



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **July 28, 2015**

Zoning Amendment:
None

Acres: 5.2
Survey Req. No

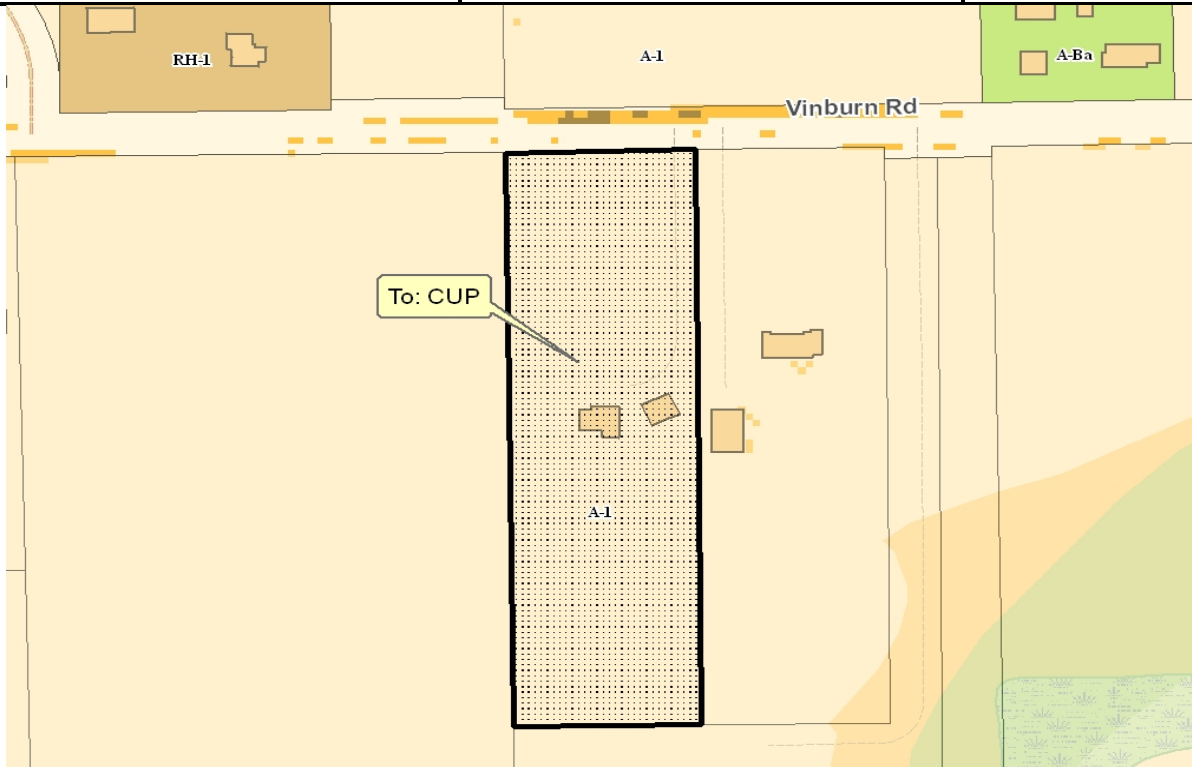
Reason:
**Dependency living arrangements
/ pool house**

Petition: **CUP 2318**

Town/sect:
**Bristol
Section 20**

Applicant
Brian D Ring

Location:
2891 Vinburn Road



DESCRIPTION: Applicant is requesting approval of a conditional use permit to allow construction of a “dependency living arrangement / pool house” adjoining the existing single family residence. According to the application materials, the addition would have a kitchenette, a full bathroom, closet, and living space.

OBSERVATIONS: The applicant has stated that addition will be used for pool entertainment purposes only. The Zoning Division has denied the application for the construction of the addition due to the project resembling a separate living space. To address the concern, Staff suggested a conditional use permit for a dependency living arrangement be obtained for the project. The CUP would ensure that the space would be used by the immediate family only and not used as a second residence. The property does not contain sensitive environmental features.

VILLAGE/TOWN PLAN: The property is shown as being with an agricultural preservation area in the town’s 1981 land use plan. The town has not submitted a comprehensive plan to Dane County for adoption under the county plan.

RESOURCE PROTECTION: No resource protection corridors located on the property.

STAFF: The town plan is silent on the issue of dependency living arrangements. The applicants initially applied for a zoning permit to allow construction of a detached pool house. They were informed that sanitary fixtures were not allowed in accessory buildings, and then modified the proposal to attach the pool house to the existing residence as an addition. Upon review, the zoning administrator determined that the project appeared to meet the minimum standards of a second residence and recommended that they either modify their plans or apply for a conditional use permit.

Staff has recommended several conditions of approval on the attached page.

TOWN: Approved with no conditions.

Proposed Conditional Use Permit # 2318

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. The 24' x 24' addition on the south side of the single-family dwelling shall only be used by members of the immediate family. In no event shall the space be used for general rental purposes.
2. The conditional use permit shall expire upon sale of the property to an unrelated third party.