



Staff Report

Zoning and Land Regulation Committee

Public Hearing: August 28, 2018

Petition: **Petition 11326**
CUP 02431

Zoning Amendment:
A-4 Agriculture District to A-2 (8) Agriculture District

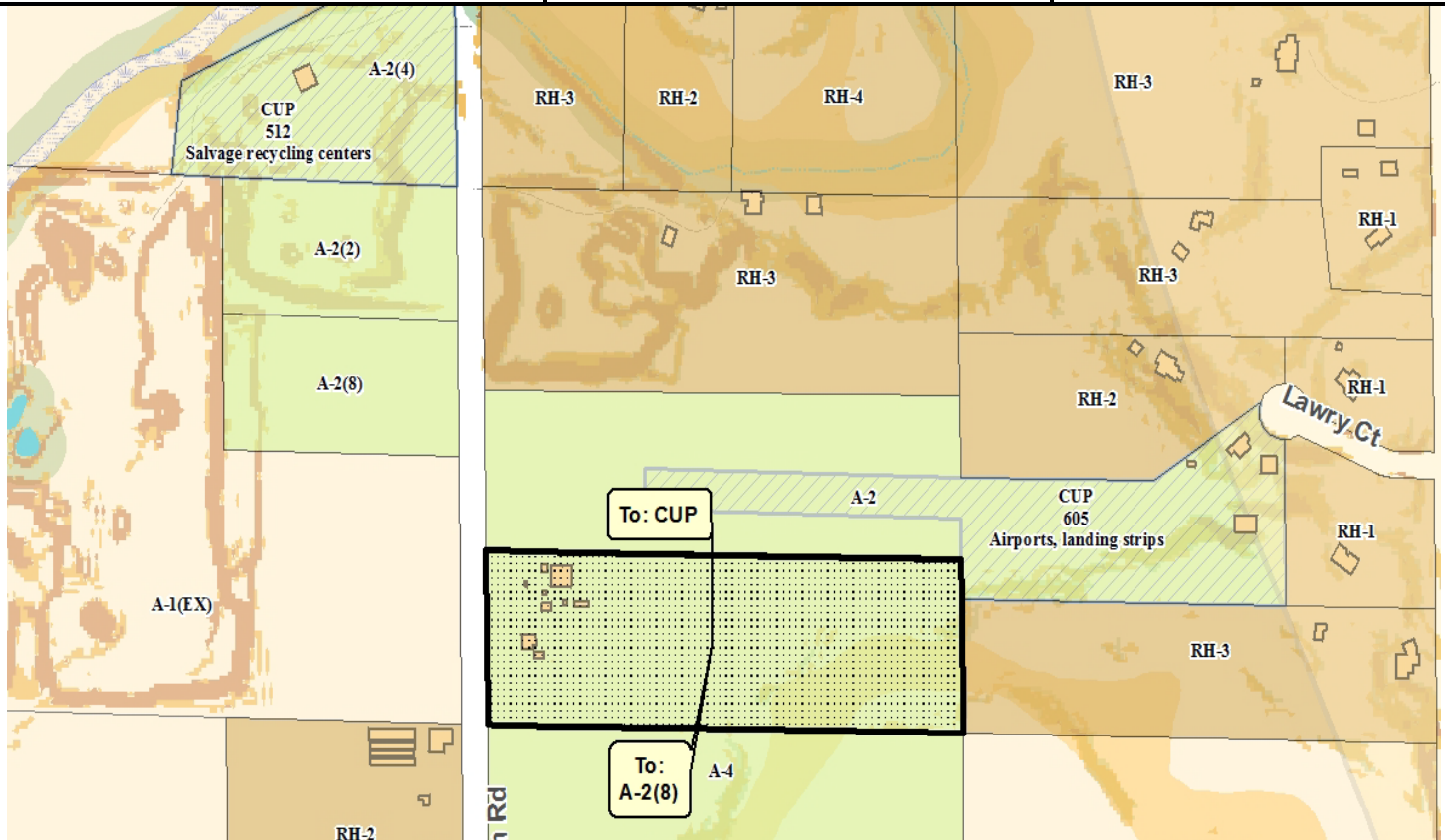
Town/sect:
Oregon, Section 17

Acres: 13.41
Survey Req. No

Applicant
Tami and Tracy Bahr

Reason:
CUP to allow for a horse boarding facility with sanitary fixtures inside accessory buildings

Location:
996 Storytown Road



DESCRIPTION: The landowners would like to rezone 13.41 acres from the A-4 zoning district to the A-2(8) zoning district to bring an existing zoning parcel into compliance. In addition, the landowners are applying for a conditional use permit (CUP) to allow for a horse boarding / riding stable for up to 20 horses, livestock in excess of one animal unit per acre, and sanitary facilities in an accessory building to serve the office for the riding stable.

OBSERVATIONS: This property was mistakenly rezoned to the A-4 district as part of a blanket rezone in 2009. There is an existing residence and agricultural buildings on the property. This petition would correct that error by putting the house and other buildings in a compliant zoning district for the existing and proposed uses.

TOWN PLAN: The property is within a Rural Preservation area in the *Town of Oregon / Dane County Comprehensive Plan* and in a Farmland Preservation Area in the *Dane County Farmland Preservation Plan*. This was a 32-acre parcel in 1995. Town plan standards would limit residential development to just the existing house.

RESOURCE PROTECTION: There are no mapped resource protection corridors on the property.

STAFF: Recommend approval of Petition 11326 with no conditions. See Page 2 for a list of recommended conditions of approval for CUP 2431.

August 28th ZLR: The zoning petition and CUP application was postponed due to no town action.

TOWN: The Town Board approved the zoning change with no conditions. The Town Board approved the CUP with 2 conditions. Conditions have been incorporated into suggested conditions.

Staff Report for Conditional Use Permit 2431

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. No more than 20 horses shall be on the premises at any time.
2. All operations, access points, driveways, existing and proposed buildings, signage, lighting, parking areas and outdoor storage will conform to the site plan submitted with this application.
3. Hours of operation will be Monday through Saturday from 9 a.m. to 5 p.m., with occasional (no more than 3 per week) week nights operating until 8 p.m.
4. There will be no more than 8 full-time-equivalent employees.
5. All lighting must be downward-directed and designed to minimize spill onto neighboring properties.
6. No portion of the office, arenas, or other accessory buildings will be used as a residence.
7. No outside loudspeakers are permitted.
8. Off-street parking shall be provided pursuant to Dane County Code of Ordinances Section 10.18, Parking Requirements.
9. Parking shall be prohibited along Storytown Road. (Town)
10. The driveway shall be upgraded with a 36-foot long culvert. (Town)
11. Owner/Operator shall be responsible for instituting and complying with an animal waste plan in accordance with Dane County Code of Ordinances Chapter 14, Manure Management, as approved by Dane County Land Conservation.
12. Owner/Operation shall obtain the necessary sanitary permits for the installation of sanitary fixtures inside the accessory building(s) from the Dane County Sanitarian (Dane County/Madison Department of Health).