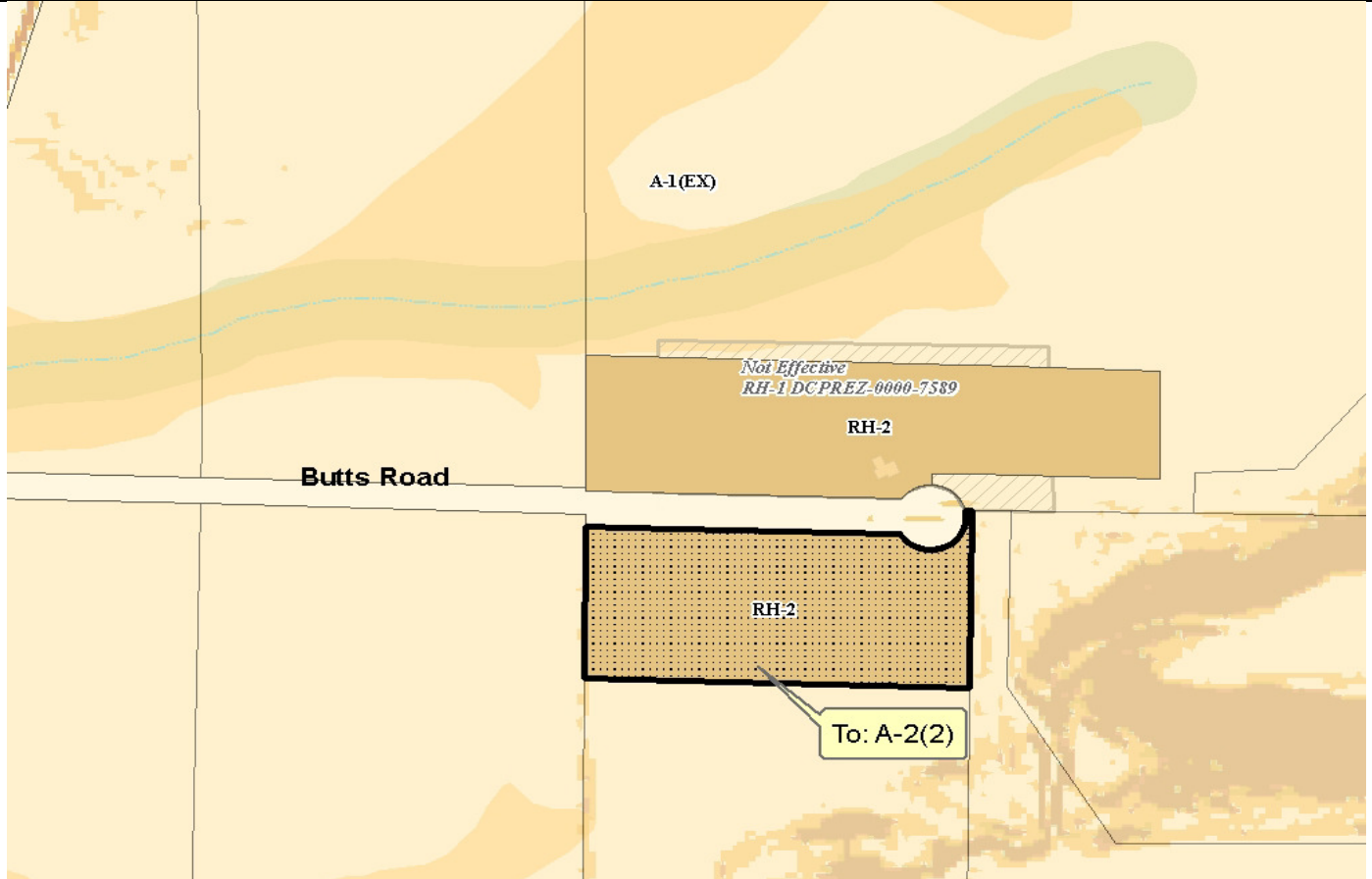




# Staff Report

<b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>December 22, 2015</b>	<i>Petition:</i> <b>Rezone 10919</b>
	<i>Zoning Amendment:</i> <b>RH-2 Rural Homes District to A-2(4) Agriculture District</b>	<i>Town/sect:</i> <b>Montrose Section 26</b>
	<i>Acres:</i> 4.25 <i>Survey Req.</i> Yes	<i>Applicant</i> <b>Dennis Midthun</b>
	<i>Reason:</i> <b>Rezone to allow agriculture building</b>	<i>Location:</i> <b>South of 588 Remy Road</b>



**DESCRIPTION:** The applicant is proposing to create a “pick your own” vegetable/fruit business on a 4-acre property in Section 26, Town of Montrose.

**OBSERVATIONS:** The property is located along Butts Road, a dead end roadway. There is one neighboring residence located approximately 150 feet north of the proposed site. There are DNR lands to the east of the property and agricultural fields to the south and west. There are two large bovine operations in the local area. One approximately 1500 feet to the northwest and one approximately 2500 feet to the southwest. The property consists entirely of Class II soils. No other sensitive environmental features observed.

**TOWN PLAN:** The property is located in the town’s agricultural preservation area. The Town Plan has guidelines with regards to commercial and agricultural related uses in the agricultural preservation area. The proposed land use should have a minimal impact with the surrounding agricultural uses. The land use should not require the construction of new Town roads. If improvements are needed, an agreement should be reached prior to granting a zoning change. The proposal appears to be reasonably consistent with the policies for the agricultural preservation area.

**RESOURCE PROTECTION:** The property is outside the resource protection area.

**STAFF:** Staff has concerns regarding a narrow access, and close proximity to an existing residence. However, these issues appear to be addressed as part of the Town’s conditions of approval.

**TOWN:** The Town approved the petition with 8 conditions.

## Petition 10919

### Town Conditions

- 1) The property be assigned the zoning district classification of A-B Agri-business Zoning District.
- 2) A deed restriction shall be recorded on the property to limit the land uses to a pick your own wholesale fruit/vegetable operation. Ancillary sales of jams, jellies, juices, and pies from product grown on the property would be allowed.
- 2) A deed restriction shall be recorded on the property to prohibit residential development of the property.
- 3) Hours of operation for sales shall be limited to 8am to 8pm seasonally, May through November.
- 5) The number of employees shall be limited to no more than 4 full-time equivalent employees, in addition to the owner/operator.
- 6) Prior to operation, site plan approval shall be obtained from the Town Board to address adequate on-site parking for the operation and the maximum building size for the operation.
- 7) On-street parking along Butts Road shall be prohibited. The landowner shall be responsible for posting "no parking" signs along Butts Road.
- 8) Public Works Director shall evaluate the condition of the Butts Road and the ability of the roadway to support two-way traffic. If improvements are needed, the landowner should be responsible for road improvements prior to the commencement of the operation.