



# Staff Report

## Zoning and Land Regulation Committee

REVISION: The petition was revised reducing the LC-1 zoning boundary to 0.6 acres.

Public Hearing: **August 28, 2018**

Petition: **Petition 11328**

Zoning Amendment:  
**A-1 Agriculture District to LC-1 Limited Commercial District**

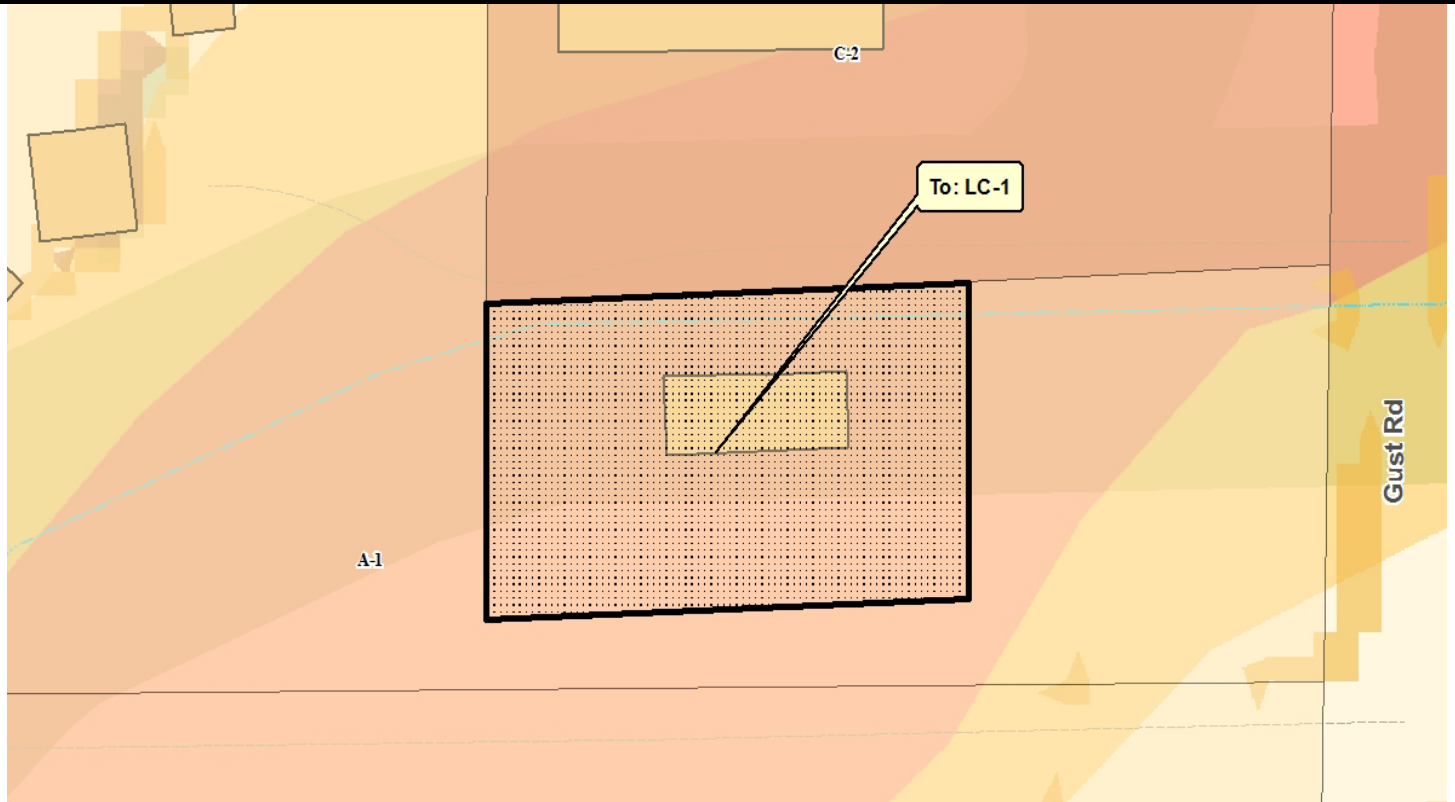
Town/sect:  
**Springdale, Section 12**

Acres: **1.6, -0.6**  
Survey Req. **Yes No**

Applicant  
**Richard L. Klinger, III**

Reason:  
**Zoning change to allow for a landscaping business**

Location:  
**2731 Gust Road**



**DESCRIPTION:** The landowner would like to rezone 1.6 acres from the A-1 (non-exclusive) zoning district to the LC-1 zoning district to bring an existing landscaping operation into zoning compliance.

**OBSERVATIONS:** The zoning area sits within an existing 7.6-acre CSM lot (CSM 6657, Lot 1) that is currently in a mix of uses, including the existing contractor's operation and a single-family residence. No new CSM lots are proposed with this petition, and the balance of CSM 6657 Lot 1 will remain in the A-1 zoning district.

**TOWN PLAN:** The *Town of Springdale / Dane County Comprehensive Plan* generally supports contracting and associated uses under LC-1 zoning, provided they meet siting and impact criteria. The proposed use appears to be reasonably consistent with these standards.

**RESOURCE PROTECTION:** A mapped resource protection corridor associated with a possible intermittent stream crosses the property along the northern proposed LC-1 zoning boundary line. Although there are no mapped wetlands in the area, the entire site sits on hydric soils, which are indicative of wetland conditions. Any expansion of buildings or paved areas on the site should be accompanied by field-verified data, possibly including soil tests, wetland delineations and/or navigability determinations, as determined necessary by the Zoning Administrator, to determine actual presence and extent of sensitive environmental features.

**STAFF:** The town of Springdale has requested that the zoning area for the LC-1 zoning district be reduced to 0.6 acres. Due to town/county density policies, the town is requiring that the property remain a single 7.6-acre lot.

**TOWN:** The Town Board approved the revised petition with a set of conditions. See next page.

1. A deed restriction shall be recorded on the property to limit the LC-1 Limited Commercial Zoning District to the following land uses and conditions:
  - a. The land uses shall be limited exclusively to professional lawn care, mulch and stone installation, concrete flatwork and snow plowing/removal services. The business shall on be an off-site service oriented business. Retail sales, manufacturing, or assembly of products are prohibited.
  - b. The hours of operation shall be Monday – Saturday, 7 a.m. - 5 p.m. in the summer and winter hours vary depending upon snow fall.
  - c. The number of employees shall be limited to six full-time equivalent employees with the number of hours tallied on-site to not exceed 40 hours per week per employee.
  - d. The vehicles and pieces of equipment used in the business shall be limited to 12.
  - e. No customers shall visit the site. No retail sales shall be conducted on the property. The business shall not be opened to the public.
2. A certified survey map shall be recorded with the Register of Deed to correct the land division violation.
3. Appropriate building permits and zoning permits shall be obtained to correct buildings being constructed without a permit.