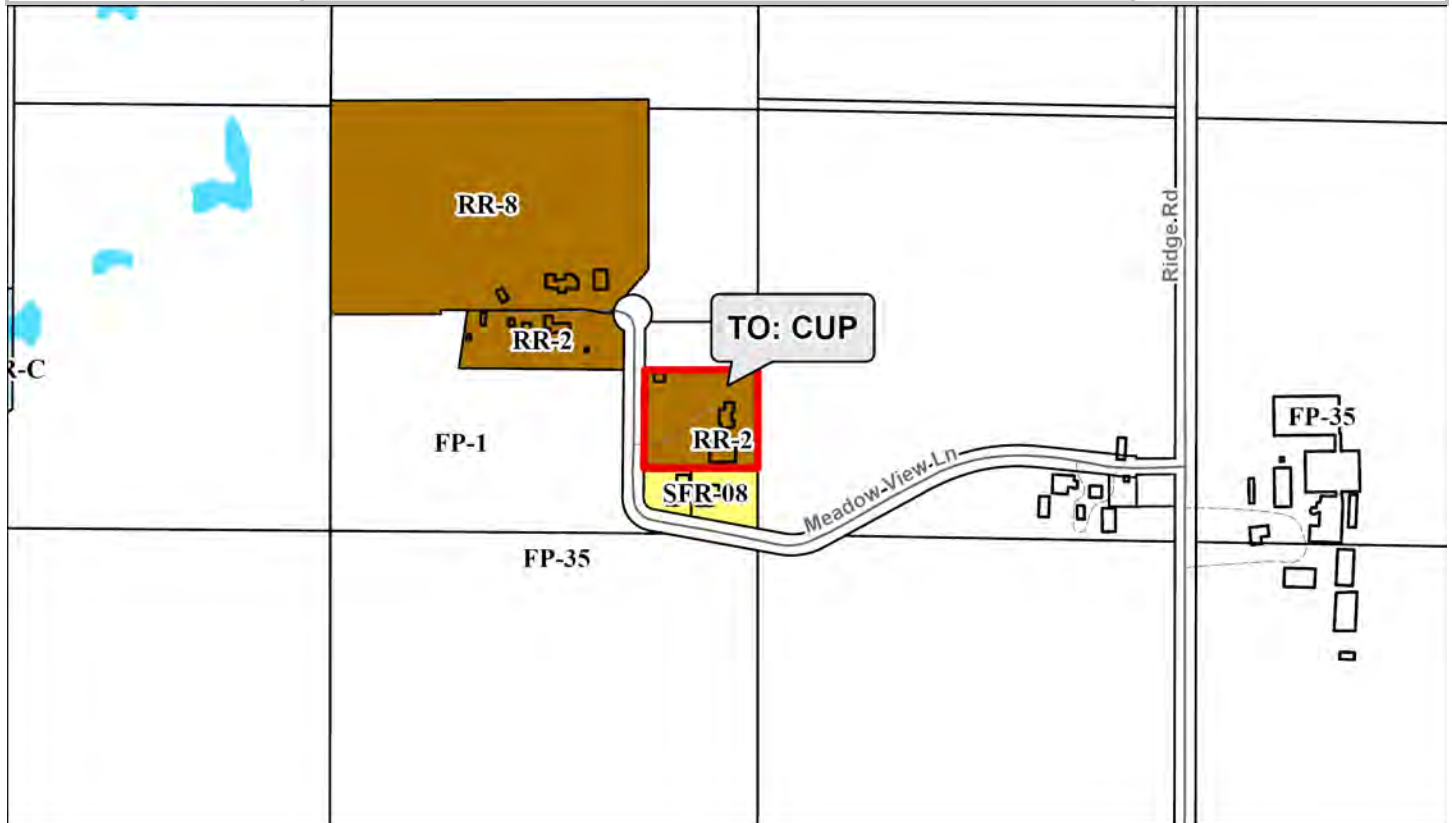


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> July 28, 2026		Conditional Use 02716
	<u>Zoning Amendment Requested:</u> TO CUP: LIMITED FAMILY BUSINESS		<u>Town, Section:</u> COTTAGE GROVE, Section 2
	<u>Size:</u> 2.5 Acres	<u>Survey Required:</u>	<u>Applicant:</u> TYLER J BRONKHORST
	<u>Reason for the request:</u> LIMITED FAMILY BUSINESS		<u>Address:</u> 1864 MEADOWVIEW LN



DESCRIPTION: Applicant is owner/operator of Bronkhorst Mobile Repair, a small business providing off-site repair services to customers. Applicant requests approval of a Limited Family Business to allow the existing business to operate from the existing accessory building on the RR-2 zoned residential property. The operation would involve storage for the small farm equipment repair business, which is primarily mobile repair where he does the repair work off-site on farms.

OBSERVATIONS: The property is a 2.6-acre residential lot with an existing home and a 50'x80' garage that was permitted in 2023 as a residential storage building. The owner also owns the closest adjoining properties, limiting the potential for conflicts. No sensitive environmental features observed on the site. The proposal would not result in any new structural development.

