
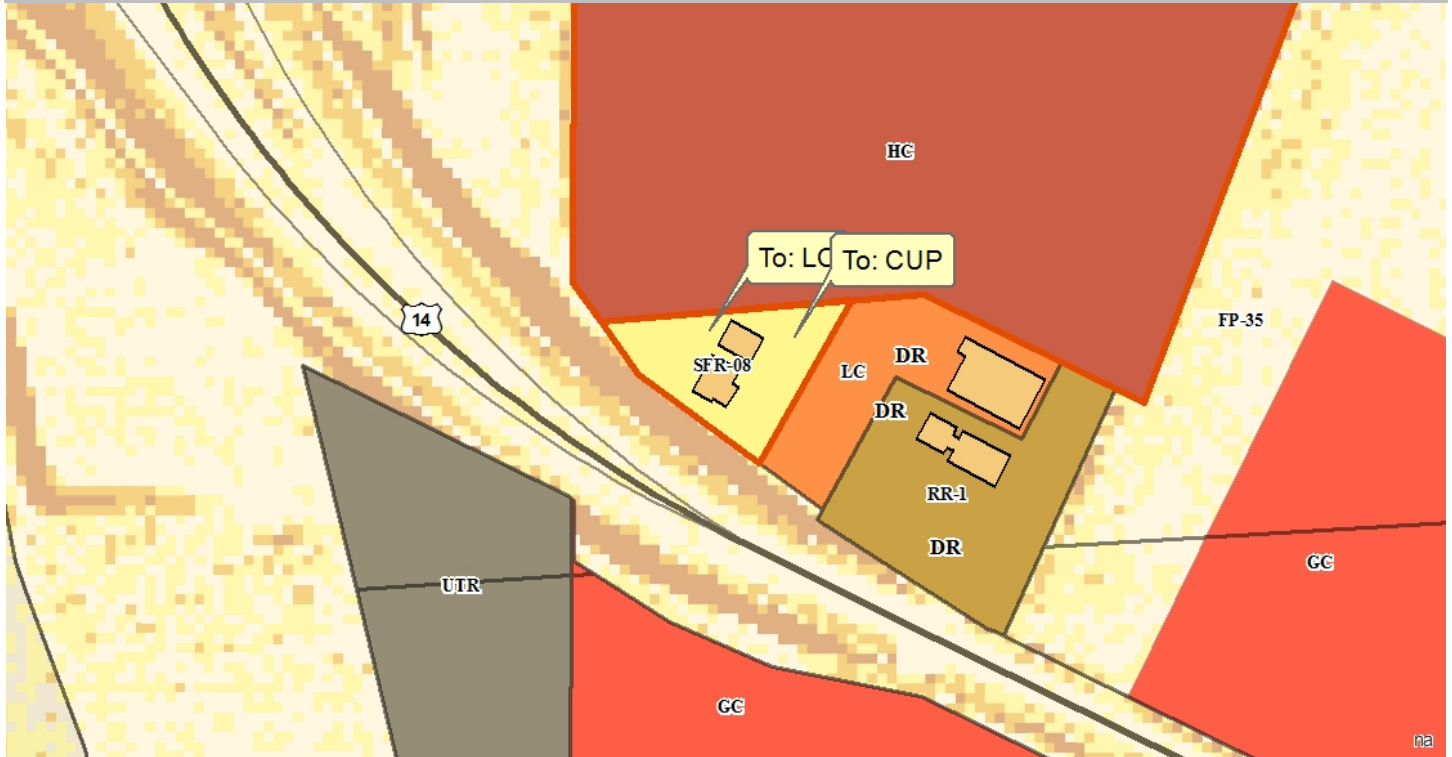


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<u>Public Hearing:</u> <b>October 26, 2021</b>	<b>CUP 02534</b>	
	<u>Zoning Amendment Requested:</u> <b>TO CUP: CARETAKER'S RESIDENCE</b>	<u>Town/Section:</u> <b>RUTLAND, Section 7</b>	
	<u>Size:</u> <b>1.17 Acres</b>	<u>Survey Required.</u>	<u>Applicant</u> <b>JOHN P ZIEGLER</b>
	<u>Reason for the request:</u> <b>CARETAKER'S RESIDENCE</b>	<u>Address:</u> <b>1256 US HIGHWAY 14</b>	



**DESCRIPTION:** Applicant requests approval of a Conditional Use Permit (CUP) for a caretaker’s residence in the LC (Limited Commercial) zoning district. Related petition #11746 proposes to zone the property to Limited Commercial to facilitate construction of a new equipment storage building on the property as part of a crane business. The CUP would ensure zoning compliance for the existing residence, which will be occupied by a family member involved in the operation of the business.

**OBSERVATIONS/ FACTUAL INFORMATION:** Existing use of the property is single family residential. Neighboring land uses include the owner’s commercial building and other residence. The commercially zoned property to the north was recently approved for installation of mini-warehouses and outdoor storage of boats and recreational vehicles. No sensitive environmental features observed. Note that a deed restriction on the existing SFR-08 and LC parcels prevents the separate sale of either parcel. There is also a deed restriction limiting commercial uses on the existing LC zoned parcel are limited to *“inside storage of business equipment only”*.

**TOWN PLAN:** The property is located in the town’s “commercial” planning area.

**RESOURCE PROTECTION:** No areas of resource protection corridor located on the property.

**STAFF:** The proposal will ensure zoning compliance for the existing residence. As noted above, the two adjoining parcels are currently tied together by a deed restriction. The proposal will negate the need for that deed restriction since the two parcels will be consolidated into one. If approved, related zoning petition 11746 will nullify the prior deed restriction.

The Conditional Use Permit is consistent with town plan policies. Staff recommends approval of the CUP with the following conditions:

1. 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.
2. This Conditional Use Permit for a residence for the business owner shall expire if/when a commercial use ceases to be operated on the property.
3. The CUP shall expire upon sale of the property to an unrelated 3<sup>rd</sup> party.

If you have any questions or comments please contact Senior Planner Majid Allan at (608) 267-2536 or [allan@countyofdane.com](mailto:allan@countyofdane.com)

**TOWN:** Approved with no conditions.