

Town of Perry
Land Use Committee Meeting Minutes
Tuesday, December 7, 2004
Perry Town Hall

1. Call to Order. Chairman Mick Klein Kennedy called the meeting to order at 8:10PM. Committee members present: Roger Kittleson and Dean Vogel. Ann Windsor and Don Kellesvig were absent. Others in attendance. Clerk Mary Price, Terry Miller, Monica Miller, Walter Anderson, Walter Anderson, Jr.
2. Minutes of Previous Meeting – November 4, 2004. Roger Kittleson moved and Dean Vogel seconded a motion to approve the minutes of the Land Use Committee meeting on November 4, 2004 as presented. Motion carried.

3. Applications –

- a. Terry Miller, Conditional Use Permit application 1938, Limited Family Business at 1177 Hwy 78. Roger Kittleson moved and Dean Vogel seconded a motion to recommend to the Town Board that Conditional Use Permit application 1938, Limited Family Business at 1177 Hwy 78 as presented by Terry Miller be approved.

Walter Anderson indicated that he is concerned about increased truck traffic and asked if more buildings were planned.

Chairman Mick Kennedy read aloud the restrictions contained in Dane County Ordinance 10.192 for Conditional Use Permits for Limited Family Businesses.

Terry Miller explained the anticipated truck traffic for deliveries – three or four trucks per day on one or two days per week. He indicated that he has no plans to build additional buildings or expand his business further at this location.

Walter Anderson, Jr. commented that he was concerned about delivery trucks and the possible hazard for children riding bikes in the area. He said that the current fence creates a blind driveway for delivery trucks and the applicant's trucks.

Terry Miller explained that trucks back into the driveway to deliver goods and to improve the line of sight when leaving the driveway. He indicated that much of the current activity is due to remodeling the house on this site.

Walter Anderson, Jr. indicated that clarifications contained in the Dane Co. ordinance were helpful.

The Committee reviewed Dane Co. Ordinance 10.192 for compliance. The Committee advised the applicant to instruct delivery trucks and work vehicles to back into the driveway for safe exiting, and to post a sign advising drivers to back into the driveway.

Dean Vogel moved to amend the main motion to include the recommendation that the applicant instruct drivers to back into the driveway, to

post a sign instructing drivers to back into the driveway, and to comply with Dane Co. Ordinance 10.192 sections 1 through 8: **10.192 PROCEDURE AND STANDARDS OF OPERATION FOR LIMITED FAMILY BUSINESS.** (1) The purpose and intent of this section is to provide a centralized listing of the procedures and standards of operation for limited family businesses which may be permitted in several districts. (2) 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. (3) All employees, except one or one full-time equivalent, shall be a member of the family residing on the premises. (4) Using applicable conditional use permit standards, the committee shall determine the percentage of the property that may be devoted to the business. (5) 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. (6) 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. (7) 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. (8) The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.

Motion carried.

4. Schedule meetings. The Committee reviewed the 2005 meeting schedule.
5. Review annual stipends. The Committee reviewed and corrected the site view and meeting attendance reports.
6. Review Neighbor Notification process. The Committee reviewed the current Neighbor Notification process and advised the Clerk to amend the Neighbor Notification letter and to prepare and distribute the Neighbor Notifications for applicants.
7. Adjourn. Roger Kittleson moved and Dean Vogel seconded a motion to adjourn. Motion carried. The meeting adjourned at 9:25PM.

Respectfully submitted,

Mary L. Price, Clerk