
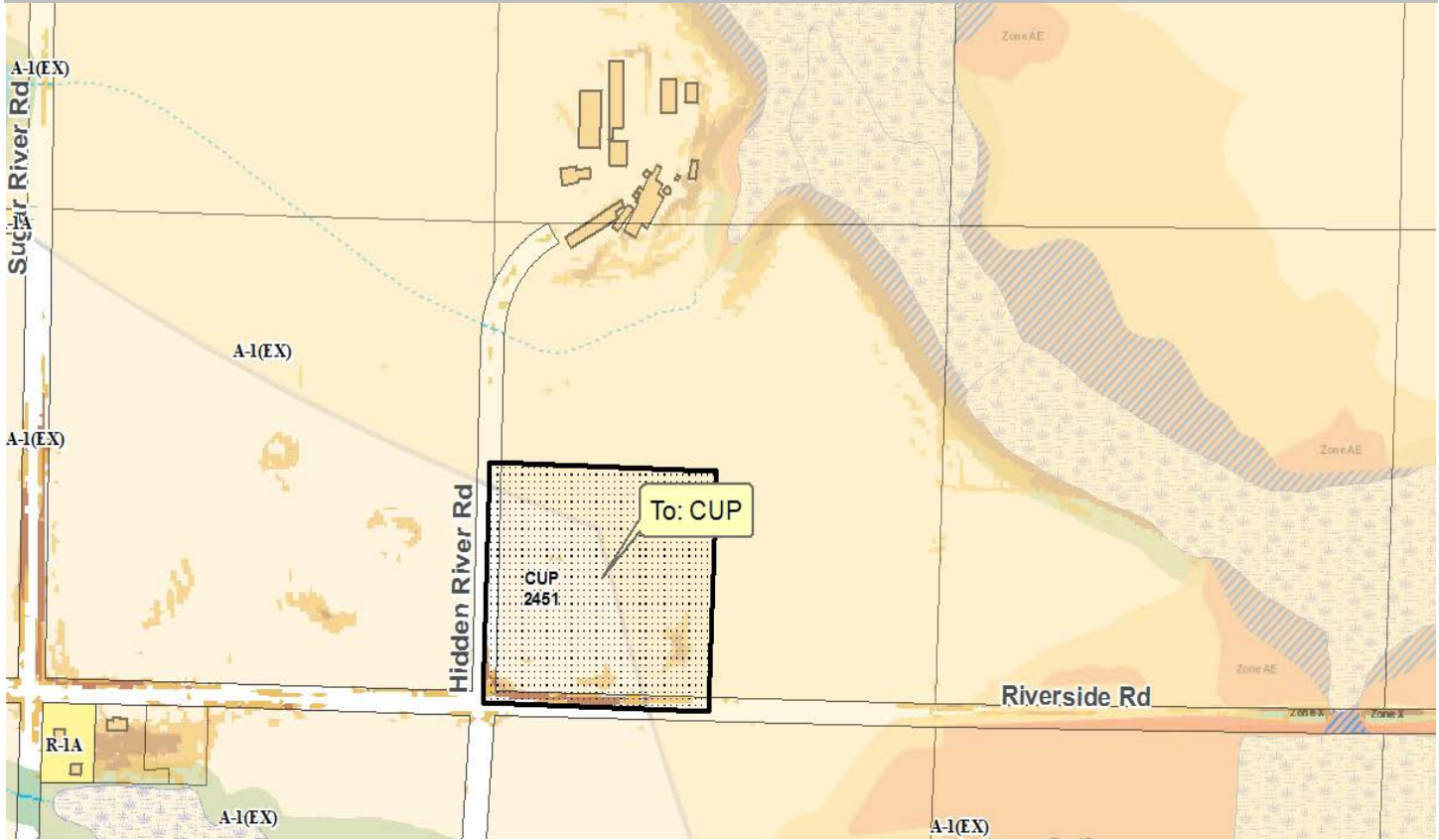


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>February 26, 2019</b>	<b>CUP 02451</b>
	<i>Zoning Amendment Requested:</i> <b>TO CUP: SECOND FARM RESIDENCE</b>	<i>Town/Section:</i> <b>VERONA, Section 29</b>
	<i>Size:</i> <b>40 Acres</b>	<i>Survey Required.</i>
	<i>Reason for the request:</i> <b>SECONDARY FARM RESIDENCE</b>	<i>Applicant:</i> <b>SUSAN F POAST</b>
		<i>Address:</i> <b>1990 HIDDEN RIVER ROAD</b>



**DESCRIPTION:** Applicant requests approval of a Conditional Use Permit to allow a secondary farm residence to be built on the 370 acre dairy farm. The residence would be occupied by the owners’ son who works the farm with them.

**OBSERVATIONS:** Surrounding land uses include agriculture / open space, and scattered rural residences. The Sugar River bisects the farm northeast of the proposed CUP area. No sensitive environmental features observed.

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

**RESOURCE PROTECTION:** No areas of resource protection corridor located on the proposed CUP area.

**STAFF:** The farm operation meets the requirements of the ordinance for secondary farm residence and the proposal appears reasonably consistent with town plan policies. See page 2 for recommended conditions of approval as required by ordinance.

**TOWN:** Approved

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.

The Committee must also find that the following additional standards are met for the proposed conditional use in the A-1EX zoning district:

- a) The use and its location in the A-1 Exclusive Agriculture zoning district are consistent with the purposes of the district.
- b) The use and its location in the A-1 Exclusive Agriculture zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
- c) The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.
- d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
- e) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

Staff has prepared a list of conditions that may be used in order to meet the 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.

The conditions below are required by ordinance for all residences approved under a Conditional Use Permit per section 10.123(4)(b) of the Dane County zoning code.

1. The CUP shall expire upon sale of the property to an unrelated 3<sup>rd</sup> party. Upon sale of the property to an unrelated 3<sup>rd</sup> party, a new Conditional Use Permit or rezoning application must be filed.
2. Any Conditional Use Permit found to be in violation of this section may be revoked by the Zoning Committee, and a zoning change to an appropriate residential district shall be required to bring the property and residential use into compliance with the provisions of this ordinance.
3. A notice document shall be recorded with the Register of Deeds on the subject property notifying current and future owners of the provisions of conditions 1, and 2.