

## **October 21, 2024 BOA PUBLIC HEARING STAFF REPORT**

**Appeal 3729.** Appeal by Blume & Sons LLC (Attorney Christopher T. Nelson, agent), for a variance from minimum required setback from highways as provided by Section 10.102(9), Dane County Code of Ordinances, to allow outdoor storage at 946 Medina Rd, being Lot 2, CSM 5813 in the NW 1/4 SE 1/4 Section 33, Town of Medina.

OWNER: Blume & Sons LLC  
AGENT: Christopher T. Nelson, Axley Brynelson, LLP  
LOCATION: 946 Medina Rd  
ZONING DISTRICT: HC Heavy Commercial

COMMUNICATIONS: Town of Medina: 9/4/2024 Acknowledgement of variance; Plan Commission & Town Board Action October 9, 2024 recommending approval.

WI DOT Pending

### **Facts of the Case:**

#### **Existing:**

- Property is bound by W Medina Rd to the south and State Highway 73 and Midway Ln to the east, and HC Heavy Commercial private property to the north and west.
- Property was purchased in November of 2022; previous owner ran a masonry business out of the property.
- Owner has been in the process of improving the condition of the property as left by the previous owner.

#### **Proposed**

- Owner proposes to use the property as a commercial storage facility with outdoor storage and proposes to allow outdoor storage to occur within the required setbacks to the property lines.

#### **Zoning Notes:**

- Outdoor storage is defined as any activity located primarily outdoors involving the receiving, holding and shipping of materials for a single business.
- The definition of outdoor storage states that storage of materials is not permitted within any building setback area.
- The HC Heavy Commercial district allows for intensive land uses including outdoor storage; however, such storage is restricted to the building envelope of the lot and therefore does not allow for storage to occur within the required setbacks to the property lines.

#### **History**

- 2023 Change of use to trailer service business and building additions
- 2024 Outdoor lighting complaint

### **VARIANCES REQUESTED: Minimum setback from a State Highway Purpose: Allow outdoor storage within required setback**

Minimum setback from right-of-way required: 42 feet.

Proposed Setback: From front lot line: 10 feet.

**VARIANCE NEEDED: 32 feet.**

### **VARIANCES REQUESTED: Minimum setback from a Town Highway Purpose: Allow outdoor storage within required setback**

Minimum setback from right-of-way required: 30 feet.

Actual Setback: From front lot line: 10 feet.

**VARIANCE NEEDED: 20 feet.**