



# Staff Report

Zoning and Land Regulation  
Committee

Public Hearing: **September 17, 2018**

Petition: **Petition 11334  
CUP 02435**

Zoning Amendment:  
**RH-2 Rural Homes District to C-2  
Commercial District**

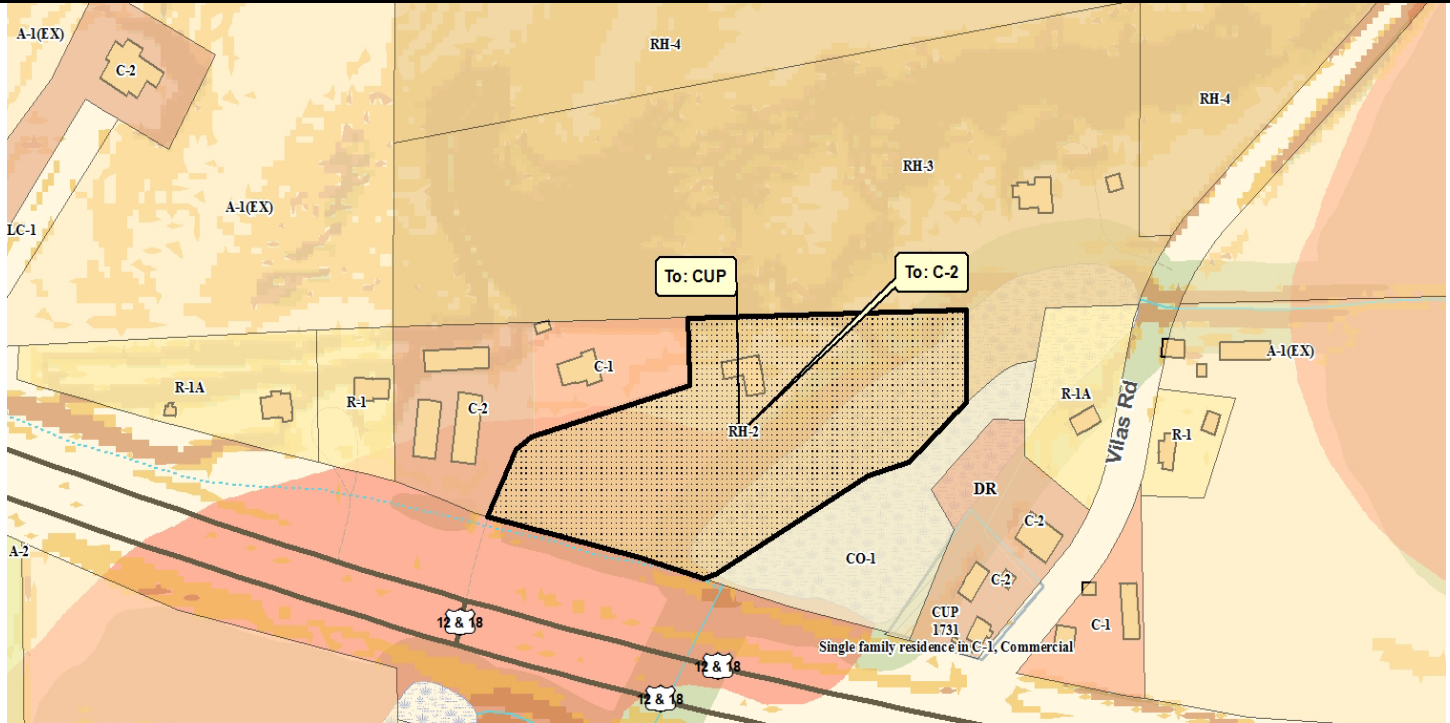
Town/sect:  
**Cottage Grove, Section 32**

Acres: 5.07  
Survey Req. No

Applicant  
**William J. Rickerman**

Reason:  
**Warehouse for a service business  
with a CUP for a residence in the  
C-2 Commercial District**

Location:  
**2760 USH 12/18**



**DESCRIPTION:** William and Cheryl Rickerman are operating two Snap-On franchises on this property. To allow for commercial use on the property, the applicant is requesting to rezone to the C-2 Commercial zoning district with a conditional use permit (CUP) for the residence.

**OBSERVATIONS:** The subject property is surrounded by other commercial uses, scattered residential uses, and an area of conservancy along the eastern border of the parcel. The parcel borders Highway 12&18 to the south.

**TOWN PLAN:** The subject property is located in the *Resource Protection Corridor* land use planning area. Given that structures on the property are located outside of sensitive environmental features, and in consideration of the other commercial land uses on surrounding parcels, the proposal can be considered consistent with the town and county comprehensive plans.

**RESOURCE PROTECTION:** Wetlands exist along the eastern portion of the property and continue onto the CO-1 Conservancy zoned neighboring property.

**STAFF:** The proposal meets the dimensional standards of the zoning district and appears to be reasonably consistent with the Town Comprehensive Plan. It is suggested to limit the activities to specific land uses within the C-2 Commercial Zoning District.

**TOWN:** The Town Board approved the zoning change conditioned upon the land uses being limited to a warehousing service business with a maximum of 4 business vehicles parked/stored on the property; the building being a maximum of 40'x40'; and no signs or external lighting.

The Town Board approved the CUP with no conditions.

## Staff Report for Conditional Use Permit No. 2435

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 conditional use permit (CUP) is to allow for the business owner's residence. The residence shall be occupied by the owner of the business. Rental of the residence shall be prohibited.
2. The on-site sanitary system shall be in compliance with Dane County Code of Ordinances, Chapter 46, Private Sewage Systems.