
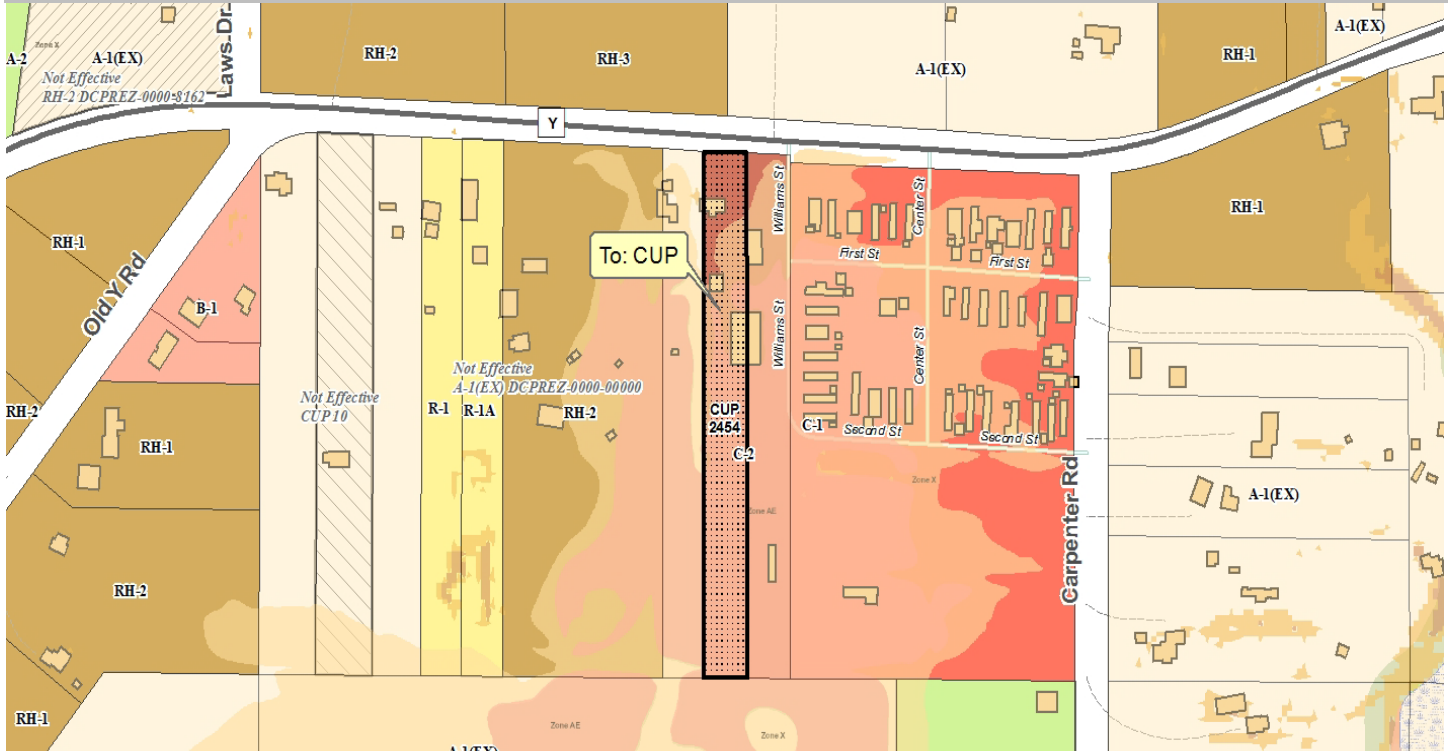


Staff Report  Zoning and Land Regulation Committee	Public Hearing: March 26, 2019	CUP 02454
	Zoning Amendment Requested: TO CUP: CARETAKER/SFR	Town/Section: MAZOMANIE, Section 28
	Size: 2 Acres	Survey Required.
	Reason for the request: RESIDENCE FOR THE OWNER /CARETAKER OF A BUSINESS IN THE C-2 ZONING DISTRICT	Applicant: JAMES R LE VOY
		Address: 10379 COUNTY HIGHWAY Y



DESCRIPTION: The applicant wishes to use the existing home on the C-2 property as a caretaker’s residence with possible future plans of replacing the home.

OBSERVATIONS: The applicant owns 2 C-2 parcels; the home is on the parcel to the west, where this CUP is proposed.

DANE COUNTY HIGHWAY: County Highway Y is not a controlled access highway. Any new points of access or changes in land use require a highway access permit from the Dane County Highway Department.

TOWN PLAN: The property is in the agricultural preservation area. This proposal is consistent with the Town Comprehensive Plan.

RESOURCE PROTECTION: There are areas to the south of the property that have floodplain issues; this CUP is for the home on the north edge of the property.

STAFF: The CUP brings a residence on a commercial property into compliance with the zoning ordinance. The owner is aware any replacement residence would have to comply with existing zoning and other regulations.

TOWN: The Town approved the CUP on 2/11/2019 with no conditions.

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 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. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
2. This Conditional Use Permit for a residence for the business owner shall expire if/when a commercial use ceases to be operated on the property. Upon expiration of the Permit, the property shall be rezoned to an appropriate zoning category to bring the single family residence into zoning compliance.
3. Rental of the residence is prohibited.