
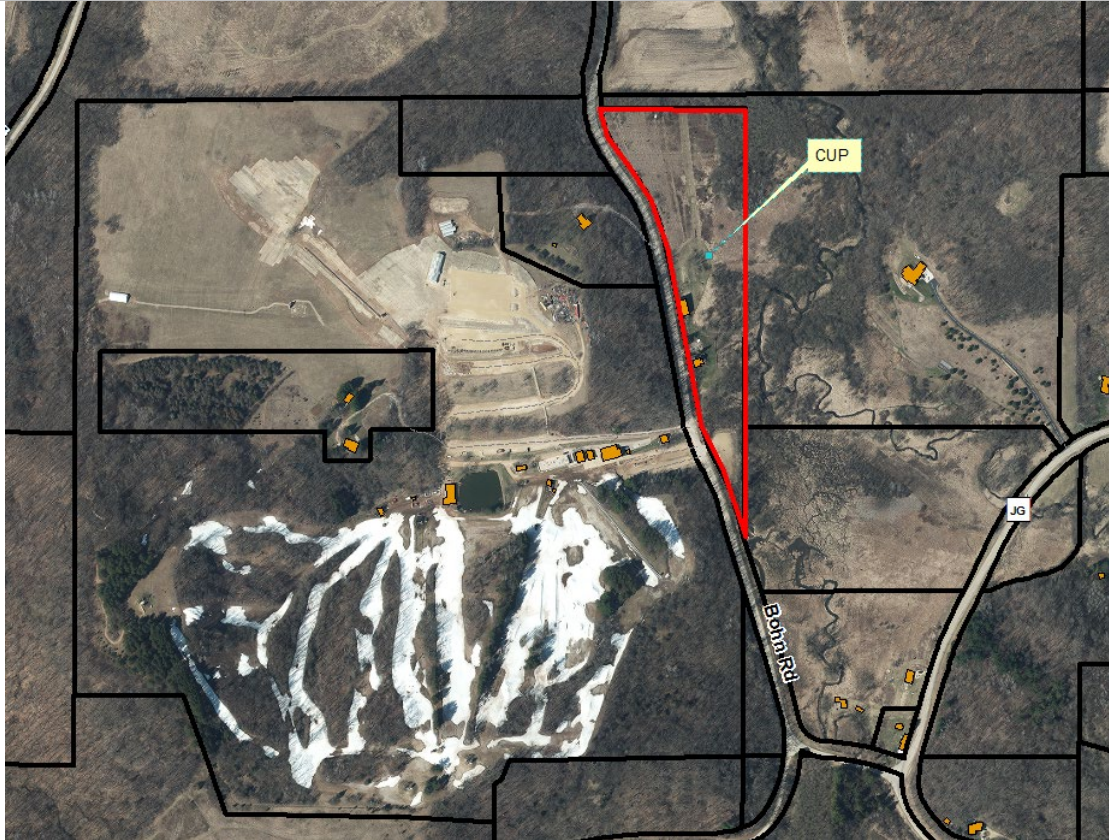


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> July 27, 2021	CUP 02523	
	<i>Zoning Amendment Requested:</i> TO CUP: Transient or Tourist Lodging		
	<i>Size:</i> 9.36 Acres	<i>Survey Required:</i> NO	<i>Applicant</i> Tyrol Properties, LLC
	<i>Reason for the request:</i> Transient or Tourist Lodging		<i>Address:</i> 3506 BOHN ROAD



DESCRIPTION: Applicant seeks a conditional use permit to operate a transient our lodging operation in an existing residence associated with Tyrol Basin ski resort.

OBSERVATIONS/ FACTUAL INFORMATION: This site currently has an effective conditional use permit (CUP 1996) for a “bed and breakfast” that was approved under the old county zoning ordinance. Application information for CUP 1996 indicate that two bedrooms are rented out. Under the new zoning ordinance, “transient or tourist lodging” is the closest equivalent to “bed and breakfast.” In addition, the new application would allow for an increase in the number of rooms rented. No new permanent residences would be created with this proposal, so town density caps do not apply.

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: Portions of the parcel are covered with floodplain and wetlands associated with Elvers Creek. However, no new construction is anticipated and the existing residence appears to be at a conforming shoreland/wetland setback. No impacts anticipated.

STAFF: See page 2 for recommended conditions of approval.

TOWN: The Town Board has approved the conditional use permit with one condition. The condition has been incorporated into the Staff's suggested conditions.

Questions? Contact Brian Standing at standing@countyofdane.com

CUP 2523

Recommended conditions of approval

1. The conditional use permit shall expire upon the sale of the property.
2. All management staff will be employees of the landowner. No more than three personnel shall be on the premises at one time.
3. Noise levels from amplified sound are limited to no more than 65 decibels (dBA scale), as measured from the property line, at any one time. Outdoor amplified sound is prohibited between the hours of 9 p.m. and 9 a.m.
4. No more than three bedrooms on the premises shall be rented out, to no more than six overnight guests. No more than twelve persons shall be on the premises at any one time.
5. 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 the additional demand, occupancy limits may be increased. Under such circumstances, occupancy shall be determined by the capacity of the sanitary system. Under any circumstances, no more than four bedrooms shall be rented out, to no more than ten overnight guests, and no more than twenty persons shall be on the premises at any one time.
6. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
7. 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.
8. 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.
9. Any ongoing business operation must obtain and continue to meet all 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.
10. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
11. At least six off-street parking spaces must be provided, consistent with s. 10.102(8).
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.