
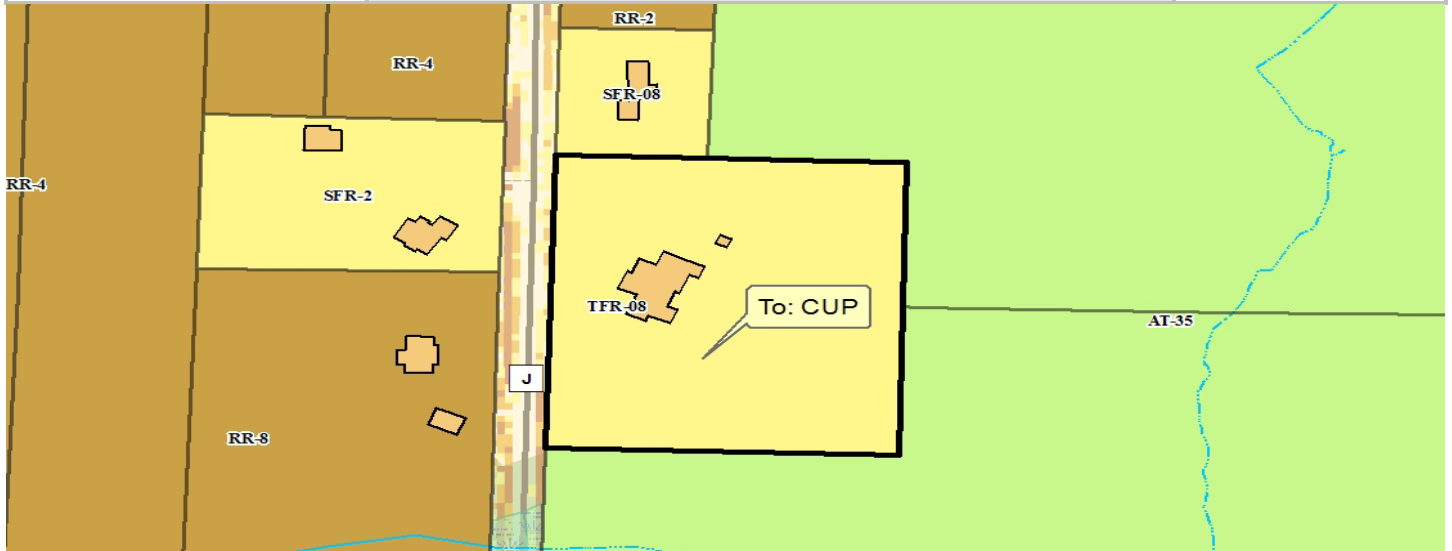


<p>Staff Report REVISED 11/2/20</p>  <p>Questions? Contact Brian Standing, standing@countyofdane.com</p>	<p>Public Hearing: September 22, 2020</p>	<p>CUP 02504</p>
	<p><u>Zoning Amendment Requested:</u> TO CUP: TRANSIENT OR TOURIST LODGING-VRBO</p>	<p><u>Town/Section:</u> SPRINGDALE, Section 1</p>
	<p><u>Size:</u> 5 Acres</p>	<p><u>Survey Required.</u> No.</p>
	<p><u>Reason for the request:</u> TRANSIENT OR TOURIST LODGING-VRBO</p>	<p><u>Applicant</u> SN WINDY ACRES LLC</p> <p><u>Address:</u> 3158-3160 COUNTY HIGHWAY J</p>



DESCRIPTION: Landowner wishes to operate a Transient and Tourist Lodging (short-term rental) operation out of an existing duplex, which has 3 bedrooms in each dwelling unit. The applicant wants the flexibility to rent either unit of the duplex under either a long-term residential lease or for short-term rental.

