



# Staff Report

Public Hearing: **June 26, 2018**

Petition: **CUP 02422**

Zoning Amendment:  
**TO CUP: RESIDENTIAL USE**

Town/sect:  
**MAZOMANIE, Section 24**

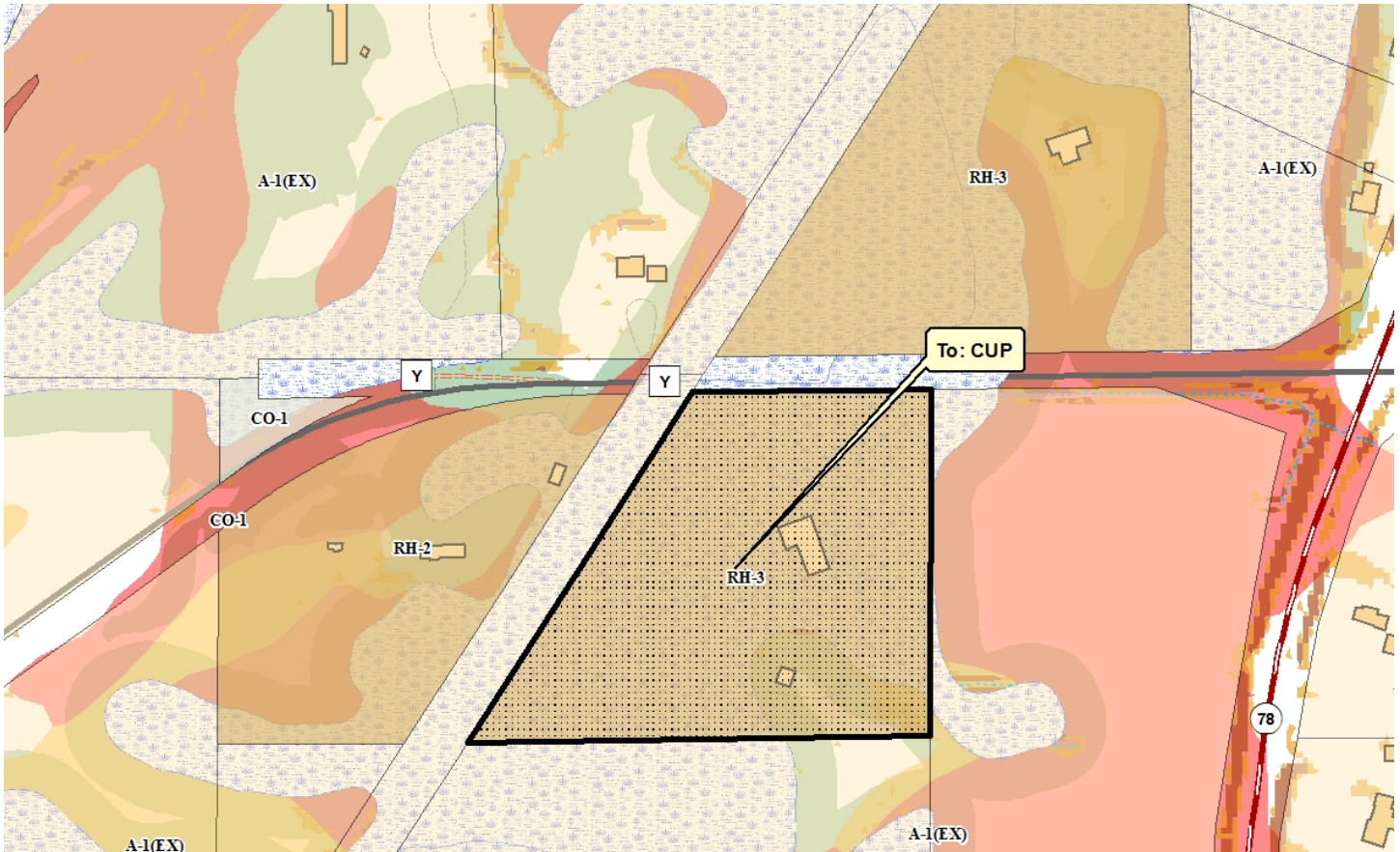
Acres: 9.5 Acres  
Survey Req.

Applicant  
**ANGELA MILEY**

Reason: **RESIDENTIAL USE ON A COMMERCIAL ZONED PROPERTY**

Location:  
**9559 COUNTY HIGHWAY Y**

Zoning and Land Regulation Committee



**DESCRIPTION:** The applicant is requesting a conditional use permit (CUP) to continue a residential land use in a commercially zoned parcel. The map is depicting RH-3 zoning but C-1 zoning (Rezone 11256) was approved by the ZLR on 3/2/2018 with the condition that a CUP application would be submitted within 60 days.

**OBSERVATIONS:** There is no additional construction planned at this time on the property, existing structures will be used to house both the commercial and residential land uses.

**TOWN PLAN:** The property is in the Town's agricultural preservation area.

**RESOURCE PROTECTION:** The entire site has wetlands indicated.

**STAFF:** The proposal appears reasonably consistent with town plan policies.

**TOWN:** Town action is pending

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 may be used as a hotel, airBNB, housing for the owner, employees or other non-related 3<sup>rd</sup> party.
3. The property shall be maintained in a clean and orderly manner.