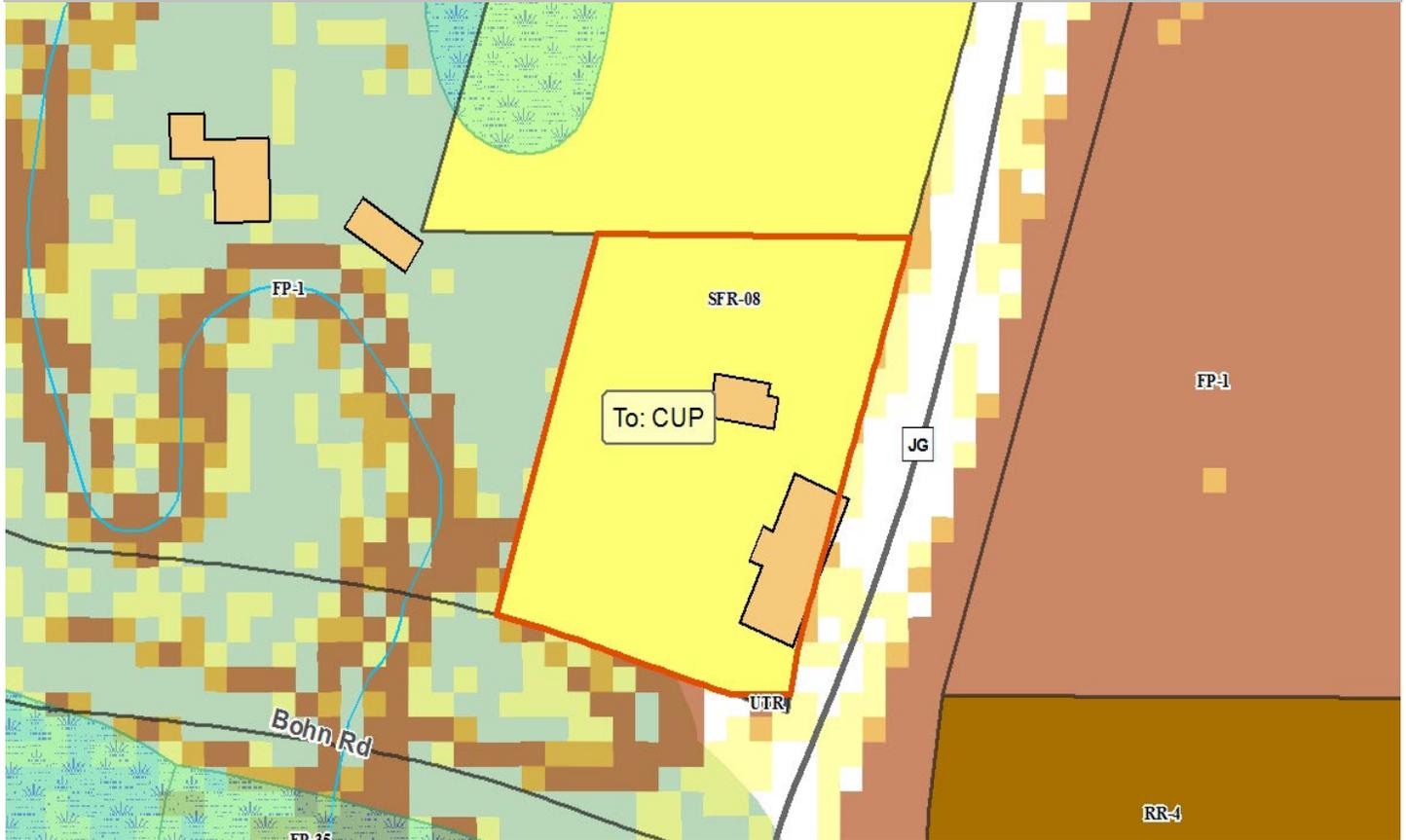


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> May 24, 2022	CUP 02562
	<i>Zoning Amendment Requested:</i> TO CUP: Transient and Tourist Lodging	<i>Town/Section:</i> VERMONT, Section 34
	<i>Size: Acres</i>	<i>Survey Required.</i>
	<i>Reason for the request:</i> Transient and Tourist Lodging	
		<i>Applicant</i> TYROL PROPERTIES LLC <i>Address:</i> 3502 COUNTY HWY JG



DESCRIPTION: Tyrol Basin, LLC wishes to use an existing single-family residence on their property as a Tourist and Transient Lodging / short-term rental unit.

OBSERVATIONS/ FACTUAL INFORMATION: The application does not include information about the number of bedrooms in the existing home, the maximum number of guests to be on the site at any one time or the capacity of existing off-street parking. The Environmental Health Division reports that it has no record of the existing septic system on the property. On-site system inspections and a soil test will be necessary to determine the system capacity and whether or not it meets current plumbing code requirements.

TOWN PLAN: The *Town of Vermont / Dane County Comprehensive Plan* includes policies supporting commercial recreation uses that have minimal impact on the natural environment.

RESOURCE PROTECTION: Bohn Creek flows from north to south within 40 feet of the western proposed lot line. Portions of the floodplain encroach onto the CUP area, but existing buildings appear to be outside the regional floodplain. Shoreland zoning standards would apply to any new construction, land disturbance or new impervious surfaces.

STAFF: Recommend postponement until the applicant can provide:

1. A septic inspection report, completed by a licensed plumber, and a certified soil test, both approved by the Division of Environmental Health, that show the septic system on the property meets current septic code and identifies the maximum number of occupants the system can safely support;
2. Proof of compliance with all Tourist Room House licensing requirements of the Division of Environmental Health;
3. Information about the number of bedrooms to be rented out;
4. Information about the maximum number of guests to be on the premises at any one time, and;
5. A revised site plan that shows the driveway and maximum number of cars that can be safely parked on site.

Questions? Contact Brian Standing at standing@countyofdane.com.

STAFF UPDATE: This CUP application was postponed at the May 24th ZLR Public Hearing due to no town action and additional information needed from the applicant (see previous staff comments, above).

The existing septic system serving the property will be replaced with a new system sized for a 4 bedrooms and maximum occupancy of 8 persons. The applicant has applied for and received the required septic permit from Dane County Environmental Health.

The applicant is in the process of applying for and obtaining the required Tourist Rooming House license from PHMDC. However, that license cannot be formally issued until the new septic system is installed.

The town approved the CUP, with no conditions.

Staff recommends approval of the CUP with the following conditions. Note that the conditions below reference the required PHMDC license:

1. The conditional use permit shall expire upon the sale of the property.
2. Occupancy shall be limited to no more than two adult guests for each bedroom in the residence (8 adults). This limitation is based upon the designed / approved septic system capacity.
3. If the landowner provides to the zoning administrator a sanitary system inspection report, completed by a licensed plumber, which shows the sanitary system is capable of adequately handling additional demand, occupancy limits may be increased. Under such circumstances, occupancy shall be determined by the capacity of the sanitary system.
4. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
5. 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 Uniform Dwelling Code.
6. 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.
7. The transient and tourist lodging operation must obtain and continue to maintain a short-term rental license approved by the Dane County Division of Environmental Health. The use must also comply with all other 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.
8. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
9. Off-street parking spaces must be provided, consistent with s. 10.102(8) (one per bedroom).
10. 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.
11. 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.

12. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
13. 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.
14. 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. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation. If any use allowed by an approved conditional use permit is abandoned for one year or more, the associated conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.

TOWN: Approved.