
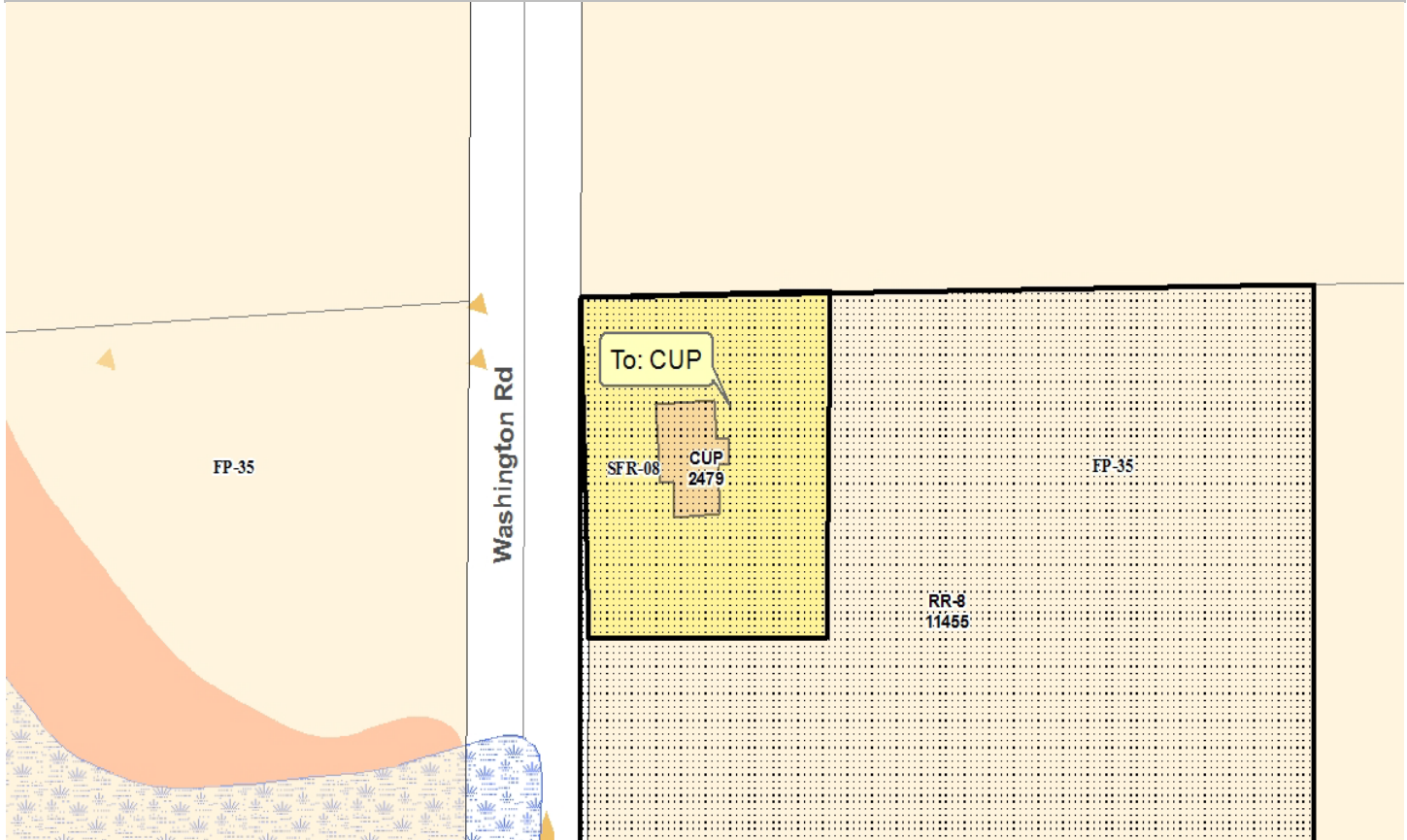


Staff Report  Zoning and Land Regulation Committee Questions? Contact: Majid Allan – 267-2536	<i>Public Hearing:</i> September 24, 2019		CUP 02479
	<i>Zoning Amendment Requested:</i> TO CUP: Limited Family Business		<i>Town/Section:</i> ALBION, Section 19
	<i>Size:</i> 9.37 Acres	<i>Survey Required:</i>	<i>Applicant:</i> DAKOTA J GRAY
	<i>Reason for the request:</i> Limited Family Business		<i>Address:</i> 724 WASHINGTON RD.,



DESCRIPTION: Applicant requests approval of a Conditional Use Permit for a Limited Family Business in the RR-8 district to allow operation of a small engine / farm machinery repair shop out of a 40'x54' accessory building. The building would have a small office space and bathroom. Hours of operation would be 8-5pm Monday – Friday, with no operations on weekends. There would be no employees, no outside storage, and no signage. The applicant is in the process of obtaining final zoning and survey approvals for expanding the size of his parcel at 724 Washington Road to 9.37 acres under rezoning petition #11455.

OBSERVATIONS / FACTUAL INFORMATION: Upon recording of a final CSM required as a condition of approval of rezone petition #11455, the subject property will total 9.37 net acres and be zoned RR-8. Current use of the property is residential. Surrounding land uses include agriculture / open space. The closest neighboring residences are located over 1,300 feet from the subject property.

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

RESOURCE PROTECTION: A small area of resource protection corridor associated with mapped wetlands and buffer area encroaches on the westerly portion of the 9.37 acre parcel. Proposed accessory building would be located close to the existing residence and far away from the wetland area.

STAFF: Town plan policies support the establishment of small scale businesses that provide services needed by town residents and farmers. Given that the property is located in a rural area, operation of the conditional use should not result in any nuisances to neighboring property owners. The proposed operation of the limited family business appears reasonably consistent with town plan policies.

Staff recommends approval of the CUP subject to the following conditions and contingent on rezone petition #11455 becoming effective.

1. The Limited Family Business shall be for small engine and farm machinery repair.
2. Hours of operation shall be from 8:00am to 5:00pm, Monday through Friday, with no activity on the weekends.
3. Signs for the limited family business shall be prohibited.
4. The business shall be limited to a 40'x54' building.
5. The use shall employ no more than one or one full-time equivalent, employee who is not a member of the family residing on the premises.
6. Structures used in the business shall be considered to be residential accessory buildings and shall meet all requirements for such buildings.
7. Sanitary fixtures to serve the limited family business use may be installed, but must be removed upon expiration of the conditional use permit or abandonment of the limited family business.
8. Operation of the conditional use shall comply with all applicable standard conditions of approval found in section 10.101(7)(d)2 of the Dane County Code of Ordinances.
9. The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.

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