



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **May 24, 2016**

Zoning Amendment:
None

Acres: 18.52
Survey Req. No

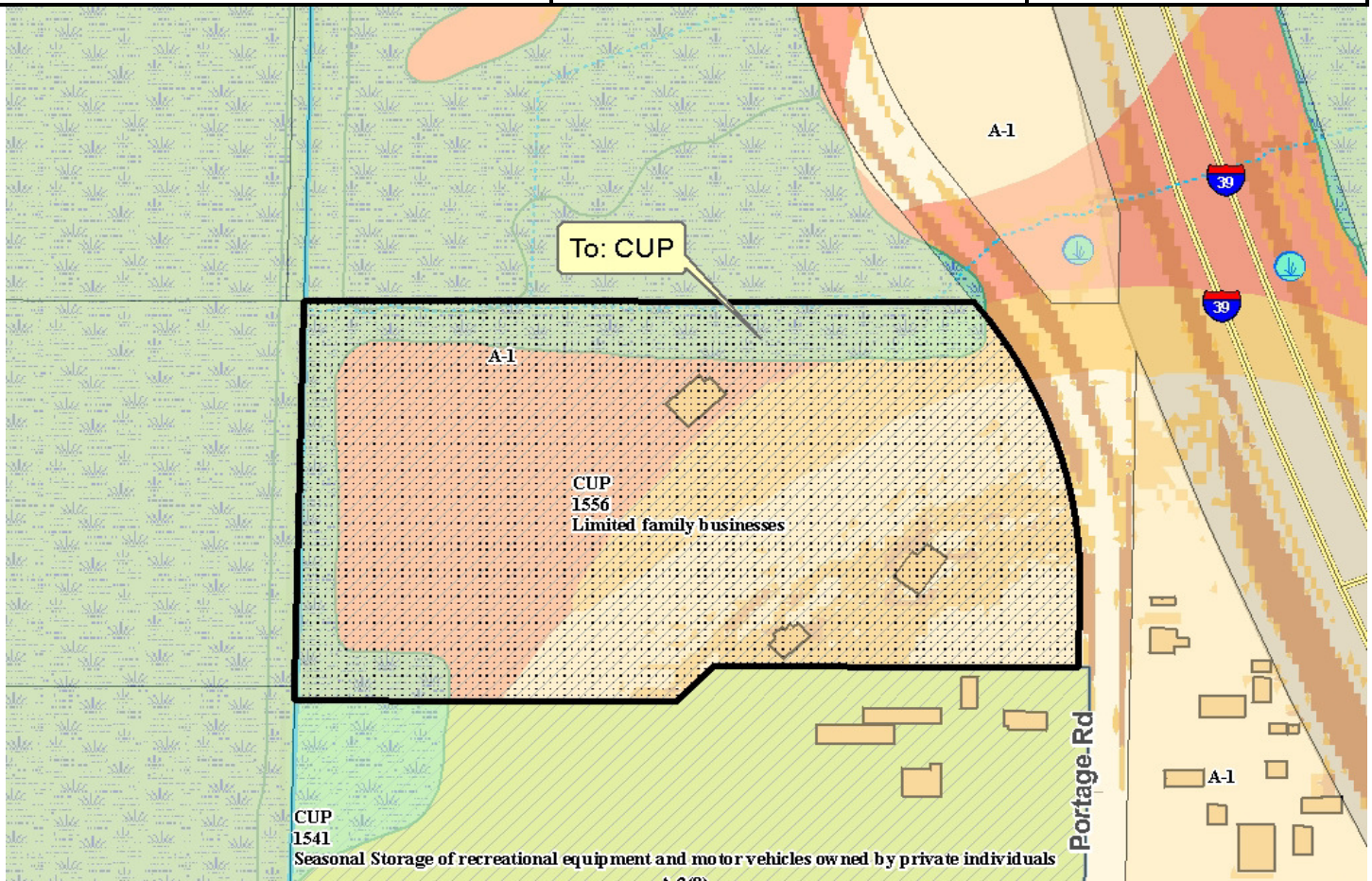
Reason:
Limited family business – Bed & Breakfast

Petition: **CUP 2340**

Town/sect:
**Burke
Section 21**

Applicant
Patricia a Fishbeck

Location:
5523 Portage Road



DESCRIPTION: Applicant requests renewal of CUP for the existing Bed & Breakfast (“The Speckled Hen”) operation located on the property. Existing CUP 1556 expired upon sale of the property to the current owners.

OBSERVATIONS: An area of steep slope topography over 12% grade is located on the property. An area of wetlands and hydric soils are also located along the northern and western boundary of the property. No new development proposed.

TOWN PLAN: The property is designated as Low Density Residential and “Natural Area” in the town of Burke plan. The property is located in the Madison Boundary Adjustment Area and will eventually become part of the city of Madison.

RESOURCE PROTECTION: A small area of resource protection corridor associated with wetlands is located on the property. No new development is proposed that would impact this area.

STAFF: The proposal to continue the existing Bed & Breakfast operation is consistent with the town plan. In addition to any conditions of approval required by the town of Burke, staff has listed recommended conditions on the following page.

TOWN: Approved with no conditions.

Proposed Conditional Use Permit #2340

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 for operation of a Bed and Breakfast business.
2. Bed and Breakfast accommodations shall be limited to the existing residence on the property.
3. The Limited Family Business shall expire upon sale of the property to an unrelated 3rd party.