



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **February 24, 2015**

Zoning Amendment:
None

Acres: 2.0
Survey Req. No

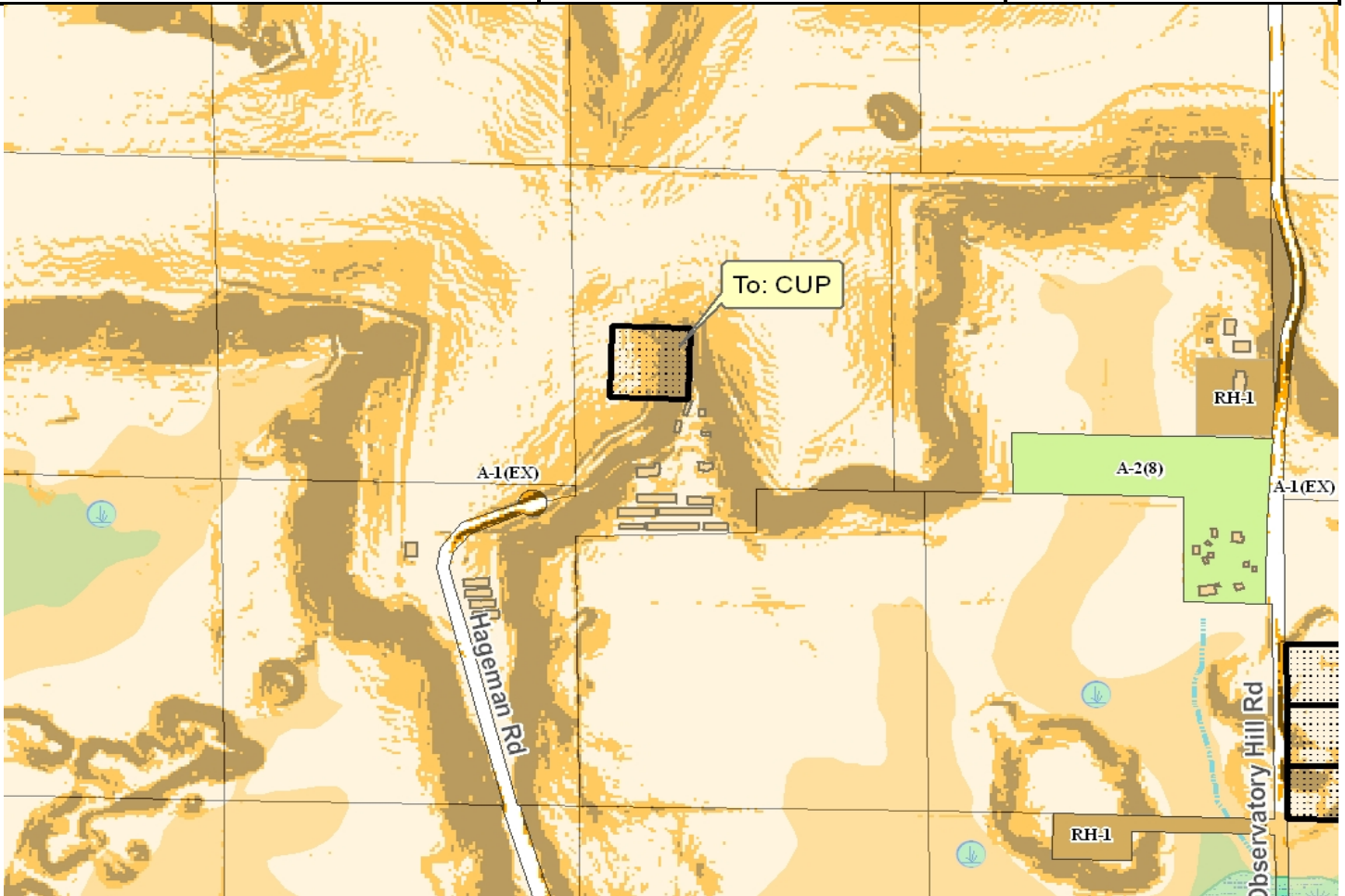
Reason:
Allow for a secondary farm residence

Petition: **CUP 2302**

Town/sect:
**Montrose
Section 08**

Applicant
William R Warner

Location:
1170 Hageman Rd



DESCRIPTION: Applicant is seeking approval of a Conditional Use Permit for a secondary farm residence for a child of the farm owner / operator. The request is sought to correct a violation for an existing Yurt located on the property. Proposal would bring existing secondary farm residence into compliance with zoning regulations.

OBSERVATIONS: An area of steep slope topography exists within the CUP area. No new development is proposed.

TOWN PLAN: The property is located in the town's agricultural preservation area.

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

STAFF: Proposal appears consistent with town plan policies and would bring the existing use into zoning compliance.

TOWN: Approved with no conditions.

Proposed Conditional Use Permit # 2302

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. A deed notice shall be recorded with the Dane County Register of Deeds indicating that any violation of the provisions of section 10.123(4), regarding farm residences in the A-1EX district, will result in revocation of this conditional use permit and require that a certified survey map be approved and appropriate zoning be acquired. The deed notice shall be recorded within 90 days of the effective date of approval.
2. The Conditional Use permit shall expire upon sale of the property to an unrelated 3rd party.