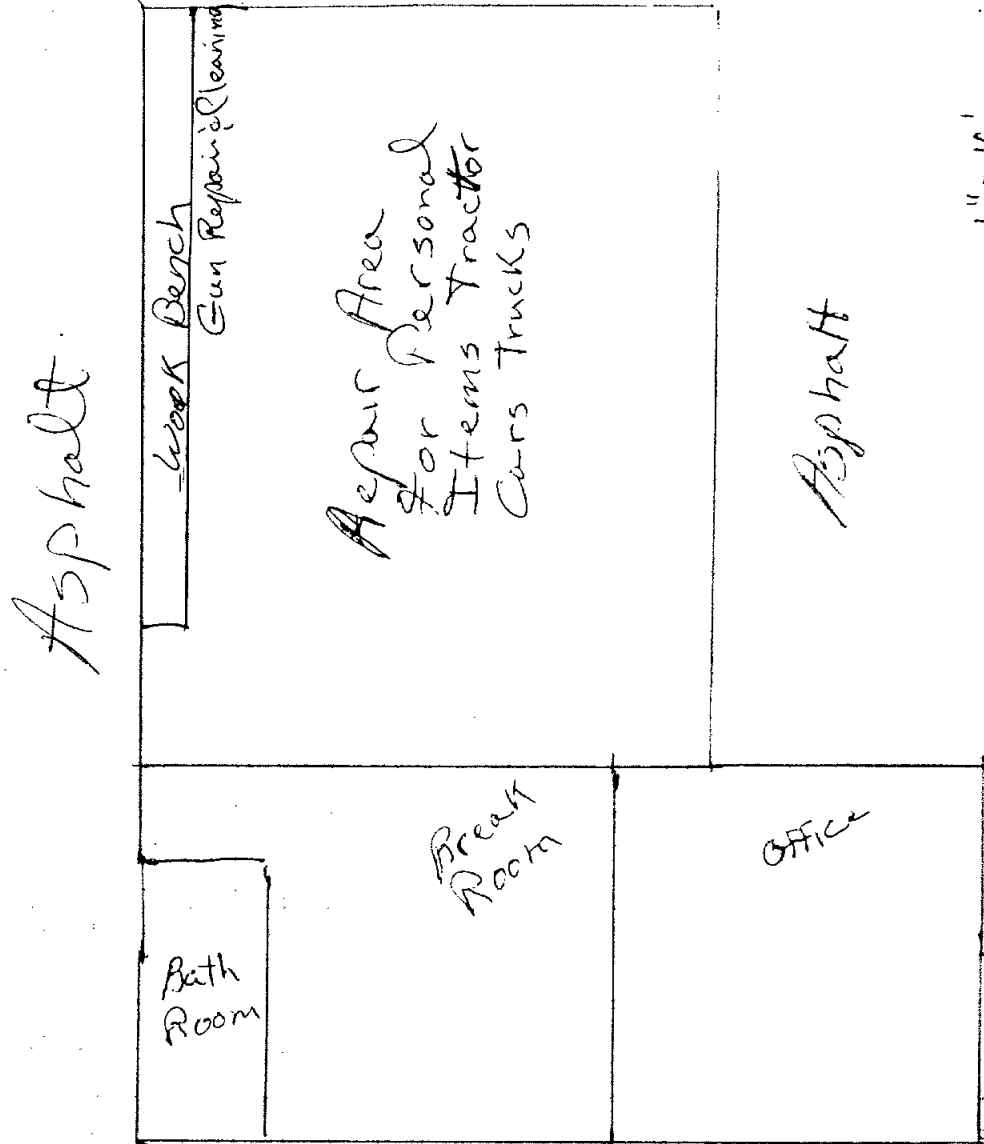
575 London Rd

Smithback CUP Site Plan

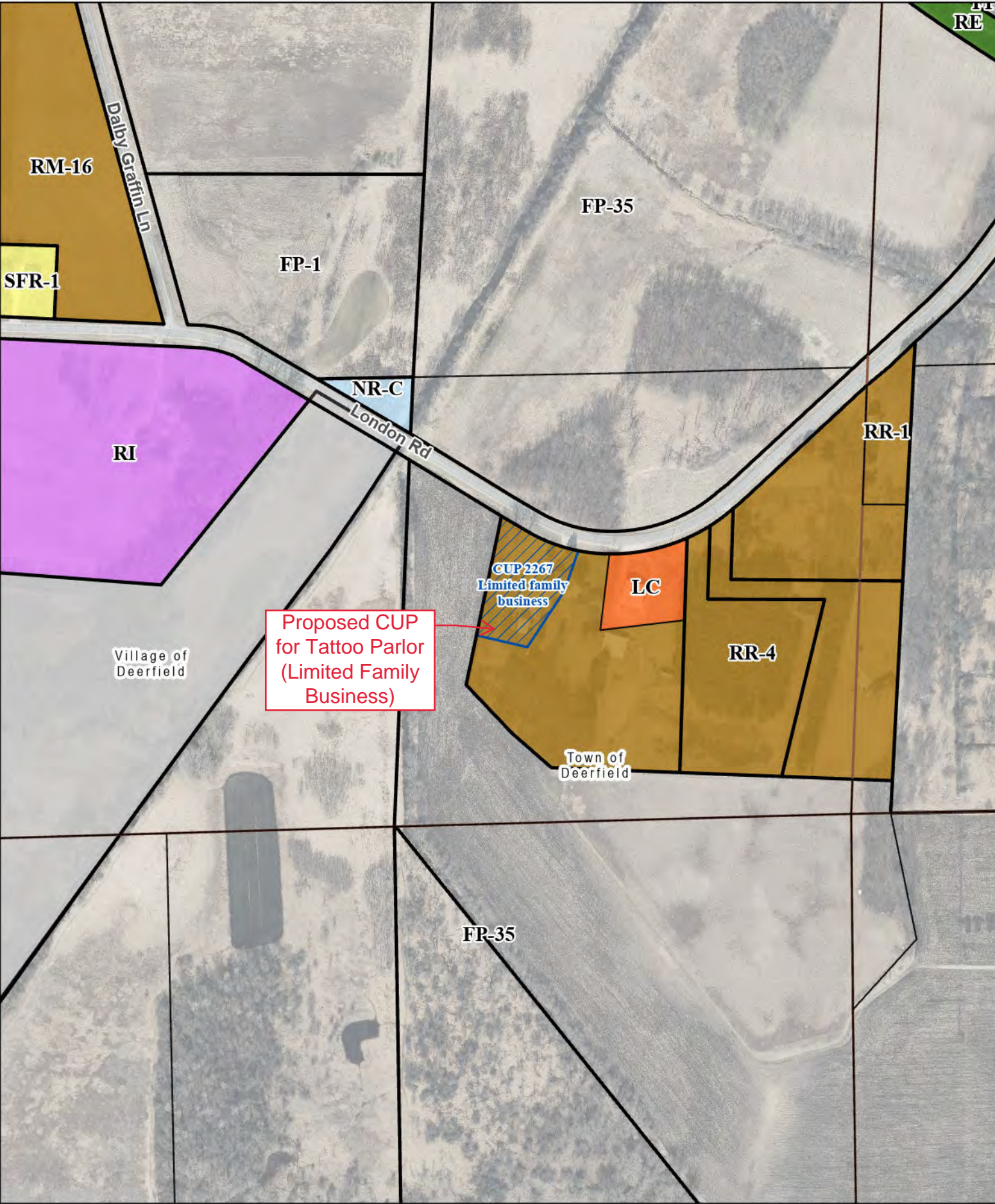


7/1/2025

Show location of all lot lines and their dimensions. Show location and dimensions of all proposed buildings and the location and dimensions of any existing buildings on the lot. For new buildings to be served by septic systems, show the location and dimensions of both the primary and alternate drainfield areas. For alterations or additions to existing buildings served by a septic system, show location of drainfield or if the location is not known, show the location of the vent pipe. Show scale used and the north location.



CUP 2674 Neighborhood Zoning Map



Limited family business

Definition: A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

(a) A conditional use permit for a limited family business is designed to accommodate small family businesses without the necessity for relocation or rezoning while at the same time protecting the interests of adjacent property owners. Applicants for this conditional use permit should recognize that rezoning or relocation of the business may be necessary or may become necessary if the business is expanded. No limited family or rural business shall conflict with the purposes of the zoning district in which it is located.

(b) The use shall employ no more than one or one full-time equivalent, employee who is not a member of the family residing on the premises.

(c) Using applicable conditional use permit standards, the committee shall determine the percentage of the property that may be devoted to the business.

