



Staff Report

Public Hearing: **January 23, 2018**

Petition: **CUP 02404**

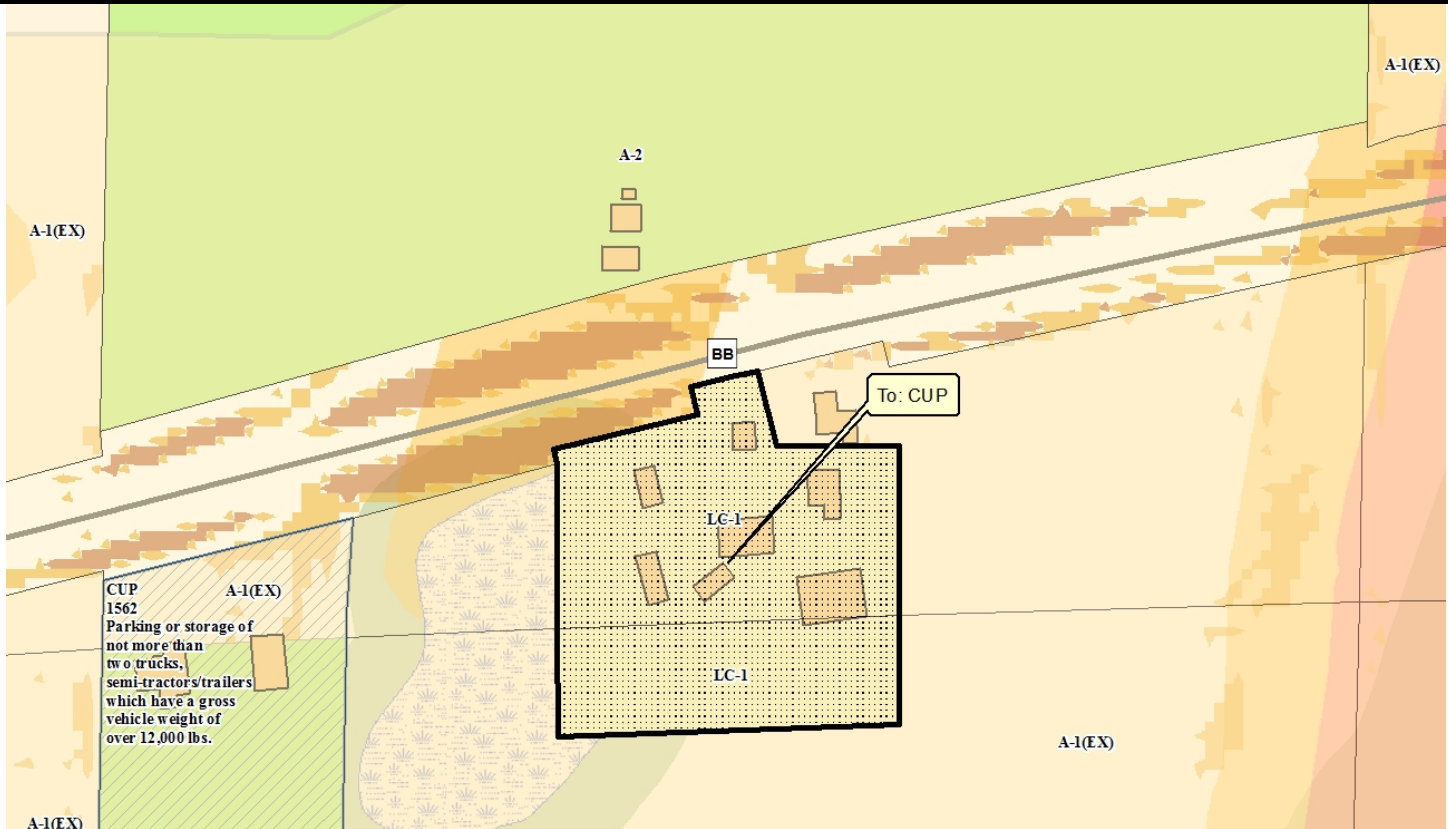
Zoning Amendment:
Conditional Use Permit

Town/sect:
DEERFIELD, Section 9

Acres: 2.6
Survey Req.
Reason: **OUTSIDE STORAGE OF
MORE THAN 12 VEHICLES**

Applicant
**HASTINGS REV TR,
PHILLIP**
Location:
**1017 AND 1013 CTY
HWY BB**

Zoning and Land Regulation Committee



DESCRIPTION: Applicant requests approval of a Conditional Use Permit to allow storage of more than 12 vehicles / pieces of equipment in the LC-1 zoning district. Proposal is being made to resolve a zoning violation on the property. The owner has been cooperative with the Zoning Division in cleaning use the junk and construction debris on the property.

OBSERVATIONS: Surrounding land uses include agriculture, open space, and scattered rural residences. A small area of isolated wetlands encroaches onto the westerly edge of the LC-1 zoned area. No new development proposed.

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

DANE COUNTY HWY: CTH TV is not a controlled access highway. Any changes in use of existing access or new points of access require a permit.

RESOURCE PROTECTION: An area of resource protection corridor associated with the isolated wetland encroaches onto the western edge of the LC-1 zoned area.

STAFF: The requested CUP will resolve a zoning violation on the property. Applicant has made an effort to remove the construction debris and barrels from the property; however, there are still 22 abandoned vehicles (junk) on the property. There is a pending lawsuit going to trial regarding this aspect of the violation. The approval of the CUP will address the abundance of operable vehicles used as part of the business. If approved, Staff suggests the following conditions that are listed on the next page.

TOWN: On January 8th, the Town tabled the CUP due to concerns with the condition of the property.

Proposed Conditional Use Permit #2404

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 Conditional Use Permit is for storage of more than 12 vehicles / pieces of equipment associated with the owners' construction contractor business.
2. There shall be no more than 25 vehicles and pieces of equipment associated with the owners' Limited Family business stored outside. The vehicles and equipment shall be parked in the designated area as shown on the site plan.
3. All vehicles on the property shall be registered, licensed, and operable.
4. Outdoor storage of inoperable vehicles, construction materials, construction debris, and junk is prohibited.
5. This Conditional Use Permit shall expire upon sale of the property to an unrelated 3rd party.