
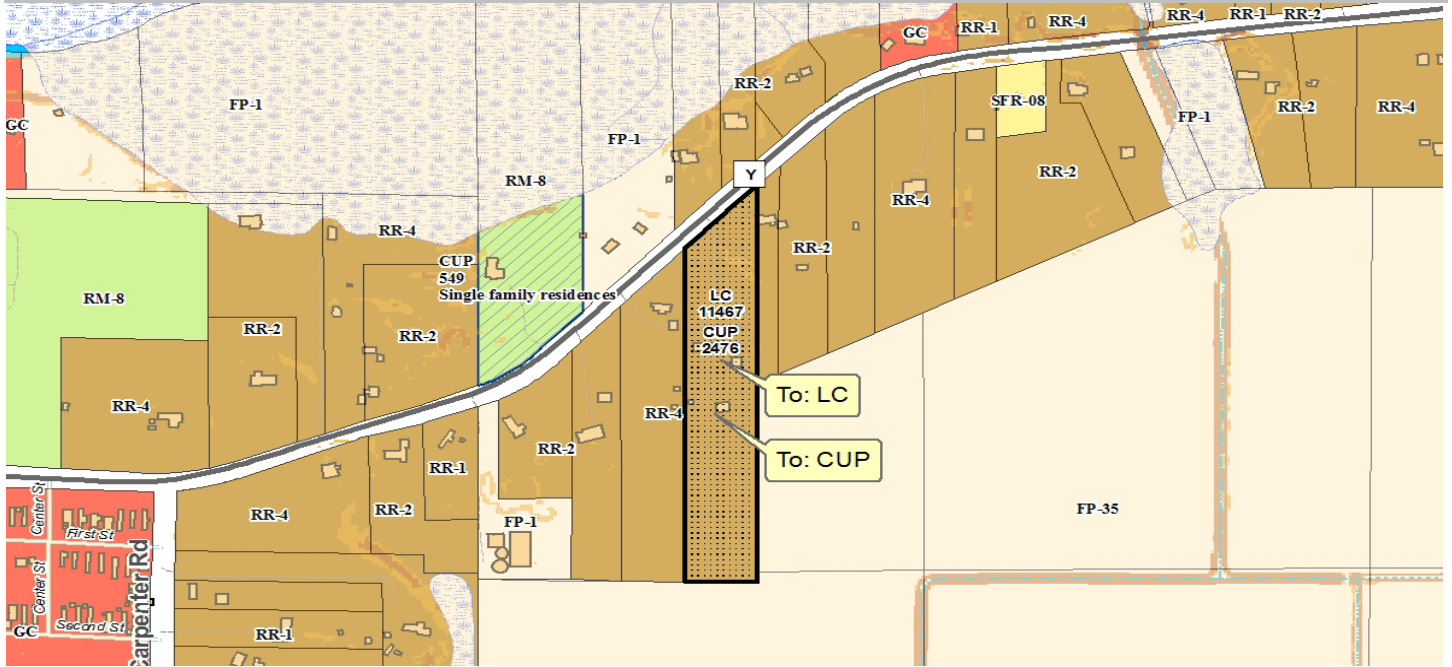


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<u>Public Hearing:</u> <b>August 27, 2019</b>		<b>Petition 11467</b>
	<u>Zoning Amendment Requested:</u> <b>RR-4 (Rural Residential, 4 to 8 acres) District TO LC (Limited Commercial) District</b>		<u>Town/Section:</u> <b>MAZOMANIE, Section 27</b>
	<u>Size:</u> <b>5.9 Acres</b>	<u>Survey Required:</u> <b>No</b>	<u>Applicant:</u> <b>SLATER J DIEDERICH</b>
	<u>Reason for the request:</u> <b>Zoning change to allow for an existing tree service business to operate on the premises</b>		<u>Address:</u> <b>10267 County Hwy Y</b>



**DESCRIPTION:** The applicant is requesting approval of a rezone petition that would bring his property into zoning compliance around an existing tree service operation, along with a conditional use permit (CUP) to allow for the existing residential use. This report is for the rezone to the LC (Limited Commercial) District. The conditional use permit is CUP 2476: Given that these are separate legislative actions by ZLR, there is a separate staff report for CUP 2476.

**RELEVANT FACTS & INFORMATION**

Location, size, existing use and characteristics of subject property: The property is located in section 27 of the town of Mazomanie and totals approximately 5.9 acres. Existing uses of the property are a residence and a tree service business. The property consists of approximately 15 percent residential with the remaining property dedicated to the tree service operation. Surrounding land uses include agriculture / open space and scattered rural residences. The south end of the property has sensitive environmental features related to flood plains, however, no new structural development is proposed.

Current zoning and applicable district regulations: Current zoning is RR-4 Rural Residential, 4 to 8 acres, but a change is proposed to the LC district. Contractor, landscaping or building trade operations are all listed as permitted uses in the LC district with a caretaker residence listed as a conditional use. The aforementioned CUP 2476 is for the caretaker residence.

Utilities, access, drainage, and other necessary site improvements: The applicant has submitted that no other improvements are planned at this time, no new parking is anticipated, and no new point of access is proposed. There will be no increase to outdoor storage, no outdoor loudspeakers, and no additional outdoor lighting. The applicant indicates he will work with the town to keep the property to residential standards.

Operations Plan: Primary hours of operation will be 7am to 7pm with exceptions for special occasions. Outdoor lighting to be focused within the property. Property to be maintained to residential standards.

**COUNTY HIGHWAY DEPARTMENT**: County Highway Y is not a controlled access highway. No new access points shall be permitted in this area.

**TOWN PLAN**: The property is in the Agricultural Preservation Area of the Town comprehensive plan. The Town has a one-dwelling-unit-per-40 acres density policy.

Staff has prepared the following list of recommended conditions based on the property owner's application:

1. Commercial uses shall be limited to the existing tree service business.
2. There will be no increase to existing outdoor storage, no outdoor loudspeakers, and no additional outdoor lighting.
3. The property shall be kept to town residential standards, subject to the town's concurrence.
4. The primary hours of operation will be 7am to 7pm, with exceptions for special occasions.
5. Outdoor lighting will be directed within the property.

**STAFF**: Please contact Curt Kodl (608)266-4183 or [kodl@countyofdane.com](mailto:kodl@countyofdane.com) with any questions.

**TOWN**: Approved with no conditions.