



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **August 25, 2015**

Zoning Amendment:
None

Acres: 4.56
Survey Req. No

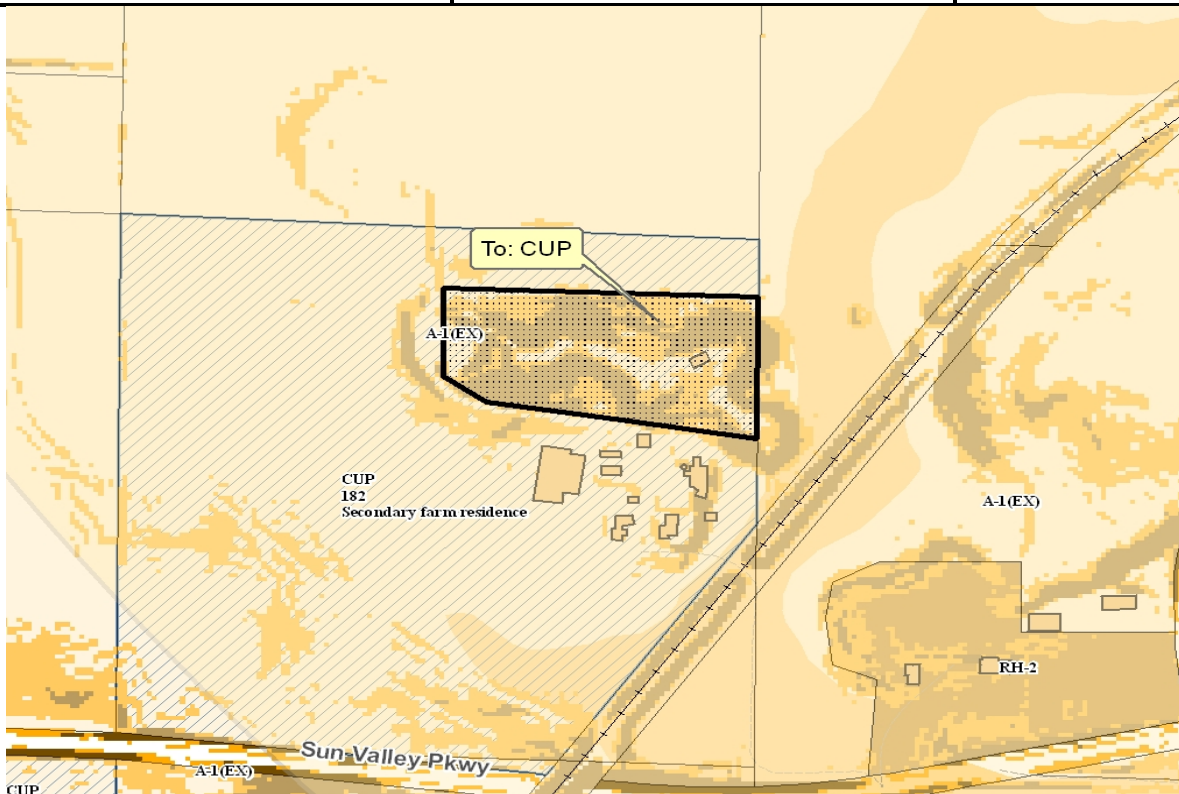
Reason:
**Allow farm residence in the A-1
Exclusive Agriculture Zoning
District**

Petition: **CUP 2324**

Town/sect:
**Montrose
Section 02**

Applicant
Knight Family Farm

Location:
**6610 Sun Valley
Parkway**



DESCRIPTION: The applicant would like to construct a farm residence on the 116-acre farm. The farmland is being used to produce organic corn, soybean, and alfalfa. In addition, there is a 10,000 square foot greenhouse to raise vegetables hydroponically and an indoor fish farm. Wastewater from the fish is used to grow the vegetables.

OBSERVATIONS: There is an existing single-family dwelling on the property that has been converted into an office space for the aquaponics facility. There are various outbuildings that are used to support the farming operations. The existing driveway passes under a wooden trestle (bike path) having a height of 10 feet which is insufficient to allow access for emergency vehicles. The proposed building site is located outside the Class II soils on the property. No other sensitive environmental features observed.

TOWN PLAN: The property is located in an Agricultural Preservation Area. The current activities are consistent with the Town Plan policies. The attached density study indicates that 3 housing density rights remain on the original farm. If approved, 2 rights remain.

RESOURCE PROTECTION: The proposed development is outside the resource protection area.

STAFF: The applicant has submitted information substantiating a legitimate farm operation to allow the presence of a farm residence. Staff is suggesting conditions be placed on the property to require rezoning of the property if the farm operation ceases to exist.

TOWN: Approved conditioned upon the Town approving a driveway plan providing access to Sun Valley Parkway.

Proposed Conditional Use Permit # 2324

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. A statement of understanding shall be signed by the land owner indicating that the conditional use permit shall expire if the farm operation ceases. The land will be required to be rezoned to a residential zoning classification.
2. A deed notice shall be recorded with the Dane County Register of Deeds indicating that any violation of the provisions of section 10.123(4), regarding farm residences in the A-1EX district, will result in revocation of this conditional use permit and require that a certified survey map be created for the residential area and the appropriate zoning be acquired for the residential development. The deed notice shall be recorded within 90 days of the effective date of approval.
3. The Conditional Use permit shall expire upon sale of the property to an unrelated 3rd party.
4. The land owner shall obtain approvals from the Town of Montrose for the construction of a driveway which accesses onto Sun Valley Parkway. The driveway shall comply with storm water management regulations and the Town of Montrose driveway standards.
5. An approved driveway permit is required to be obtained from the Town of Montrose prior to the construction of the farm residence.