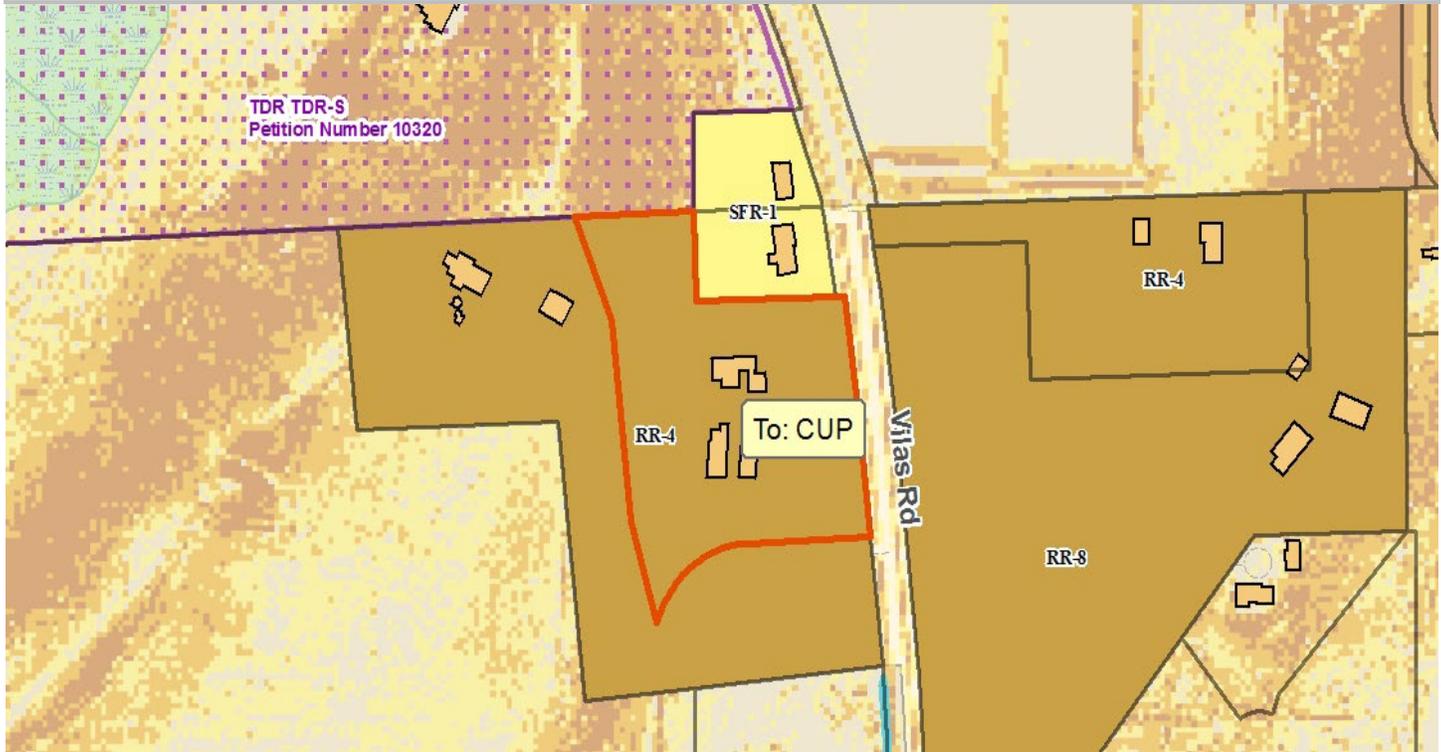


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>May 10, 2022</b>		<b>CUP 02559</b>
	<i>Zoning Amendment Requested:</i> <b>TO CUP: 10.103(12) Limited Family Business - Business Office</b>		<i>Town/Section:</i> <b>COTTAGE GROVE, Section 16</b>
	<i>Size:</i> <b>5.3 Acres</b>	<i>Survey Required:</i>	<i>Applicant:</i> <b>HEATHER &amp; CHRISTOPHER DYER</b>
	<i>Reason for the request:</i> <b>10.103(12) Limited Family Business - Business Office</b>		<i>Address:</i> <b>4075 VILAS ROAD</b>



**DESCRIPTION:** Applicants request approval of a Conditional Use Permit (CUP) for a Limited Family Business to allow operation of their consulting business, Morgan Data Solutions. According to the applicant, the business provides accounting, website management, on-line registration processing, strategic planning, and event management for (not hosting) for their clients. The owner operated business would be run out of the first floor of an existing accessory building and consist primarily of office space where remote work would be performed. The co-owners reside on the premises and are the only employees. Hours of operation would be 8:00AM-500PM, Monday through Friday.

**OBSERVATIONS/ FACTUAL INFORMATION:** The 5.3 acre residential property is zoned RR-4 and includes the owners’ residence and two residential accessory buildings. Neighboring land uses are rural residential. The subject property and 3 neighboring residential properties west of Vilas Road are a town “island” surrounded by undeveloped land in the village of Cottage Grove. No new structures are proposed, and no additional services are needed to accommodate the use.

**TOWN PLAN:** The property is located in an agricultural preservation area.

**RESOURCE PROTECTION:** No resource protection areas located on or near the property.

**STAFF:** The proposal appears consistent with town plan policies and the standards for approval of a conditional use permit. There is little to distinguish the proposed use from a home occupation except that the use will take place in an

accessory building and not the residence. The proposal represents a low intensity use and the likelihood of conflicts with neighboring uses is low.

Pending any concerns raised at the public hearing, staff recommends approval with the following standard conditions of approval specified in sections [10.101\(7\)](#) and [10.103\(12\)](#) of the Dane County Zoning Ordinance.

1. This conditional use permit is for a Limited Family Business (Business Office). Hours of operation are limited to 8:00AM-5:00PM, Monday – Friday.
2. Any conditions required for specific uses listed under s. [10.103](#).
  - a. 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.
  - b. The use shall be limited to the first floor of the accessory building as depicted on the site and operations plans.
  - c. 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.
  - d. The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.
3. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
4. 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.
5. 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.
6. 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.
7. 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.
8. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
9. Two off-street parking spaces must be provided, consistent with s. [10.102\(8\)](#).
10. 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.
11. 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.
12. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.

13. 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.
14. 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. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.

Any questions about this petition or staff report, please contact Majid Allan at (608) 267-2536 or [allan@countyofdane.com](mailto:allan@countyofdane.com)

**TOWN:** Approved.