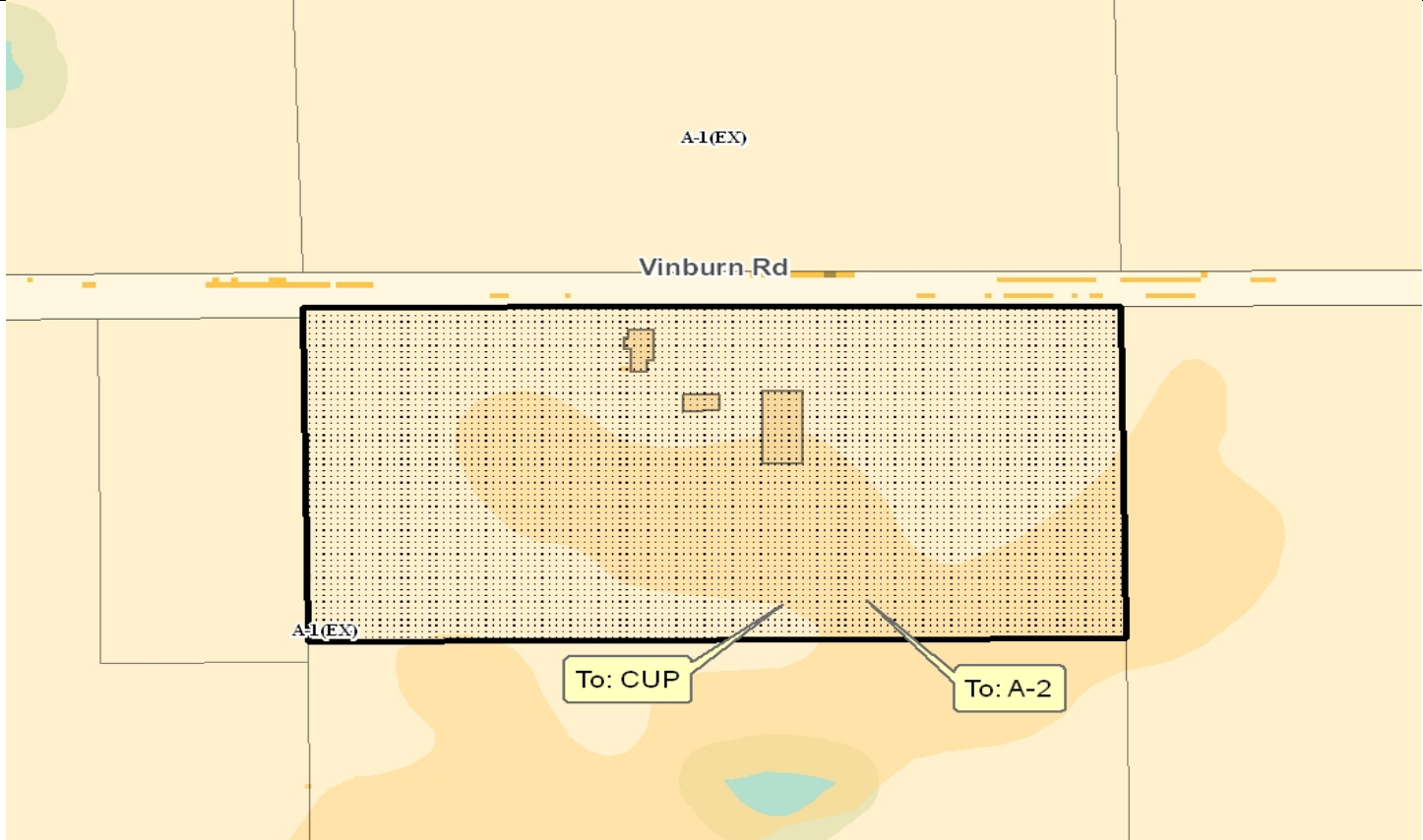




Staff Report

Zoning and Land Regulation Committee	<i>Public Hearing:</i> September 23, 2014	<i>Petition:</i> Rezone 10745 CUP 2284
	<i>Zoning Amendment:</i> A-1EX Exclusive Agriculture District to A-2 Agriculture District	<i>Town/sect:</i> Windsor Section 21
	<i>Acres:</i> 20 <i>Survey Req. No</i>	<i>Applicant</i> Alan Buchner Trust
	<i>Reason:</i> Zoning Compliance for property CUP Description: Allow sanitary fixtures in a farm accessory building	<i>Location:</i> 4003 Vinburn Road



DESCRIPTION: The applicant would like to rezone 20 acres of land from A-1EX to A-2 in order to obtain a conditional use permit to allow for sanitary fixtures in a 3,145 square foot accessory building. The building is being used as a farm work/repair shop. The applicant describes no other changes to the existing activities including hours of operation, number of employees, anticipated customers, outdoor lighting, etc.

OBSERVATIONS: There is an existing single family dwelling and two large accessory buildings on the property. The area consists entirely of Class I and II soils. No other significant environmental features observed. The farm operation is located approximately ½ mile to the east. The farm raised heifers and hogs.

TOWN PLAN: The subject property is in the Agricultural Preservation Area of the *Town of Windsor Comprehensive Plan: 2025*. This proposal appears reasonably consistent with town plan policies.

RESOURCE PROTECTION: There are no areas of resource protection corridor located on the property.

STAFF: The committee may wish to attach specific conditions of approval to the CUP. Please see suggested conditions below.

TOWN: The Town approved the zoning conditioned upon a deed restriction being placed on the property to prohibit future land division of the property.
 The Town approved the Conditional Use Permit conditioned upon the accessory building being prohibited for residential use or temporary sleeping arrangements.

Proposed Conditional Use Permit # 2284

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.

Recommended Conditions for CUP No. 2284

1. The accessory building that contains sanitary fixtures shall not be used as a temporary or secondary residence for overnight use.
2. The accessory building that contains sanitary fixtures shall be used for the purposes of supporting the farm operation. Other commercial activities shall not be permitted.