(d) The conditional use permit holder may be restricted to a service oriented business and thus prohibited from manufacturing or assembling products or selling products on the premises or any combination thereof.

(e) The conditional use permit may restrict the number and types of machinery and equipment the permit holder may be allowed to bring on the premises.

(f) Structures used in the business shall be considered to be residential accessory buildings and shall meet all requirements for such buildings. The design and size of the structures is subject to conditions set forth in the conditional use permit.

(g) Sanitary fixtures to serve the limited family business use may be installed, but must be removed upon expiration of the conditional use permit or abandonment of the limited family business.

(h) The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.

CUP 2674 Legal Description

Part of Lot 4, Dane County Certified Survey Map number 10609 being part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, T7N., R.12E., Town of Deerfield, Dane County, Wisconsin being further described as follows:

Beginning at the Northwest corner of Lot 4, Dane County Certified Survey Map number 10609; thence S58°50'11"E, 74.57 feet to a point of curvature of a curve to the left, said curve having a central angle of 19°50'48" and a radius of 478.73, the long chord of which bears S58°44'35"E, 165.00 feet; thence Southeasterly along the arc of said curve, 165.83 feet to its point of tangency thereof; thence S19°33'00"W, 128.00 feet; thence S33°22'00"W, 195.00 feet; thence N76°50'00"W, 152.72 feet to the West line of the aforesaid Lot 4; thence N13°10'00"E along said West line, 356.43 feet to the point of beginning. The above described containing 1.53 acres.