

## Lane, Roger

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**From:** Wesley and Kara Bubb <wkbubb@gmail.com>  
**Sent:** Friday, October 15, 2021 9:55 AM  
**To:** Lane, Roger  
**Subject:** Applewood Hill - BBDS - CUP Application

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Mr. Lane,

As a resident of the Applewood Hill neighborhood in the Town of Middleton I am writing to express my objection to the permitting of BBDS for their operation of a "home day-care facility". I have concerns and objections that stand on two main grounds, the first is the idea of this being a "home-based" business. BBDS has skirted the zoning by buying a structure that should be used as a single-family home and could be used by a family to run a business out of their home, but instead their model is to buy or rent a house and use it as a business. This type of work around to the zoning of a daycare is the basis of my objection - rather than competing with daycare organizations that have to abide by zoning and safety standards and regulations BBDS is using and buying single-family dwellings for their business without being a family that lives in the house or neighborhood but rather uses the environment and care and pride that exists in a neighborhood to package their product and environment to their customers.

I can understand the hesitancy to stop a small-business from operating, but I implore you to consider the way in which BBDS operates - which is completely different from another actual home-based small business. I worked and ran a small lawn-care operation out of my parents home in Illinois - in this case we lived at the residence while it was also the billing address for the business and the storage area for equipment and trucks needed as part of our operation. In this case we were established members of the community who actively communicated with our neighbors about issues such as employees parking on the street or loud equipment starting up early in the morning and worked to minimize the impact that our business had to our neighbors and friends - all while maintaining our home as a part of the neighborhood and being accountable for what was happening and how it directly could impact those around us. We were small and stayed as such - we actually turned down growth because it would have meant the need to expand parking and storage areas for necessary equipment - we knew our house was always going to be a home and if we were to expand it would change the nature of the property and have an impact on our neighbors - unsightly buildings, more vehicles on the property etc. In this case we knew that if we were to expand it would mean the necessity of a commercial space - something we chose not to pursue as we knew the business would end as I moved out for college. BBDS doesn't have this same burden - they bought the home, installed an employee, not a member of their family or someone who was invested in the home financially to run this business out of a property owned by their business. In this case BBDS disregards the implied nature of a home-based daycare, and in the case of their CUP they are asking for the Planning and Zoning of Dane county to allow them to work around the limitations further without providing any long-term reasoning beside the ability to make more money. This CUP will impose more traffic, more water usage and more overall burden on our community. This is unacceptable to me - I know what a home-based business looks and feels like when it is operating in a neighborhood as do my neighbors and as do you - in this case I ask you if this really is the case for BBDS?

The second issue I have with BBDS is their current violation of the covenants regarding the water utility for Applewood Hill. As you may or may not be aware our community maintains two wells that serve the homes in this neighborhood. I am a firm advocate that water is a resource not to be used irresponsibly and in the case of

BBDS this business has purchased a home with access to a resource that was laid out with restrictions on it's use to not permit usage by a business. In this instance again we butt up against the nature of BBDS and how they could be operating within the county and state - if they wanted to operate a daycare they could very well do this in an area that was zoned for a commercial business and one in which they had the ability to use water resources designated for them. A childcare facility may not be the biggest water user, I am aware of the impacts that this would have compared to other types of businesses - but in this case I believe that allowing their operation again places an undue burden on our community. This burden is when a limited resource is being used for purposes it is explicitly restricting -and if allowed to go through we set precedent for other businesses to use this resource in a way that places the burden and cost on families in the community.

I apologize that this note is so long - I know you are very busy. I hope I have conveyed my concerns and helped highlight the concerns of our community with a CUP for BBDS. I wish them well but believe they are denying their nature by using gray areas in the County and Town zoning to operate a business out of a house, rather than the true aims of zoning to allow a family to start a business out of their home and then if they choose to grow to then operate as other small businesses do - at a proper space zoned for their use. I think about a small business that may operate out of a home, one in which goods are made and stored before being supplied to customers - if the business grew it would then move to a warehouse or area to allow for shipping of these goods in the best way - rather than buying another home and turning that into a warehouse and changing the home to become a commercial property (loading dock, truck traffic on residential streets, etc.)- in this case I think Planning and Zoning would see clearly the nature of the business has changed and should be required to operate as such. I believe BBDS doesn't want to acknowledge that this is their true model.

I hope that you understand some of the concerns of our community - I believe that the County should deny the CUP for BBDS on the grounds that they are running a daycare out of a house to get around regulations and zoning concerns - rather than running a small business out of their family home. This is their business model - they have found a model that allows them to be profitable while placing a burden on the communities in which they live rather than be accountable to their neighbors and community in which they live. BBDS wants to conflate the issue as they believe they are providing a service to their neighbors - as a family that utilizes a daycare facility for the care of our small children I understand the value that this can provide, but in this case, no one in the community utilizes BBDS for childcare, rather BBDS utilizes the special nature of Applewood hill, our restricted access, quiet environs and the pride and care that we put into our neighborhood for their commercial benefit. They will also state that homes in the neighborhoods have increased in value while BBDS has been in operation and there is a benefit in this to the homeowners, this is speculation and a great example of "correlation vs. causation" - homes throughout Dane county have increased in value rapidly over the past 10 years - it just so happens that they operate daycare facilities during this period in these areas. I hope you can see through this argument as being very flimsy and not truly a part of the zoning argument that should be made.

Finally Zoning and Planning especially in Dane County should be focused on maintaining access to single-family homes. If commercial businesses are buying homes and using them not to house families, either with home-ownership or renting then they have displaced this "family" to another property and denied them access - I hope that you can account for this in your consideration of this issue.

All the best,  
Wesley Bubb  
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