



# Staff Report

Public Hearing: **June 26, 2018**

Petition: **CUP 02424**

Zoning Amendment:  
**TO CUP: Single Family Residence**

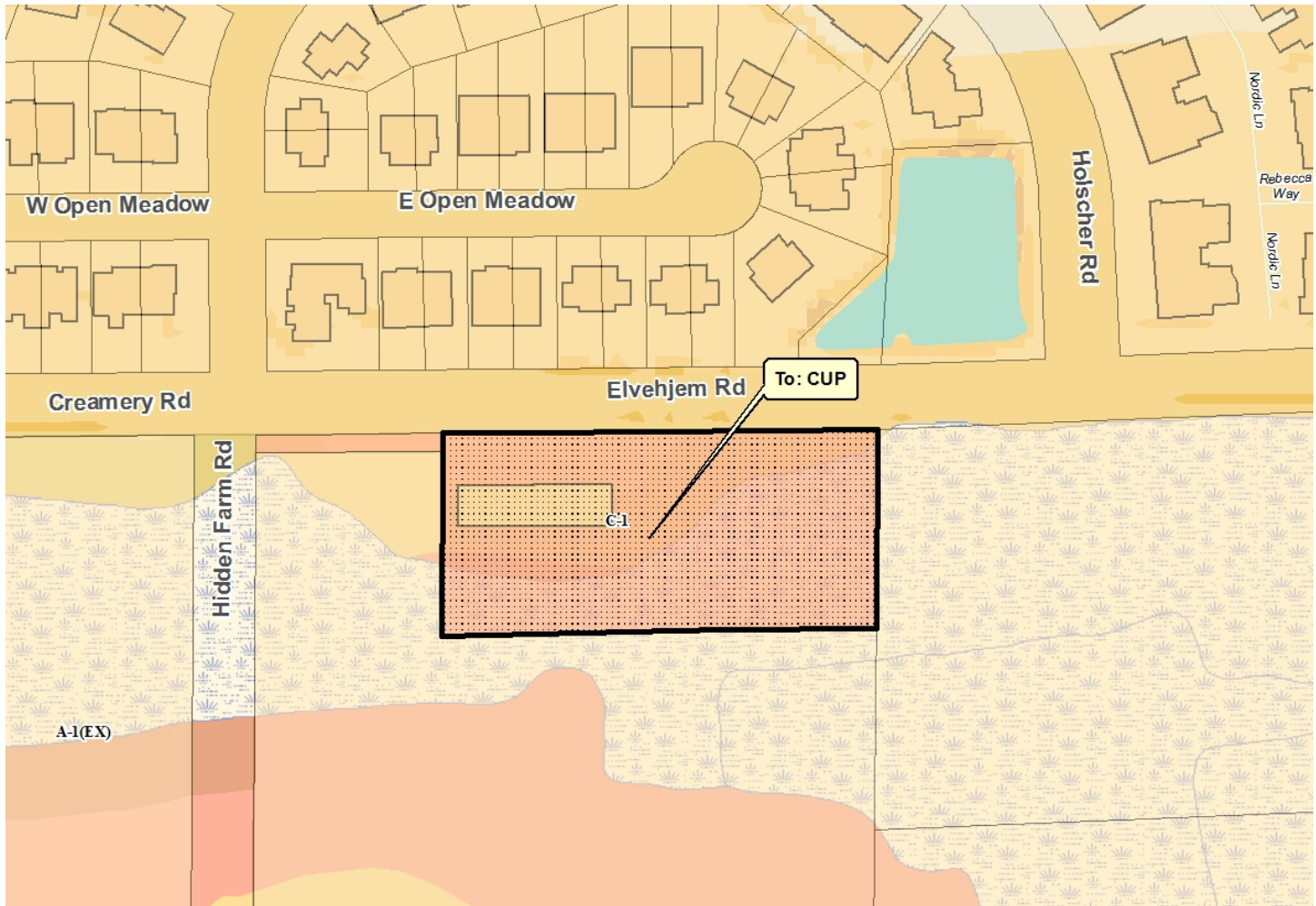
Town/sect:  
**DUNN, Section 11**

Acres: 2.22  
Survey Req.  
Reason:  
**Single Family Residence for an owner/operator of a business in the C-1 Commercial Zoning District**

Applicant  
**TIMOTHY JON VALENZA**

Location:  
**2394 COUNTY HIGHWAY AB**

Zoning and Land Regulation Committee



**DESCRIPTION:** The applicant is seeking a conditional use permit (CUP) to remodel the existing commercial use structure on the C-1 zoned property to include a single family dwelling inside of it. The existing structure would continue to be used for the owner's woodworking shop. The residential dwelling unit is for the owner of the business.

**OBSERVATIONS:** No exterior construction is planned except for an updated septic system. The property is surrounded on 3 sides by public lands (Village of McFarland).

**TOWN PLAN:** The property is located in the town's Agricultural Transition Area.

**RESOURCE PROTECTION:** There are areas of resource protection on site relating to wetlands.

**STAFF:** The proposal appears reasonably consistent with town plan policies. Staff has recommended two conditions of approval (see page 2, below).

**TOWN:** Approved with the following condition: "The residence must be created entirely within the existing structure, not in addition to it."

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. CUP is limited to the residential use on a commercially zone property.
2. The residence must be created entirely within the existing structure, not in addition to it.
3. The property shall be maintained in a clean and orderly manner.