

Resolution 2025-ET-07

RESOLUTION AMMENDING CONDITIONAL USE
RESOLUTION 2025-ET-06

Return Address: City of Mauston
Attn: Val Nelson
303 Mansion Street
Mauston, Wisconsin 53948

Parcel I.D. No. **29 018 0398**

This document is being recorded to amend Conditional Use Resolution 2025-ET-06 recorded in the office of the Register of Deeds of Juneau County Wisconsin on 04/28/25 as Document #766587.

APPLICANT: Eric Owen

PROPERTY OWNER: Eric Owen

PROPERTY AFFECTED:

Address: W4934 State Hwy 82, Mauston, WI 53948

Legal Description: The East 1/2 of the Southeast 1/4 of Section 9, Township 15 North, Range 4 East Town of Lemonweir, Juneau County, Wisconsin.

WHEREAS, the City of Mauston and the Town of Lemonweir have received a request for a Conditional Use by the above Applicant regarding the above property, which application is attached hereto and incorporated herein by reference; and

WHEREAS, the Mauston-Lemonweir Extraterritorial Committee has conducted a public hearing on said application and has carefully evaluated the application, along with input from City staff and consultants.

NOW, THEREFORE, the Mauston-Lemonweir Extraterritorial Committee does hereby resolve as follows:

BE IT RESOLVED that the Mauston-Lemonweir Extraterritorial Committee finds that this application for a Conditional Use satisfies the standards required by Section 1.905(6)(e) of the Zoning Ordinance, specifically as follows:

- (a) The Mauston-Lemonweir Extraterritorial Committee finds that the proposed Conditional Use, in general, independent of its location, is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted or under consideration by the City and the town.
- (b) The Mauston-Lemonweir Extraterritorial Committee finds that the proposed Conditional Use, in its proposed specific location, is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, the Zoning Ordinance, and any other

plan, program, or ordinance adopted or under consideration by the City and the town.

- (c) The proposed Conditional Use will not cause a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City, the town, or other governmental agency having jurisdiction to guide development.
- (d) The proposed Conditional Use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
- (e) The proposed Conditional Use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
- (f) The potential public benefits (e.g. Group Development) of the proposed Conditional Use outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the Applicant's proposal, including the Applicant's suggestions to ameliorate any adverse impacts.

BE IT FURTHER RESOLVED that the Mauston-Lemonweir Extraterritorial Committee approves the application for a Conditional Use subject to the following conditions and restrictions, which shall be perpetual; unless and until changed by action of the Mauston-Lemonweir Extraterritorial Committee or until the Applicant ceases the use of the property which is conditionally approved herein:

1. **APPROVED USE.** The applicant is hereby authorized to use the property as Group Development pursuant to Section 1.414 consisting of the following uses, which are allowed in the Neighborhood Business (NB) Zoning District as permitted uses and subject to the conditions listed below:
 - a) Single Family Detached (per Section 1.405(1))
 - b) Indoor Sales or Service (per Section 1.408(3))
2. **SITE PLAN APPROVAL.** The Site Plan, dated 4/7/25 which is attached hereto and incorporated herein by reference, is approved. The site plan shows the location of the existing single-family home, and the location of the newly built storage building. The storage building will be the location for indoor sales, and storage of merchandise for the bait business.
3. **SIGNAGE.** There is no signage submitted or approved.
4. **OUTSIDE STORAGE.** The outside storage of boats, campers, trailers, snowmobiles, ATV's or any other recreational vehicles shall follow the guide lines described in section 1.512 of the Zoning Ordinance.

5. **DRIVEWAYS AND ACCESS.** There are no changes to driveway and access. Any changes shall be approved by WI DOT and Town of Lemonweir Clerk.
6. **CHANGES.** Pursuant to section 1.905(16) of the Zoning Ordinance, the Applicant may apply to the Zoning Administrator for "minor" changes to the Site Plan or this Conditional Use, which changes may be granted, in writing, by the Zoning Administrator, provided (i) the changes do not violate any of the minimum standards of the Mauston Zoning Ordinance and (ii) the spirit and intent of the original Conditional Use is preserved. The Zoning Administrator shall determine, in his/her sole discretion, whether a change is "minor". All changes which are not "minor" shall be submitted to and approved in writing by the Mauston-Lemonweir Extraterritorial Committee. Whenever an approved change alters any part of a recorded document, the document which authorizes said change shall also be recorded.
7. **OTHER REGULATIONS.** Nothing herein shall constitute a waiver or limitation of the Applicant's compliance with all other Mauston ordinances and regulations, including all other requirements of the Mauston-Lemonweir Extraterritorial Zoning Ordinance.
8. **ENFORCEMENT.** The conditions imposed herein (including the conditions imposed by any plans or changes submitted hereafter), shall all be enforced as on-going conditions of this Conditional Use Resolution. Failure of the Applicant to comply with these conditions, shall entitle the City to take enforcement action, which may include fines, forfeitures, injunctions, and/or termination of this Resolution, which in turn will require the Applicant to cease the use of the property authorized herein until a new Conditional Use is approved.
9. **RECORDING.** A copy of this Resolution, without attachments, shall be recorded with the Juneau County Register of Deeds.
10. **APPLICANT APPROVAL.** This Conditional Use shall not become effective and shall not be recorded until the Applicant acknowledges his/her/its acceptance of this Conditional Use by signing this Document in the space provided below.

Introduced and Adopted this _____ day of _____, 2025.

APPROVED:

ATTEST:

Liz Anderson, Chair

Val Nelson, Recording Secretary

APPLICANT APPROVAL

The undersigned Applicant hereby acknowledges receipt of this Conditional Use and hereby acknowledges that the development and use of the property shall conform with the terms and conditions of this Conditional Use and the Mauston-Lemonweir Extraterritorial Zoning Ordinance.

Signature: _____ Date: _____

This document drafted by: Val Nelson-Zoning Administrator, Mauston, WI 53948