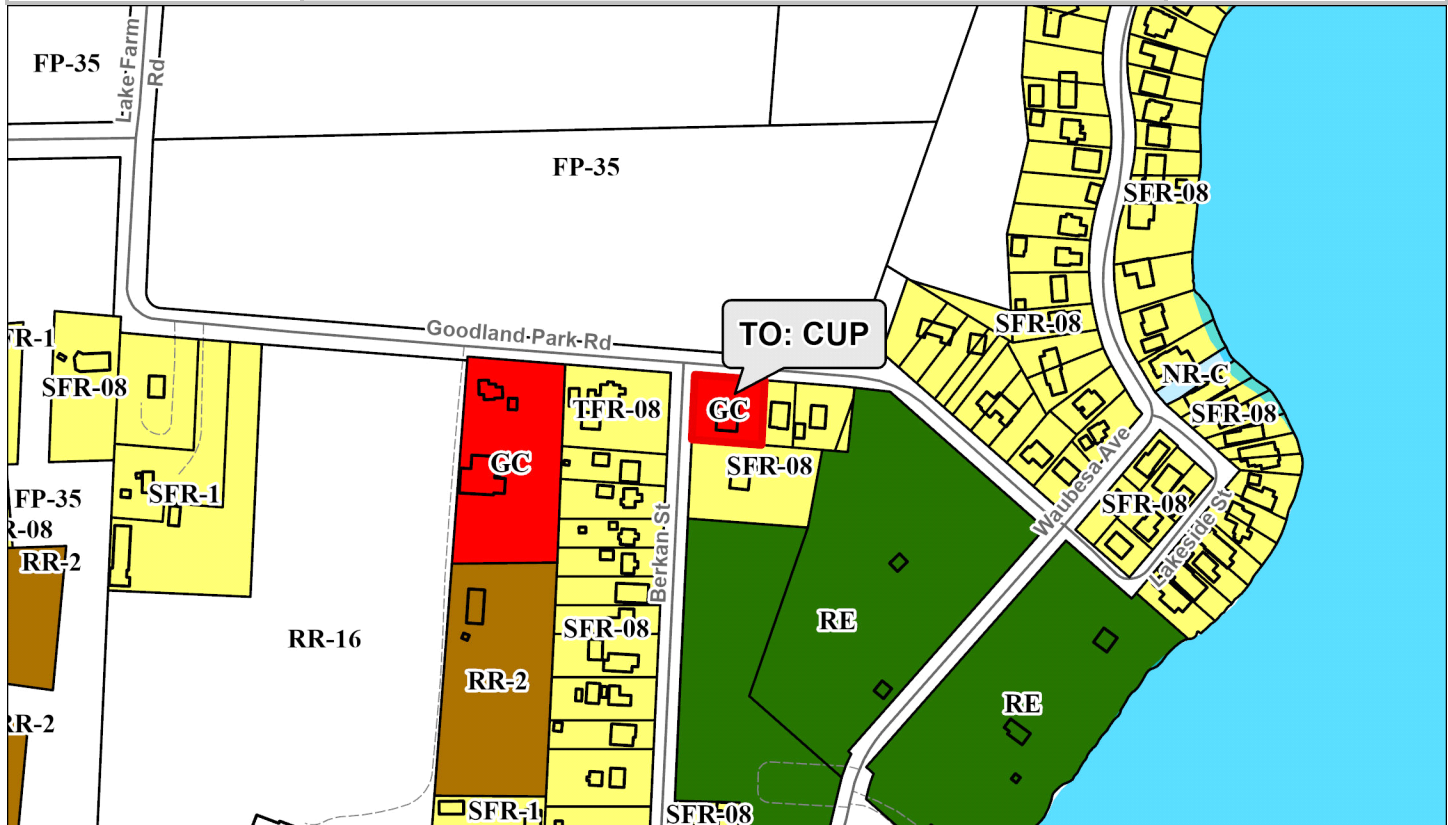


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> July 28, 2026		Conditional Use 02714
	<u>Zoning Amendment Requested:</u> TO CUP: CARETAKER'S RESIDENCE		<u>Town, Section:</u> DUNN, Section 8
	<u>Size:</u> 0.45 Acres	<u>Survey Required:</u>	<u>Applicant:</u> WAUBESA BOAT WORKS LLC
	<u>Reason for the request:</u> CARETAKER'S RESIDENCE		<u>Address:</u> 4423 GOODLAND PARK RD



DESCRIPTION: Applicant is owner/operator of Waubesa Boat Works and requests approval of a conditional use permit (CUP) to allow construction of a caretaker's residence which the owner would construct and reside in.

