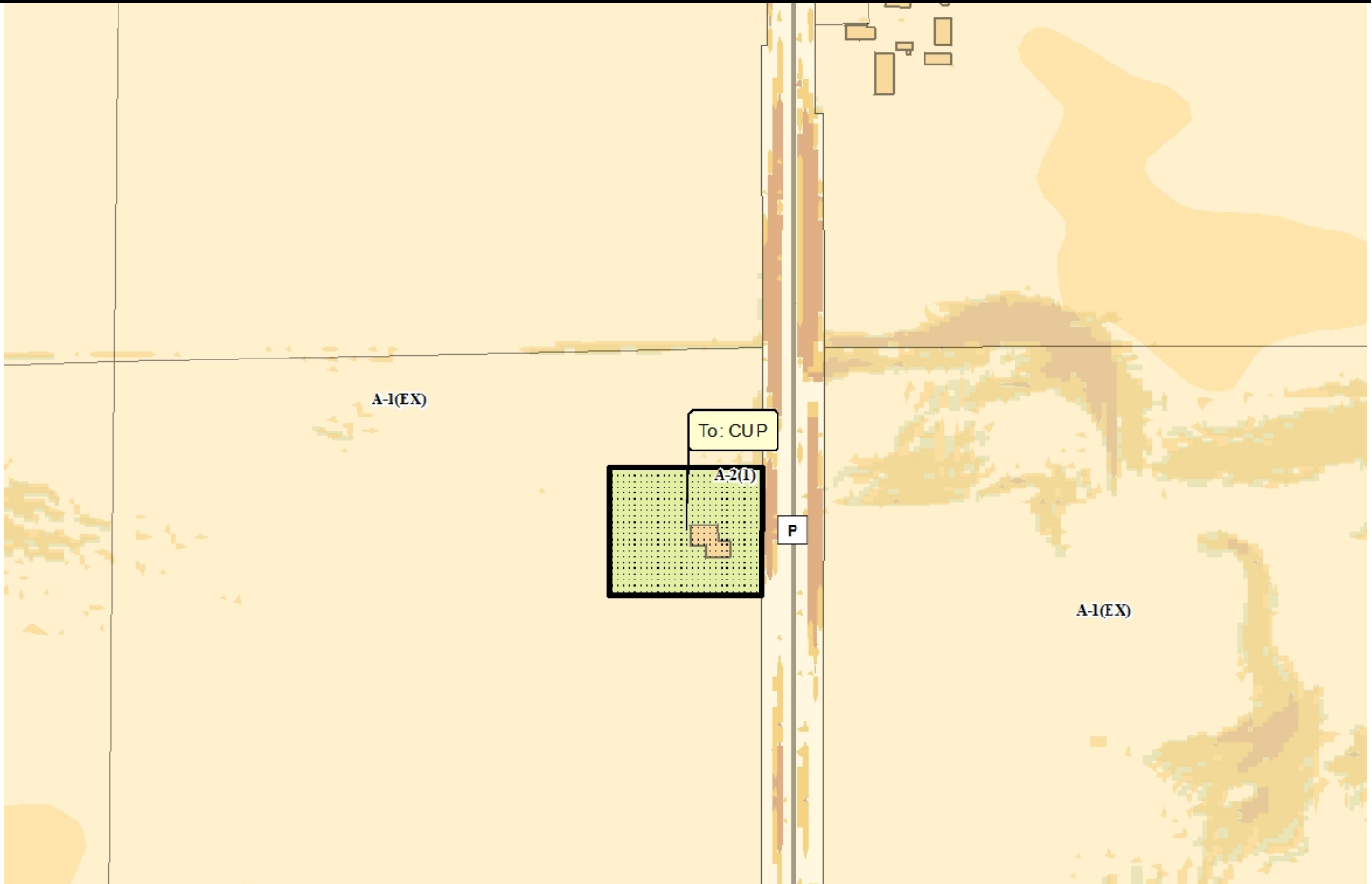




# Staff Report

<i>Public Hearing:</i> <b>October 24, 2017</b>	<i>Petition:</i> <b>CUP 02393</b>
<i>Zoning Amendment:</i> <b>TO CUP: owner contractor shop w/ sanitary fixtures</b>	<i>Town/sect:</i> <b>DANE, Section 22</b>
<i>Acres:</i> <i>Survey Req.</i>	<i>Applicant:</i> <b>JAMES R SEABURY</b>
<i>Reason:</i> <b>CUP DESCRIPTION: limited family business - contractor shop w/ sanitary fixtures</b>	<i>Location:</i> <b>7097 COUNTY HIGHWAY P</b>

Zoning and Land Regulation Committee



**DESCRIPTION:** The Zoning Division had issued a zoning permit for the construction of a large accessory building on the property. Upon inspection, the landowner stated that the building would be used for his construction business and storage of recreational vehicles. In order to use the building for business purposes for persons residing on the property, a conditional use permit is needed for a Limited Family Business. The applicant is requesting a conditional use permit to operate his construction business from the accessory building including wood working shop. He is also requesting that a bathroom be allowed to be installed for office purposes.

**OBSERVATIONS:** No sensitive environmental features observed on the property. Surrounding uses are agricultural. Nearest residential neighbors are located over 1,000 feet to the north on County Highway P.

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

**RESOURCE PROTECTION:** No areas of resource protection corridor located on the property.

**STAFF:** The proposal appears reasonably consistent with town plan policies. Staff has recommended several conditions of approval as part of the conditional use permit. (see page 2, below).

**TOWN:** The Town Board approved the CUP with no conditions.

## Staff Report for Conditional Use Permit #2393

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. Conditional Use Permit #2393 shall be for operation of a contractor's business with a wood working shop and storage of recreational vehicles.
2. Sanitary fixtures shall be permitted in the accessory structure for the contractor's office purposes. Sanitary fixtures shall be removed or terminated upon the expiration of the conditional use permit.
3. All materials and equipment used in the operation of the business shall be stored within the accessory building.
4. The accessory building shall not be used for residential purposes.
5. Hours of operation of the business shall be limited to 5am-10pm daily.
6. No business signage shall be permitted.
7. The Conditional Use Permit shall expire upon sale of the property to an unrelated 3<sup>rd</sup> party.