



Public Hearing Item 12: Conditional Use Permit

Planning & Zoning Committee • August 5, 2025

<u>Proposed Use:</u>	Single-Family Residence (2)
<u>Applicable Section(s):</u>	12.115.02; Table 12.115.02(1); 12.125.10; 12.155.03
<u>Zoning District(s):</u>	C-2 General Commercial (<i>C-1 Light Commercial, proposed</i>)
<u>Property Owner(s):</u>	BSA on the Lake, LLC; c/o Becky Ring
<u>Applicant(s):</u>	BSA on the Lake, LLC; c/o Becky Ring
<u>Property Location:</u>	Located in the Southwest Quarter of the Northwest Quarter of Section 35, Town 11 North, Range 8 East
<u>Town:</u>	Dekorra
<u>Parcel(s) Affected:</u>	1033.A
<u>Site Address:</u>	N3183 County Highway V; N3188 County Highway V

Background:

Becky Ring of BSA on the Lake LLC, owner, requests the Planning and Zoning Committee review and approve a Conditional Use Permit for Single-Family Residential use on the aforementioned property. Parcel 1033.A is 0.6 acres in size and fronts on County Highway V. The property is zoned C-2 General Commercial and planned for Commercial land use on the Columbia County Future Land Use map. The site is already developed with a single-family residence, a former bait shop recently converted to a second residence, and accessory structures. There are no floodplain or wetlands. There are two septic systems on site. The first, serving N3188 is current on maintenance requirements. The second, serving N3183 is due for maintenance this year. Land use and zoning of adjacent properties is below.

Adjacent Land Uses and Zoning

Direction	General Land Use	Zoning
North	Campground	RC-1 Recreation
East	Campground	RC-1 Recreation
South	Campground	RC-1 Recreation
West	Multi-Family Residence	C-2 General Commercial

Analysis:

The owner is proposing to use both the buildings on the property as single-family residences. Single-family homes are not permitted in the C-2 district and are a conditional use within the C-1 district; therefore, the property owner is requesting both a rezoning and a conditional use permit at this time. The owner is proposing to create a condominium plat for both single-family uses and then rent them out long term. A Certificate of Use and Occupancy was issued for the remodeling of the bait shop at N3183 to the new single-family use. A land use permit will also be obtained to change the use of the structure from commercial to residential. This requirement is noted as a condition of approval below and must be secured within one year of the Conditional Use Permit issuance, if approved. The proposed condominium plat will consist of two units (one around each structure), two limited common elements, and one common area consisting of the main driveway entrance. Additional restrictions have been noted below to clarify that any rental of these homes must fall under household living, which occurs for a period of 29 days or greater, versus short-term occupancy, which is also defined as a tourist

rooming house. The clarification between these occupancy definitions is outlined in Section 12.155.03(1) as follows:

12.155.03(1) Household Living. Includes residential dwelling units occupied by individual households. For renter-occupied dwellings, tenancy is arranged for 29 consecutive days or longer basis. Uses where tenancy may be arranged for shorter periods of time are not considered residential; they are considered a form of lodging or camping...

Town Board Action:

The Dekorra Town Board met on June 10, 2025 and recommended approval of the Conditional Use Permit with conditions.

Standards for Review:

The proposed use complies with the General Criteria of Section 12.150.07(4) of the Columbia County Zoning Ordinance. See Attachment A for more details.

Recommendation:

Staff recommends approval of the Conditional Use Permit for Single-Family Residential use, subject to the adoption of the following recommended Findings, Conclusions, and Conditions.

Recommended Findings of Fact:

1. Upon review of the guidelines in Section 12.150.07(4) of the Columbia County Zoning Ordinance, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:
 - a. Becky Ring of BSA on the Lake LLC is the owner of the subject property.
 - b. Becky Ring of BSA on the Lake LLC is the applicant for a Conditional Use Permit.
 - c. Becky Ring of BSA on the Lake LLC is requesting a Conditional Use Permit to create a condominium plat on the property for two single-family residences.
 - d. The existing residential structures are in conflict with the C-2 General Commercial zoning on the property.
 - e. The property is already developed with two single-family residences and driveway on site.
 - f. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
 - g. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.
 - h. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
 - i. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
 - j. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
 - k. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.