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

COMPREHENSIVE PLAN: This petition is in the town's agricultural preservation planning area and is subject to the land use policies related to that designation. The town plan includes the following provision regarding the establishment of small-scale businesses on residential or agricultural properties:

"...Residences and outbuildings may be used for home occupations, limited family businesses, or farm family businesses, as those terms are defined and limited under Dane County zoning rules. For these types of operations, efforts should be made to utilize the existing residence and outbuildings before constructing new buildings..."

The town plan includes the following provision regarding conditional use permits:

“...Proposed conditional use permits should be consistent with the recommendations of this Plan to the extent applicable. In their consideration of conditional use permit requests, the Plan Commission and Town Board will also evaluate the specific timing of the conditional use permit request, its relationship to the nature of both existing and future land uses, and the details of the proposed development.”

This proposal, if limited in scope in accordance with the requirements of the ordinance, appears reasonably consistent with the comprehensive plan provisions related to small scale, family run businesses in the designated agricultural preservation area. As indicated under section 10.103(12), limited family businesses may be need to be relocated if the business expands.

For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or Allan.Majid@danecounty.gov.

CONDITIONAL USE PERMIT DECISION MAKING: “Conditional uses” are those land uses which, because of unusual nature and potential for impacts on neighboring lands, public facilities, the environment or general welfare, warrant special consideration and review.

Prior to granting or denying a conditional use, the zoning committee shall make findings of fact based on evidence presented and determine whether the proposed conditional use, with any recommended conditions, meets all of the standards required to obtain a CUP. Below is the list of the applicable standards from Section 10.101(7)(d) of the Zoning Code, and a summary of the relevant facts including the applicant’s testimony with regards to meeting the standards.

1. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The CUP application describes the proposed operations plan which is primarily limited to storage of equipment used offsite for a “house call” type business with limited use of the property for commercial activity. The applicant states that the surroundings are open fields and not close to neighbors or screen by natural fencing and tree lines.

Staff finds that the intensity of the proposed land use will fit within the existing neighborhood character and will not greatly increase the intensity of the existing land use.

2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

The applicant states that all work will be performed indoors. Staff agrees that indoor activities of the proposed nature should not have an adverse impact on surrounding properties.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The applicant states that his business will be neat and clean and contained indoors.

This standard pertains to whether the proposed conditional use would affect *how the surrounding properties could be developed and improved, considering what they are currently zoned for*. This property is already developed so no new construction is required for the proposed use, and the limited level of activity is not likely to impact the improvement of surrounding properties. The surrounding land is mostly in agricultural use and zoning, with residential-zoned lots adjacent to the south.

4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

The applicant states that no changes are required to support the proposed land use.

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The applicant states that the maximum customer trips to the site would be 1 to 2 per day, but it is unlikely because the business is primarily the operator traveling off-site. No heavy or overweight equipment will use the access to the site. Staff finds the proposed traffic consistent with the general residential use of the property.

6. *That the conditional use shall conform to all applicable regulations of the district in which it is located.*

The proposed use conforms to the applicable regulations of the RR-2 zoning district. Limited family business is an allowable conditional use in the rural residential zoning district. Applicant states that all standards of the district will be satisfied.

7. *That the conditional use is consistent with the adopted town and county comprehensive plans.*

As noted above, the proposal appears consistent with the Town and County Comprehensive Plans.

8. *If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the findings described in s. 10.220(1).*

Not applicable.

Limited family businesses are subject to these additional specific land use standards as found in section 10.103(12):

1. *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. No limited family or rural business shall conflict with the purposes of the zoning district in which it is located.*
2. *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.*
3. *Using applicable conditional use permit standards, the committee shall determine the percentage of the property that may be devoted to the business.*
4. *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.*
5. *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.*
6. *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.*
7. *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.*
8. *The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.*

TOWN ACTION: Town Board recommends approval, subject to no long term outdoor storage allowed.

STAFF RECOMMENDATION: Staff believes that the applicant has provided sufficient evidence to address the CUP standards and mitigate the potential concerns. If the Committee requires additional information on which to base a decision, they could request specific information of the applicant or staff at the public hearing.

Pending any comments at the public hearing, Staff recommends that (1) the ZLR Committee makes a finding of fact as to whether the proposal meets the CUP standards listed above, and (2) we recommend approval with the conditions listed below. The conditions below reflect the general conditions from the Chapter 10 zoning code that apply to all CUPs, as well as those specific to Limited Family Businesses.

CUP 2716 Potential Conditions of Approval:

Standard Conditions for all Conditional Use Permits from 10.101(7):

1. Any conditions required for specific uses listed under s. 10.103 (see below).
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. 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.
4. 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.
5. 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.
6. 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.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. 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.
10. 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.
11. 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.
12. 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.

Conditions specific to this CUP:

13. No long-term outdoor storage of materials or equipment associated with the applicant's mobile repair business is permitted.
14. This conditional use permit is for operation of a mobile repair business (storage and incidental repair). Manufacturing or assembling products or selling products on the premises or any combination thereof is prohibited.
15. The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.

Please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov if you have questions about this petition or staff report.