



Staff Report

Public Hearing: **January 24, 2017**

Petition: **Rezone 11075
CUP 2368**

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

Town/sect:
**Medina
Section 04**

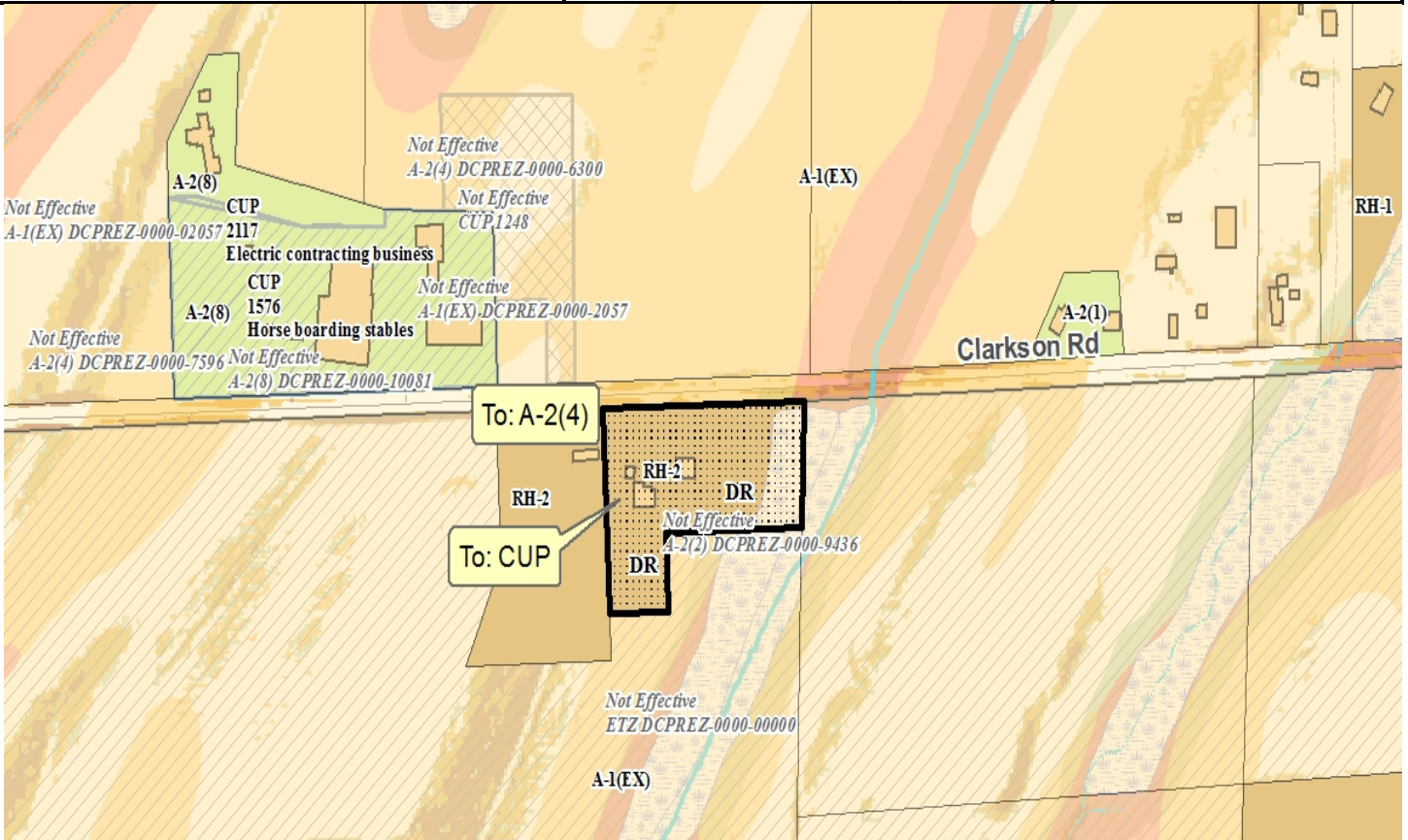
Zoning and Land Regulation Committee

Acres: 4.8877
Survey Req. No

Applicant
Nathan Paoli

Reason:
**Zoning to allow a Limited Family Business
CUP Description: Sales of vehicles and vehicle repairs**

Location:
815 Clarkson Road



DESCRIPTION: The petitioner would like to operate a car dealership for the inside of an existing accessory building.

OBSERVATIONS: The property is located on the northerly edge of the Town of Medina. The property contains an existing house, a detached two-car garage, and a 2200 sq. ft. accessory building. There is a perennial stream to the east of the property. There are wetlands present on the east portion of the property which are associated with the perennial stream. The property is not within a flood hazard area. There are Class II soils on the entire property.

TOWN PLAN: The property is located in the Agricultural Preservation Planning Area. Small home-based businesses do not appear to conflict with the land use policies of the Town Plan.

RESOURCE PROTECTION: The east portion of the property is located in the Resource Protection Area due to the wetlands. No development is planned for this area.

STAFF: The proposal meets the dimensional standards of the zoning district. Staff is suggesting 8 conditions be placed on the conditional use permit to mitigate any potential nuisances.

NOTE: Installation of driveways may need an erosion control permit from Dane County Land and Water Resources.

TOWN: Rezoning petition: Approved with no conditions.
Conditional Use Permit: Approved with 3 conditions. (incorporated into staff conditions)

Proposed Conditional Use Permit #2368

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 car sales.
2. There shall be no more than 24 vehicles sold per year.
3. Hours of operation shall be by appointment only.
4. All vehicles for sale shall be stored indoors. Outside display of vehicles for sale or outdoor storage of vehicles or materials is prohibited.
5. One ground sign with a shielded light fixture shall be permitted on the property.
6. Vehicle repair, maintenance, and accessory installation are permitted for vehicles to be sold on the property. Repairs to vehicles not being sold on-site are prohibited.
7. Number of employees shall be limited to family members residing on the property plus one or one full-time equivalent person not residing on the premises.
8. The conditional use permit shall expire with the sale of the land or business to an unrelated third-party.