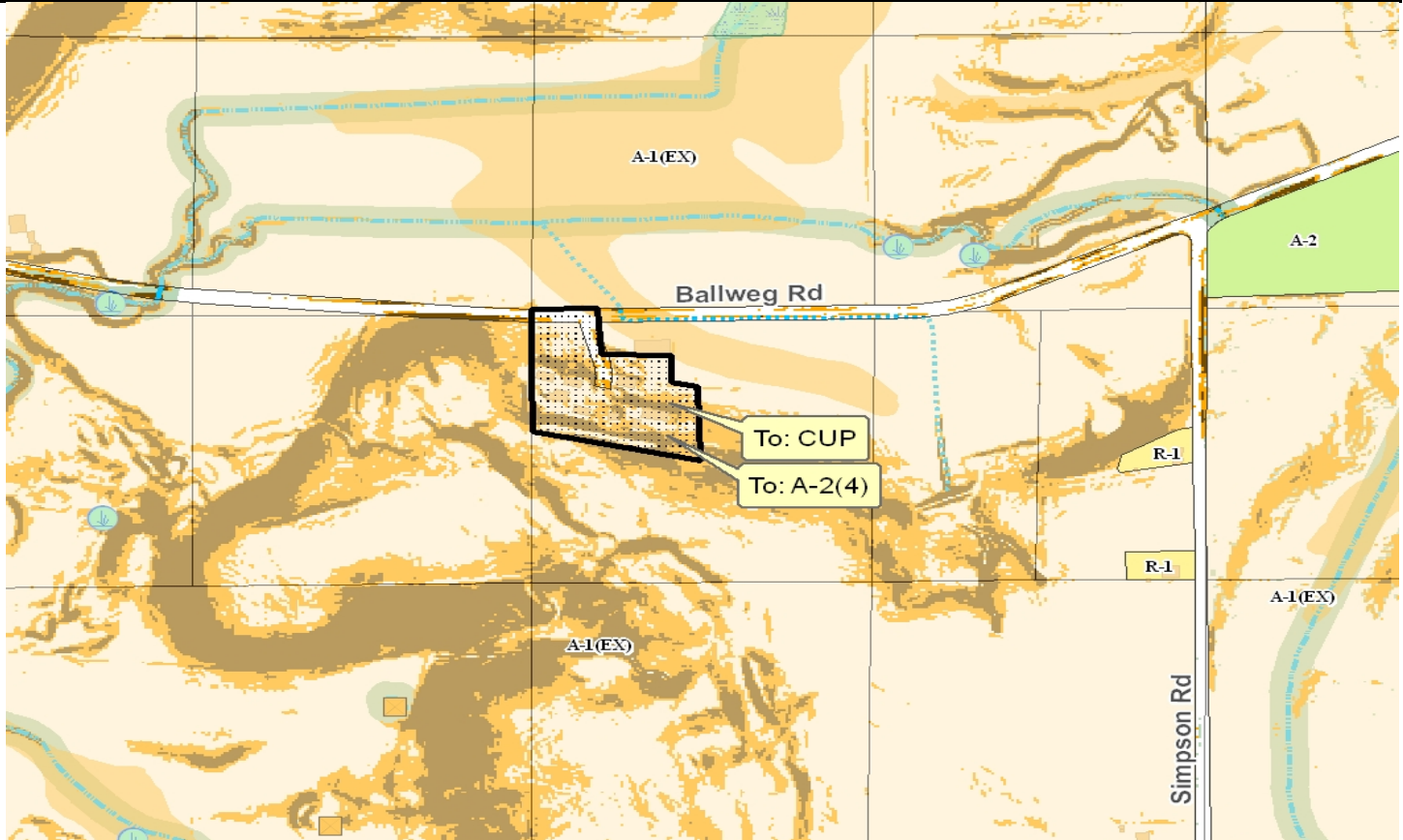




Staff Report

Zoning and Land Regulation Committee	<i>Public Hearing:</i> March 24, 2015	<i>Petition:</i> Rezone 10820 CUP 2306
	<i>Zoning Amendment:</i> A-1EX Exclusive Agriculture District to A-2(4) Agriculture District	<i>Town/sect:</i> Roxbury Section 25
	<i>Acres:</i> 7.63 <i>Survey Req. Yes</i>	<i>Applicant</i> Matthew Ballweg
	<i>Reason:</i> Separating existing residence from farmland CUP Description: Unlimited livestock	<i>Location:</i> 8053 Ballweg Road



DESCRIPTION: Applicant proposes to separate the farm home and buildings from the ~120 acre farm, which will continue to operate as a single unit. A conditional use permit is also requested to allow “unlimited livestock” since the buildings housing the farm’s livestock will be separated off onto the smaller parcel.

OBSERVATIONS: Areas of steep slope topography are present on the property. No new development is proposed. Note that the town recently vacated the short segment of town road that serves as the property driveway.

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

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

STAFF: As indicated on the attached staff report, the town counts all residences as a split under its density policy. One possible split will remain to the balance of the farm if the petition is approved. Proposed rezone and CUP appear consistent with town plan policies.

TOWN: Rezone: Approved with a deed restriction placed on the A-2(4) parcel limiting the parcel to Ag use only.
Conditional Use Permit: Approved with a condition limiting livestock to no more than 100 animal units and requiring a nutrient management plan.

Proposed Conditional Use Permit # 2306

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. The CUP shall be limited to no more than 100 animal units.
2. Applicant shall develop, implement, and maintain a nutrient management plan, to be reviewed and approved by Dane County Land and Water Resources Department.