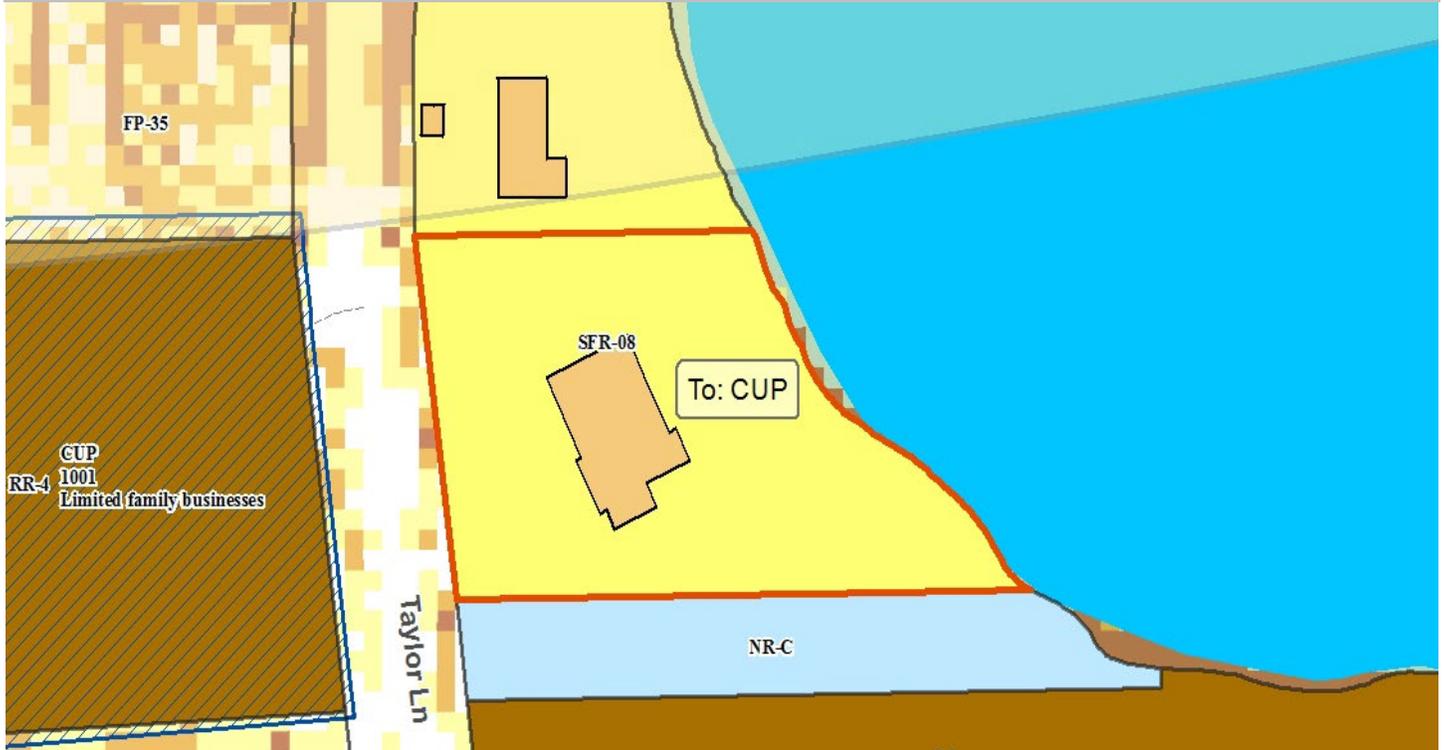


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| <b>Staff Report</b><br><br><br><br><b>Zoning and Land Regulation Committee</b> | <i>Public Hearing:</i> <b>January 25, 2022</b>  | <b>CUP 02551</b>   |
|   | <i>Zoning Amendment Requested:</i><br><b>TO CUP: allow for the construction of a taller accessory building (16 feet mean elevation)</b> | <i>Town/Section:</i><br><b>DUNKIRK, Section 20</b>   |
|   | <i>Size:</i> <b>0.9 Acres</b>   | <i>Survey Required.</i>  |
|   | <i>Reason for the request:</i><br><b>allow for the construction of a taller accessory building (16 feet mean elevation)</b>             | <i>Applicant:</i><br><b>JASON &amp; MARY ELLEN MACKEY</b><br><br><i>Address:</i><br><b>648 TAYLOR LANE</b> |



**DESCRIPTION:** Applicants are requested a Conditional Use Permit to allow for construction of an accessory building up to 16’ mean height.

**OBSERVATIONS/ FACTUAL INFORMATION:** No change in use of the property is proposed. The property is adjacent to the Yahara River and located within the shoreland district. Compliance with shoreland zoning regulations will be required.

**TOWN PLAN:** The property is within the town’s agricultural preservation area.

**RESOURCE PROTECTION:** No resource protection areas located on the property.

**STAFF:** The proposal appears consistent with town plan policies. Based on the site plan submitted by the applicant, the proposed accessory building appears to be very close to the applicable minimum setbacks. The zoning administrator notes that a licensed surveyor will be required to verify setback compliance as part of the zoning permit application process. As indicated above, compliance with shoreland zoning regulations will also be required.

Pending any concerns raised at the public hearing, staff recommends approval of the Conditional Use Permit with the following conditions:

1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan.
2. The mean height of the accessory building shall not exceed 16 feet.
3. The accessory building shall be constructed to meet all standards of the applicable building code.
4. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits associated with the construction. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
5. 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 a reasonable opportunity to correct any violations prior to revocation.
6. If the accessory building is torn down, removed or collapses and is not rebuilt, in compliance with these conditions, for a period of 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.

Any questions about this petition or staff report please contact Majid Allan at (608) 720-0167 or [allan@countyofdane.com](mailto:allan@countyofdane.com)

**TOWN:** Approved.