



Staff Report

Public Hearing: **November 25, 2014**

Petition: **Rezone 10768
CUP 2292**

Zoning Amendment:
**RH-4 Rural Homes District to A-2
Agriculture District**

Town/sect:
**Pleasant Springs
Section 33**

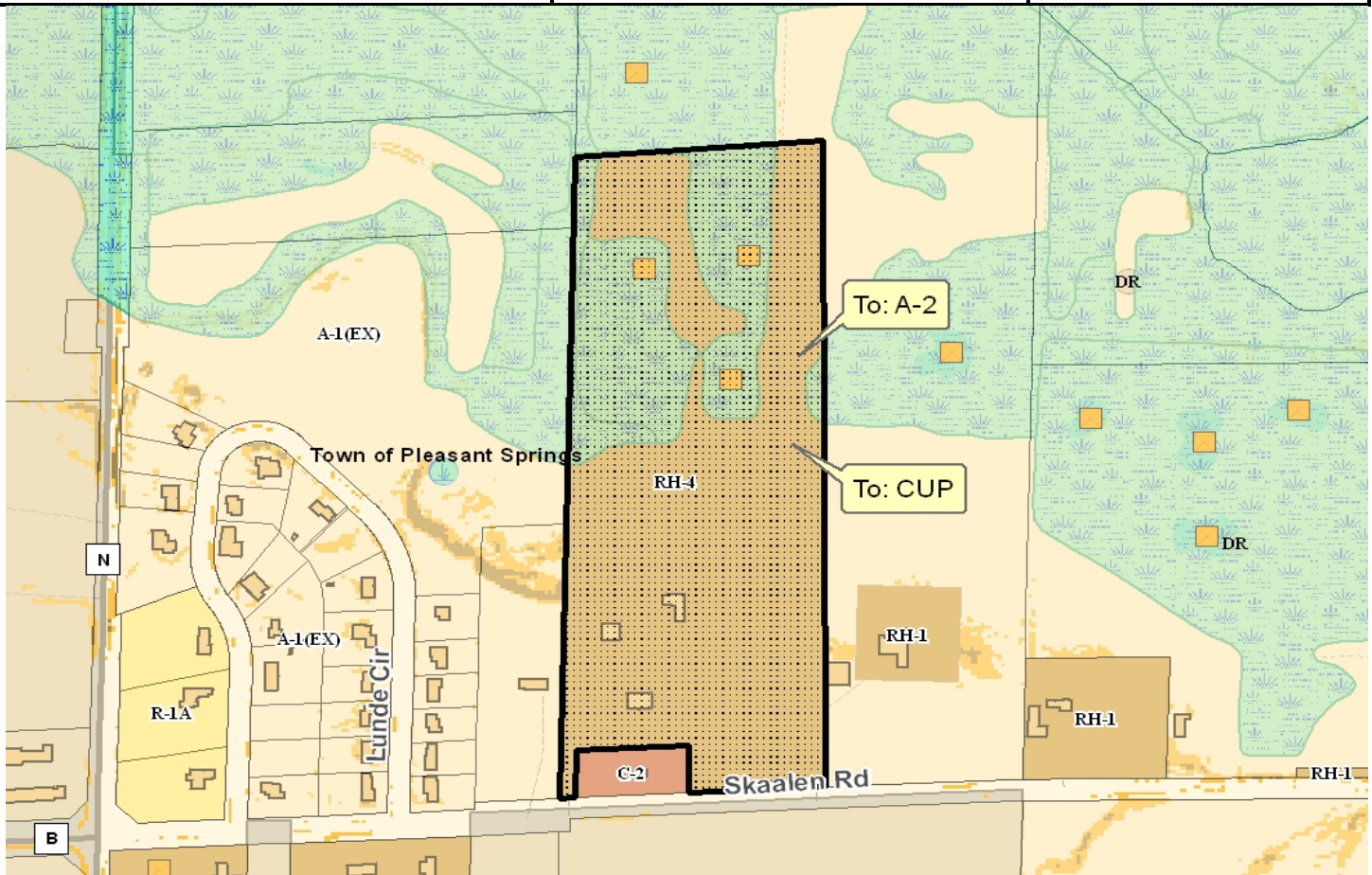
Acres: **32.53**
Survey Req. No

Applicant
Janice T Sundby

Reason:
**Zoning: limited family business
CUP: Allow limited family
business**

Location:
2436 Skaalen Road

Zoning and Land Regulation Committee



DESCRIPTION: The applicant would like to obtain approval for a limited family business in order to correct a pending violation. In August of 2014, Dane County Zoning received a complaint regarding the property. The inspection revealed that a limited family business, Prize Promotions, was being operated out of an accessory building. The business consists a several part-time employees, storage of product, and an embroidery machine. There are daily deliveries by Fed Ex and UPS.

OBSERVATIONS: The property is located just northeast of the City of Stoughton boundaries. The property is accessed by a private drive from Skaalen Road. There is an exiting residence and two accessory buildings on the property. The business owner resides on the property. The house and accessory building are located in an area of Class I soils. There wetlands and excavated ponds located in the northern half of the property.

TOWN PLAN: The property is located in the town’s Agricultural Preservation Area.

RESOURCE PROTECTION: Resource protection corridors associated with intermittent streams and wetlands are located on the northerly half of the property. No new development is proposed.

STAFF: The proposed zoning and limited family business appears to be consistent with Town Plan policies. Staff is suggesting 9 conditions to mitigate potential nuisances that may arise on the proposed land use.

TOWN: The Town has approved the zoning with no conditions.
The Town has approve the CUP with 2 conditions.

Proposed Conditional Use Permit # 2292

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. 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.
3. 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.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. The limited family business shall be limited to the promotional product business named "Prize Promotions".
2. The business shall be conducted within the existing 2500 square foot accessory building. The building shall not be expanded.
3. There shall be no retail/display facilities added to the business operation.
4. The hours of operation shall be from 8am to 5pm, Monday through Friday.
5. Outside loudspeakers are prohibited.
6. Signs shall comply with Dane County Code of Ordinances.
7. The business owner shall reside on the property.
8. All employees, except one or one full-time equivalent, shall be a member of the family residing on the property.
9. The conditional use permit shall become null and void upon the sale of the property to an unrelated 3rd party.