

TO: Planning Commission
FROM: Peter Gansen, Planning & Zoning Administrator
RE: Staff Report for Application C-24-05
DATE: November 12, 2024 Regular Meeting



Subdivision Application C-24-05
Applicant: TERANCE GRUENHAGEN
Property Address: 8959 OSSAWINNAMAKEE RD
Legal Description: LOT 6 BLOCK 1 FIRST ADDITION TO SUNSET STRIP
Parcel ID: 10040839
Zoned: R-2 Unsewered

- Applicant attended the required pre-application meeting.
- Applicant has filed the appropriate application for a Conditional Use request.
- Applicant has paid the appropriate fee for the application.
- Public notice of the Hearing was published in the legal newspaper and all property owners within 350' were mailed a notice of hearing.
- Public notice was given to the DNR via email.

Request:

- Is requesting a conditional use permit for guest quarters.

Summary of the property

LOT 6 BLOCK 1 FIRST ADDITION TO SUNSET STRIP is located on the north shore of general development class, Ossawinnamakee Lake.

The property and adjacent properties were platted as residential lots in 1969.

The zoning classification for the property and the adjacent properties are medium density residential.

This zoning district is a common zoning designation for most riparian lots surrounding the lake. This zoning district exists to allow seasonal and year-round residential uses. Example of these uses include small seasonal cabins to large residential lake homes.

The R-2 zoning classification requires a conditional use permit for guest dwelling quarters in an accessory structure.

This conditional use permit request only pertains to the guest dwelling use within the accessory building. The rest of the building's size is regulated by the accessory structure standards.

The site topography, access and lot configuration appear to be suitable for the proposed use and is consistent with the comprehensive land use plan, which allows guest quarters in areas within this zoning classification on lots meeting the required lot size.

Based on the information presented at this time staff recommends the Commission consider approval with the following condition and any other conditions the Commission deems appropriate.

Recommended Condition:

Guest dwelling/living quarters must not exceed 700 square feet.

Findings:

Upon review of a Conditional Use application the commission needs to consider the findings as required in Section §153.119 (E). In review the commission should state whether or not the findings are acceptable towards granting the CUP.

The following findings must be met:

(a) The use or development is an appropriate conditional use in the land use zone.

The property is zoned R-2 and the request is allowed under Section 153.032.

(b) The use or development with conditions conforms to the Comprehensive Land Use Plan.

The use conforms to the standards of Section 153.096 guest quarters.

(c) The use with conditions is compatible with the existing neighborhood.

The proposed use of the property is similar to the surrounding area, which includes seasonal and year round residential use.

(d) The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the city.

No adverse effect to public health has been noted.

(2) The following must be considered:

(a) The conditional use should not be injurious to the use and enjoyment

of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair property values in the immediate vicinity;

No injurious use has been noted at this time.

(b) The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area;

No adverse effect on orderly development has been noted at this time.

(c) The conditional use will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community;

No additional cost to the public has been noted at this time.

(d) The conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or an interference with traffic on surrounding public thoroughfares;

The plans propose to use the existing city road facilities to access onsite parking.

(e) Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use;

The proposed plan is to use onsite parking.

(f) Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner that no disturbance to neighboring properties will result;

No nuisance has been noted at this time. The proposal is residential in use similar to the neighboring properties.

(g) The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance; and

No scenic or historical feature has been documented.

(h) The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

No significant source of stormwater modifications have been noted.

The following are recommended conditions.

- 1) **Guest dwelling/living quarters must not exceed 700 square feet.**