OBSERVATIONS: The subject property is zoned GC General Commercial, and previously contained a residence and gas station in the 1970s. No contamination was found following environmental testing. No sensitive environmental features observed on the site. The proposed lot configuration meets county ordinance requirements for lot size and public road frontage. The proposed site plan demonstrates compliance will applicable building setbacks and lot coverage limits.

RESOURCE PROTECTION: Portions of the property fall within the secondary shoreland zone due to being within 1000 feet of Lake Kegonsa. The proposed development will satisfy all shoreland zoning requirements.

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 desire of the owner to relocate his residence to his Boat Works operation. While the proposal will intensify the land use, it complements the existing residential uses in the neighborhood and will enable more oversight of the property thus enhancing security.

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 the proposal will architecturally fit nicely with the surrounding homes and rural community. The residence would be built onto the east side of the existing building and match its design.

Staff agrees that the residential aspect of the site fits in well with the neighborhood dominated with single family residential properties. The existing Boat Works business hasn't impacted the neighborhood negatively.

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 the proposed development will not impede other properties.

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 and most of the surrounding properties are residential and already developed, and the proposed development satisfies all requirements of the district.

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

The applicant states that the addition will be serviced by the existing utilities and access which are adequate, and that any additional stormwater and erosion control will be properly permitted. The property is within the Dunn Sanitary District and is not served by private septic system. Applicant notes there is currently a shared well on site and that they would dig a new well if this is approved. The Sanitarian notes no concerns with this. Staff does not anticipate any additional infrastructure being required.

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.***

Existing off-street parking is provided and will be maintained and is adequate for the proposed use.

Staff has no concerns and the intensity of parking will not increase with the proposed use.

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 GC zoning district. Caretaker's residences are an allowable conditional use in the General Commercial zoning district.

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

As noted below, 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.

COMPREHENSIVE PLAN: This petition is in the town's Limited Service Area planning area and is subject to the land use policies related to that designation. The town's planner provided the following review of the proposal against relevant town comprehensive plan policies.

The town's Comprehensive Plan does not list either a Caretaker's Residence or Single-Family Residential as CUPs that are consistent with the town's Plan in the GC zoning district. However, the Plan states that all applications will be

evaluated to determine if certain conditions can be placed on approval to mitigate potential impacts and bring the CUP closer to being consistent and with the county zoning ordinance standards and consideration of the following:

- a. Whether the use is complementary with adjoining properties;*
- b. Compatibility with existing or permitted use on adjacent lands;*
- c. Impacts of noise, dust, lights, odor, contamination, parking, traffic, and other changes related to the use on public safety and rural character of the Town;*
- d. The productivity of the lands involved;*
- e. The location of the proposed use so as to reduce to a minimum the amount of productive agricultural land converted;*
- f. The need for public services created by the proposed use;*
- g. The availability of adequate public services and the ability of affected local units of government to provide them without an unreasonable burden;*
- h. The effect of the proposed use on water or air pollution, soil erosion and rare or irreplaceable natural resources;*

While the town's plan does not list caretaker's residences as a conditional use that could be deemed consistent with plan policies, based on well-known or anticipated impacts staff believes that the proposal meets the plan's review criteria listed above, as well county zoning code standards for approval of a conditional use permit.

This proposal appears reasonably consistent with comprehensive plan policies.

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

TOWN ACTION: Approved with no conditions. The town action report noted the following with regards to prior stormwater / drainage concerns, which appear to have been addressed by the current owner:

Prior concerns - The elevation of the commercial building is higher than the southern neighbor. Staff's prior knowledge of the property includes previous neighbor concerns during the construction of the commercial building in 2019. The prior neighbor to the south had concerns regarding stormwater runoff, sharing that as a result of the development there was ponding water on their driveway and near their detached garage. Because of this, and the proposal for additional impervious surface, staff are concerned about the potential for new stormwater runoff concerns. The owner shared that the grade will be very similar to existing grade because the addition will have an exposed lower-level basement. The owner stated that he spoke with Jason Tuggle at Land and Water Resources, who was very familiar with the previous project, and said that Jason shared that this project would not be required to obtain either a stormwater permit or an erosion control permit. Jason also said 2018 and 2019 were unusually high-water years which were combined with disturbed soil and unestablished vegetation during construction. The owner shared there has been no additional stormwater concerns since vegetation was established and downspouts were installed.

STAFF RECOMMENDATION: Pending any comments at the public hearing and in receipt of the town action report, 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.

CUP 2714 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 (none).
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. All outdoor lighting shall be dark skies compliant, shall be directed downward, and shall be designed to prevent ambient light spill onto adjacent properties and public rights-of-way;

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