OBSERVATIONS/ FACTUAL INFORMATION: The existing septic system serving the property was designed for a peak capacity of 900 gallons a day, which is based on anticipated discharge of the duplex's total of 6 bedrooms and two occupants per bedroom, or twelve occupants total. Single-Family Residential and Rural Residential-zoned parcels neighbor the property to the north and west, with the closest existing homes 200 feet away across County Highway J. Neighboring land in the AT-35 zoning district to the east and south would appear to have further development potential under the *Town of Springdale / Dane County Comprehensive Plan*. Mixed deciduous and evergreen trees grow on all sides of the lot, except for the driveway entrance onto CTH J. The existing paved, 30-foot-wide driveway, plus the existing 2-car garage, would appear to have the capacity for approximately 12 automobiles, based on County Ordinance parking dimensional standards.

TOWN PLAN: The *Town of Springdale / Dane County Comprehensive Plan* allows for Tourist and Transient Lodging, provided plan standards regarding lighting, noise abatement and other design considerations are met.

RESOURCE PROTECTION: Forested wetlands and floodplain of the Sugar River and its intermittent tributary cover approximately 2.4 acres of the eastern portion of the existing lot. The existing residence and yard appear to be adequately removed from resource protection corridors. No new construction is proposed with this petition.

STAFF: See page two for recommended conditions of approval.

TOWN: On 10/20/2020, the Town of Springdale Board recommended approval with 23 conditions.

CUP 2504 Staff Recommendations: Staff recommends the following 23 conditions. Staff conditions are identical to those recommended by the town, with the exception of Condition #23. Staff recommend an expiration date to the CUP, with an opportunity to apply for a renewal, rather than town review. Staff believe this accomplishes the town's objectives in a more readily enforceable manner.

1. Only one side of the duplex shall be rented as transient or tourist lodging. The northern-most unit shall be rented for transient or tourist lodging. The southern-most unit of the duplex may be rented as long-term rental.
2. No more than three bedrooms shall be rented for transient or tourist lodging.
3. No more than 12 people, including both transient guests and permanent residents, shall be on the premises at any one time. The transient or tourist lodging shall have a maximum of 8 people on the premises at any time.
4. No more than 6 vehicles shall be on the premises at any one time. All vehicles must be parked on paved driveway surfaces or inside the existing garage, with adequate access for emergency vehicles.
5. Quiet hours shall be observed between 10 p.m. and 9 a.m. on weekdays, and between 12 a.m. and 9 a.m. on weekends.
6. Peak noise levels shall not exceed 40 decibels [dB(a) scale], as measured at the property line, during quiet hours.
7. Peak noise levels shall not exceed 65 decibels [dB(a) scale], as measured at the property line, during hours other than quiet hours.
8. No more than two dogs, (including those belonging to permanent residents) may be on the premises at any one time. All dogs brought by guests must either be leashed or contained within adequate fenced areas while outside. Dogs must be kept indoors during quiet hours.
9. Landowner will apply for, obtain and maintain an appropriate transient or tourist lodging rental license from Madison/Dane County Department of Public Health.
10. Landowner will maintain existing trees and other vegetation along the northern, western and southern property lines, or replace such vegetation with landscaping that provides a similar level of visual screening.
11. Any new outdoor lighting shall be downward-directed, designed to minimize ambient spill and shall comply with all applicable requirements of the Town of Springdale Dark Skies Ordinance.
12. The physical development and operation of the conditional use must conform in all respects, to the approved site plan and operational plan.
13. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
14. 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.
15. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site.
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 reasonable opportunity to correct any violations prior to the revocation.
17. If the transient or tourist lodging operation is abandoned for one year or more, this conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.
18. The transient or tourist lodging operation shall automatically expire on the sale of the property or the business to an unrelated third party.
19. The operation of all-terrain vehicles, ATVs, and snowmobiles by occupants of the transient or tourist lodging operation shall be prohibited on the property.
20. Signage is prohibited.
21. Outdoor music and speakers for the amplification of sound or music outdoors are prohibited.
22. Commercial activities and business activities, other than transient or tourist lodging and duplex rental, are prohibited.
23. This Conditional Use Permit shall expire two years after the effective date. Landowner may renew the conditional use permit by successfully obtaining a new CUP prior to the expiration date.