Recommended Conclusions of Law:

1. The subject property is located in the Town of Dekorra and is zoned C-2 General Commercial. Single-Family Residential uses are not permitted within the C-2 General Commercial district.
2. Becky Ring of BSA on the Lake LLC is the petitioner for a rezone to the C-1 Light Commercial zoning district. Single-Family Residential use is a Conditional Use within the C-1 Light Commercial District. District uses are listed in Table 12.115.02(1).
3. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Ordinance.
4. Becky Ring of BSA on the Lake LLC is the petitioner for a Conditional Use Permit. The petition followed the procedures of Section 12.150.07(3) of the Columbia County Zoning Ordinance.
5. The petitioners are proposing to use an existing single-family residence and a converted bait shop as Single-Family Residential uses, which is allowed as a Conditional Use under Table 12.115.02(1).

6. The Dekorra Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 12.150.07 of the Columbia County Zoning Ordinance.
7. The Columbia County Planning and Zoning Committee has the authority under Sections 12.150.03(2)(b) and 12.150.07 of the Columbia County Zoning Ordinance to conduct public hearings, review, and decide on requests for Conditional Use Permits.

Recommended Conditions for the Decision:

1. The Conditional Use Permit shall become effective upon recording of the Condominium Plat and rezoning to C-1 Light Commercial.
2. A change of use permit shall be obtained within one year of the effective date of this Conditional Use Permit.
3. This Conditional Use Permit shall be valid while the single-family residences remain on the property, and be binding upon the owner(s), their heirs, successors, and assigns.
4. Tenancy of the two single-family residences shall be considered household living, as defined in Section 12.155.03(1) as, "arranged for 29 consecutive days or longer".
5. Short term rental, or tenancy arranged for less than 29 consecutive days, shall be prohibited, unless authorized with a new Conditional Use Permit.
6. The property owner shall comply with and obtain all necessary permits as required by applicable federal, state, and local regulations.
7. Any significant changes to the approved site plan shall be reviewed and approved by the Town and County.
8. The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.
9. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.150.07(4) of the Columbia County Zoning Ordinance, or the conditions stipulated in the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the Conditional Use Permit.
10. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Dekorra and BSA on the Lake LLC c/o Becky Ring are hereby incorporated as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, for which the County has not assumed direct enforcement authority, upon written request by the Town, the County reserves the right to review the Conditional Use Permit.
 - a. The Town of Dekorra shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.

Section 12.150.07(4): Criteria for review of all Conditional Uses
Re: Public Hearing Item 12: BSA on the Lake Condominium/Single-Family Use

**Staff comments are italicized after each review item.*

Review Criteria. In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making a decision.

- (1) The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands. *The property has been used for single-family use in the past. The owner is simply seeking the required permits and approvals to make the use compliant with zoning. Issues which could be seen as having the potential to be detrimental appear to be able to be adequately mitigated by the application of conditions of approval.*
- (2) The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area. *The structures are existing, and nothing will be done to change the current appearance. There will be no change to the physical character of the area. Operating within the conditions of approval will ensure that the proposed use will not substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.*
- (3) The erosion potential of site based on topography, drainage, slope, soil type, and vegetative cover. *The development is existing; therefore, the potential for erosion is limited.*
- (4) The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands. *The site is already developed.*
- (5) The site has adequate utilities, including if necessary acceptable disposal systems. *The homes are served by existing private on-site wastewater treatment systems.*
- (6) Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow. *Ingress and egress to the site is from an existing driveway located on a county highway. The level of activity from the proposed use will not create congestion or affect traffic flow above and beyond the existing use on the property as a single-family residence.*
- (7) The Conditional Use shall conform with the standards of the applicable district(s) in which it is located. *The proposed single-family use must comply with the conditions of approval as well as the standards set forth within the Columbia County Zoning Code.*

BSA on the Lake CUP

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Columbia County
Land Information Department
April 16, 2025

