



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: **June 26, 2018**

Zoning Amendment:  
**TO CUP: SFR IN A COMMERCIAL DISTRICT**

Acres: 0.34  
Survey Req. NO

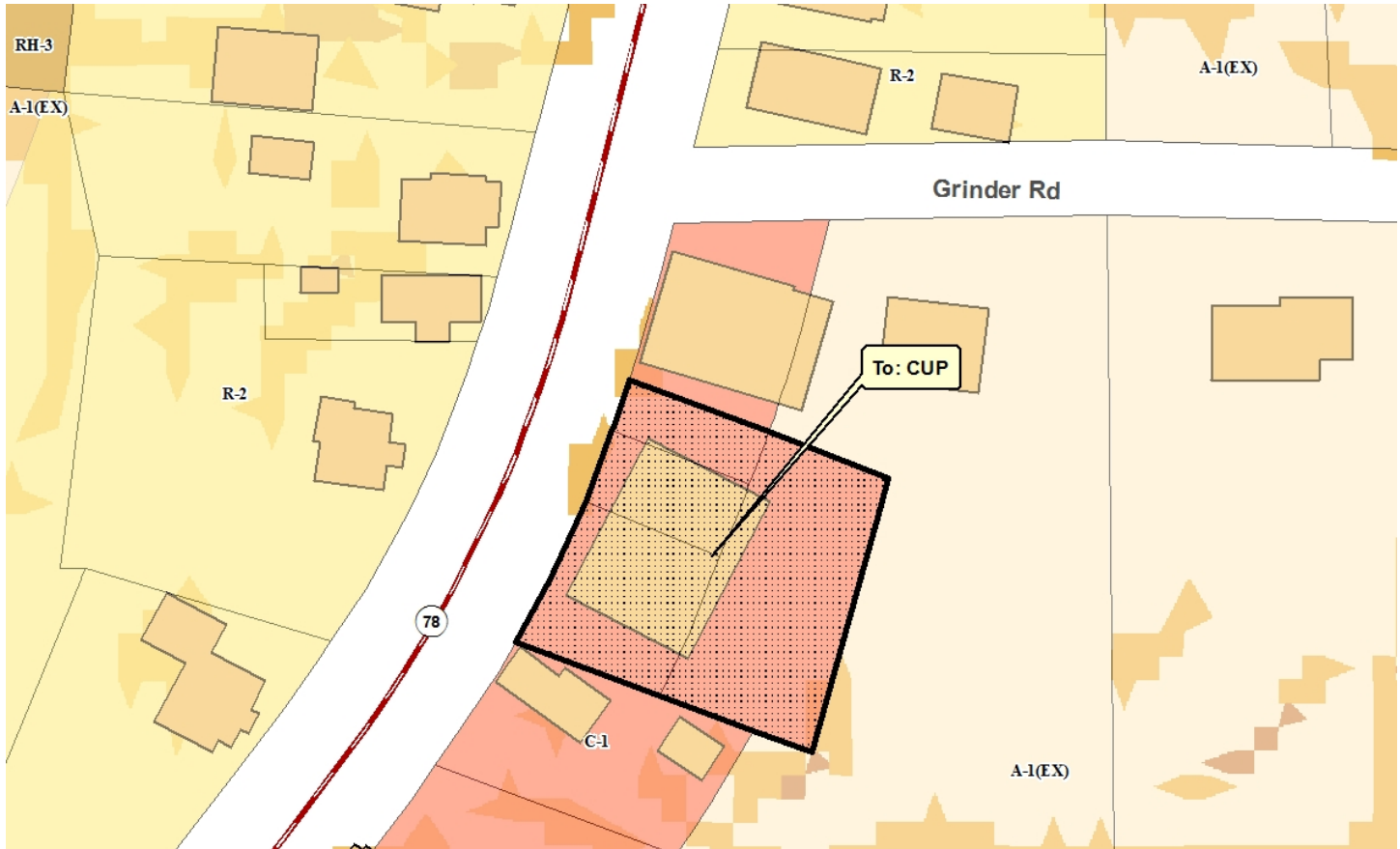
Reason: Single-family residential use in C-1 district.

Petition: **CUP 02420**

Town/sect:  
**PERRY, Section 17**

Applicant  
**WILLIAM ERICKSON**

Location:  
**1076 STATE HIGHWAY 78**



**DESCRIPTION:** The landowner would like to apply for a conditional use permit to convert a portion of an existing commercial building for single-family residential use. No additions or structural modifications to the existing structure are proposed.

**OBSERVATIONS:** The building is an unused existing storefront in the unincorporated hamlet of Daleyville. The building is no longer used for commercial purposes. Several other former commercial buildings in Daleyville have been converted to residential use.

**TOWN PLAN:** The property is shown as "Shopping Center" in the Future Land Use Map of the adopted *Town of Perry/ Dane County Comprehensive Plan*.

**RESOURCE PROTECTION:** There are no mapped resource protection corridors within or near the property.

**STAFF:** Recommend approval with conditions (see list of conditions on following page).

**TOWN:** On March 15, 2018, the Town of Perry Board of Supervisors voted 3-0 to recommend approval with no conditions.

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. New and existing buildings proposed to house the conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
2. Existing onsite wastewater sewage disposal systems serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
3. Any residential use must be contained within the existing footprint of the existing building.