



# Staff Report

Public Hearing: **March 28, 2017**

Petition: **CUP 2372**

Zoning Amendment:  
**None**

Town/sect:  
**Primrose  
Section 26**

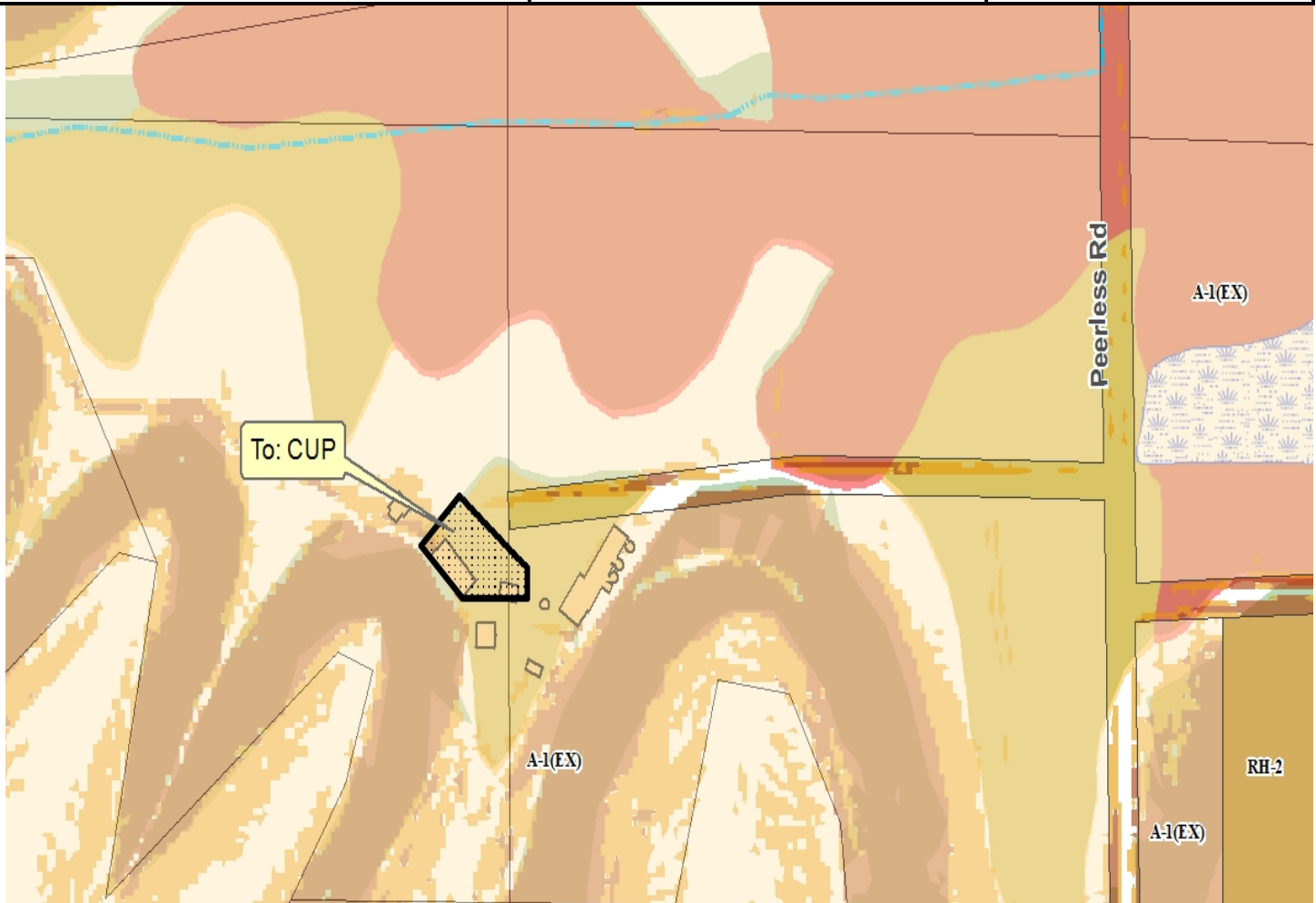
Acres: 0.55  
Survey Req. No

Applicant  
**Michael K Jelle**

Reason:  
**Limited Family Business-  
Agriculture Equipment Repair  
Business**

Location:  
**425 Peerless Road**

Zoning and Land Regulation Committee



**DESCRIPTION:** Mr. Jelle operates a tractor and farm implement repair business from his 85-acre property. Due to a neighboring complaint, He has been directed to bring his business into compliance with Dane County ordinances in order to resolve the pending violation that was spurred by a neighboring complaint.

**OBSERVATIONS:** There is an existing residence and various outbuildings on the property. There is an intermittent stream on the northern part of the property and hills exceeding 20% grade on the south end. The farmstead is located on a dead end road. The closest residence is 1500 feet to the north.

**TOWN PLAN:** The property is located in an agricultural preservation planning area. The Town plan promotes economic opportunities for farmers. The plan also promoted limited family businesses in farming areas.

**RESOURCE PROTECTION:** The proposed business location is outside the resource protection area.

**STAFF:** The limited family business appears to meet Town Plan policies

**TOWN:** Approved with 7 conditions.

## **Proposed Conditional Use Permit # 2372**

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:

7. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
8. 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.
9. 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.
10. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
11. 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
12. 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. An Emergency Response plan shall be submitted to the Town within 30 days.
2. The owner shall provide proof of correct hazardous waste disposal to Town Board within 30 days.
3. Outdoor operation hours of 7:00am to 6:00pm (exceptions for emergency repairs)
4. There shall be no limitations on indoor shop work hours.
5. The operation, including outbuildings, be confined the .55acres of the total 90 acres, surveyed off as shown on Exhibit A
6. The operation shall be restricted to a family business which repairs farm machinery.
7. The conditional use permit is not transferrable upon sale of business or the property.
8. The landowner is responsible for reviewing the operation plan with the Town Board every 3 years to identify that the operation still meets the standards of approval.