



# Staff Report

Public Hearing: **July 26, 2016**

Petition: **Rezone 11008  
CUP 2348**

Zoning Amendment:  
**A-1EX Exclusive Agriculture  
District to A-2(8) Agriculture  
District**

Town/sect:  
**Primrose  
Section 33**

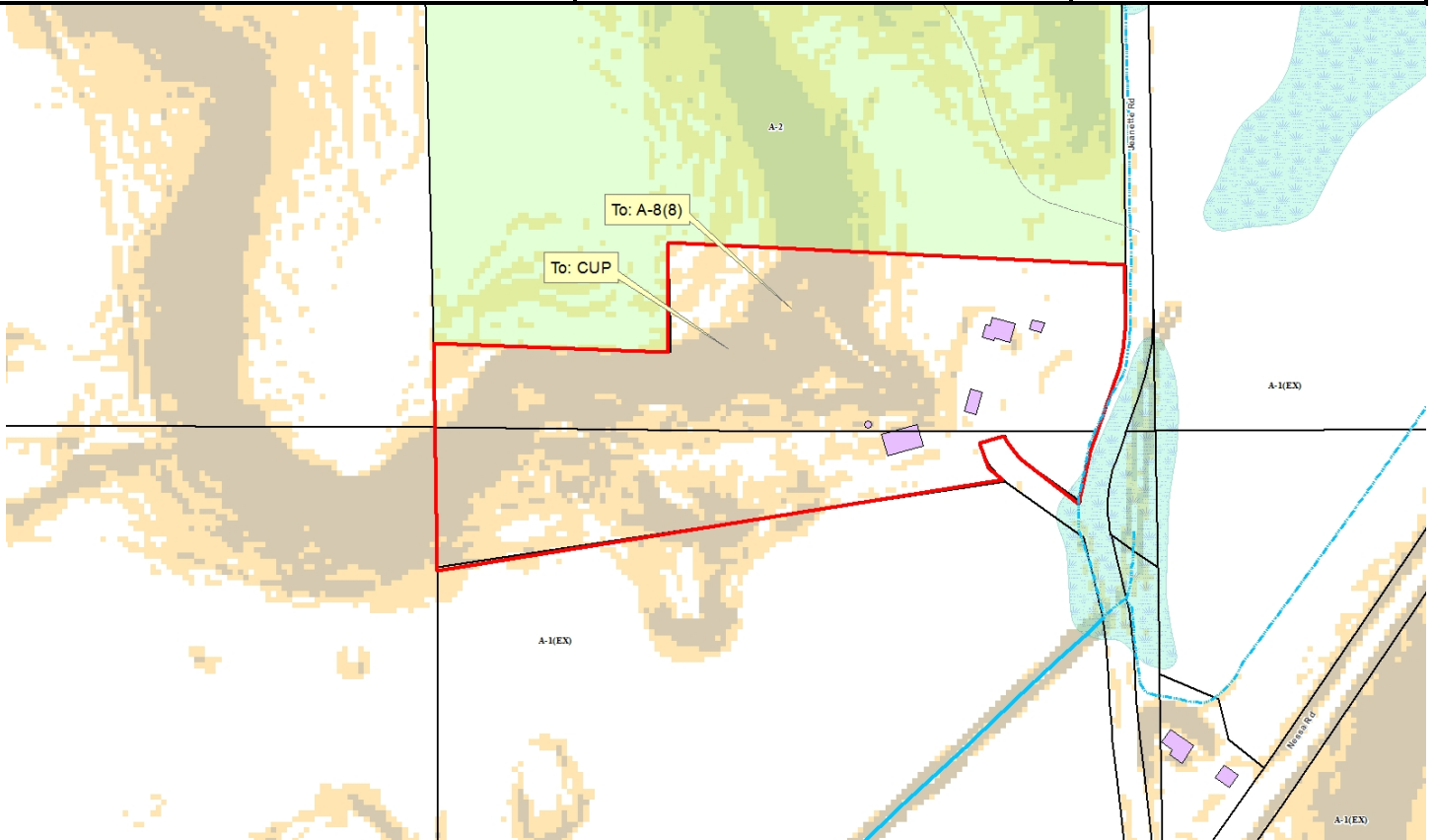
Acres: 13.1  
Survey Req. No

Applicant  
**Mark H Johnston**

Reason:  
**Allow sanitary fixtures in existing  
accessory building**

Location:  
**227 Jeanette Road**

Zoning and Land Regulation Committee



**DESCRIPTION:** Applicant requests A-2(8) zoning for zoning compliance for existing residential and accessory uses, along with a Conditional Use Permit (CUP) to allow sanitary fixtures in an existing agricultural accessory building.

**OBSERVATIONS:** The property consists of approximately 25% Class II soils. Areas of steep slope topography are located on the westerly half of the property. No new development is proposed.

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

**RESOURCE PROTECTION:** Areas of resource protection corridor associated with the prime agricultural soils and steep slope topography are located on the property. No new development is proposed that would impact the resource protection corridors.

**STAFF:** The proposal appears reasonably consistent with town plan policies. Staff has recommended conditions of approval for proposed CUP #2348.

**TOWN:** Zoning: Approved with no conditions.  
CUP: Approved with no conditions.

## **Proposed Conditional Use Permit #2348**

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 issued to allow sanitary fixtures in the existing agricultural accessory building located on the property (silo).
2. Any commercial use of the premises without first obtaining any necessary town and county approvals shall be grounds for revocation of this permit.