



## Staff Report

Public Hearing: **December 11, 2017**

Petition: **Petition 11226  
CUP 02401**

Zoning Amendment:  
**A-1EX Agriculture District TO A-2  
(1) Agriculture District**

Town/sect:  
**DUNKIRK, Section 20**

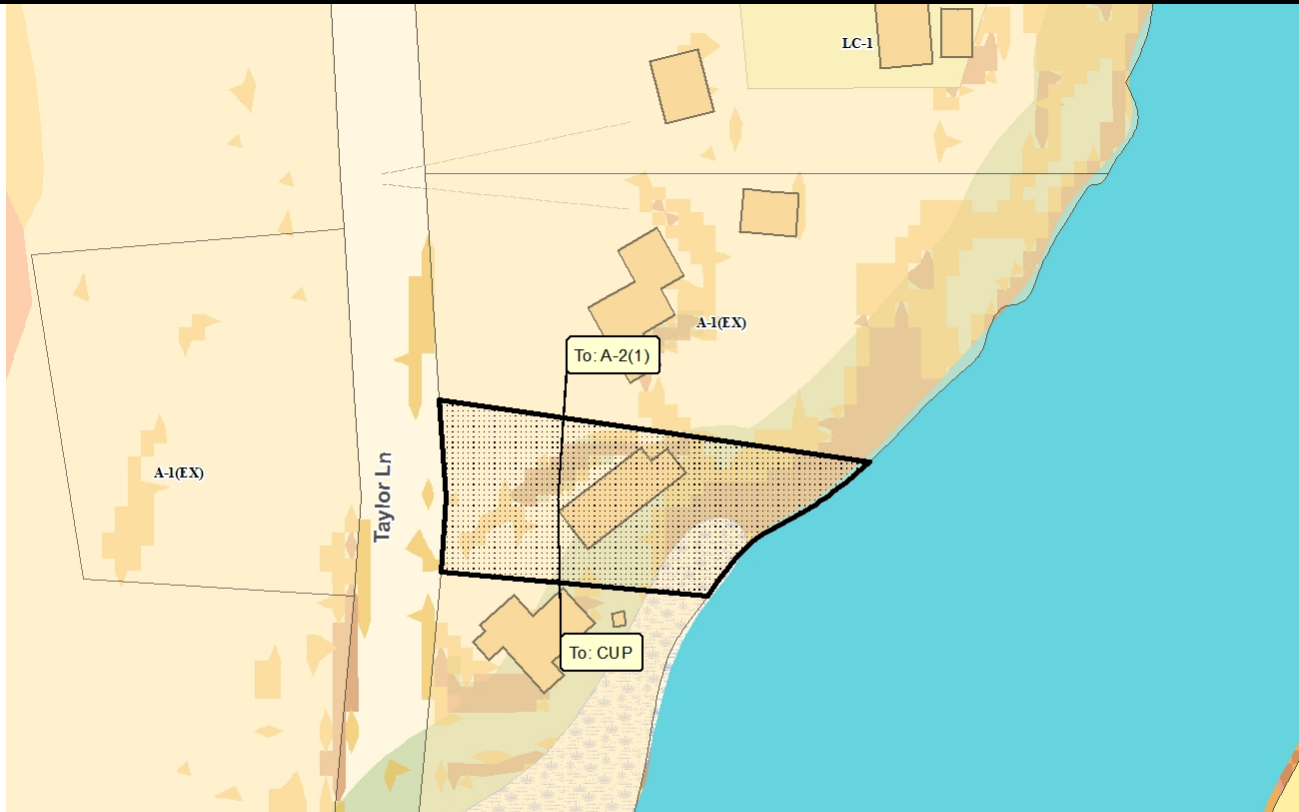
**Zoning and Land Regulation Committee**

Acres: 1.3  
Survey Req. No

Applicant  
**LAURA DAVIS**

Reason:  
**Zoning to allow for a Limited  
Family Business  
TO CUP: LIMITED FAMILY  
BUSINESS**

Location:  
**700 TAYLOR LN**



**DESCRIPTION:** Applicant requests A-2(1) zoning and a Conditional Use Permit for a Limited Family Business on the existing 1.3 acre residential property at 700 Taylor Lane. Applicant operates "BroodMinder", a business that develops, assembles, and distributes wireless electronic bee hive monitors in support of the agricultural practice of beekeeping. The business consists of software design and electronics design, testing, and assembly. The owner is the only full time employee, with some part time assistance in product assembly. All product sales are conducted via the internet. Owner plans to construct an accessory structure atop the existing detached garage to house the limited family business operation.

**OBSERVATIONS:** Surrounding land uses include rural residences, agriculture, and open space. The property has frontage along the Yahara River and is entirely within the shoreland zone. There are steep slopes (>12%) leading down to the river's edge. Existing structures are located approximately 20' above the established flood elevation for the river. Note that shoreland zoning regulations will apply to any future development on the property.

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

**RESOURCE PROTECTION:** An area of resource protection corridor associated with steep slope topography and the 75' wetland buffer area encompasses the easterly 1/2 of the property.

**STAFF:** Town plan policies support small scale home-based businesses. The proposal is consistent with town plan policies. As noted above, shoreland zoning regulations will apply to any future development on the property.

**TOWN:** Approved.

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 a Limited Family Business – BroodMinder beekeeping support products and services.
2. No retail sales permitted on the property.
3. No outdoor storage or business signage allowed.
4. Sanitary fixtures shall be permitted in the accessory structure housing the Limited Family Business. Sanitary fixtures shall be removed or terminated upon the expiration of the conditional use permit.
5. The accessory building shall not be used for residential purposes.
6. The Conditional Use Permit shall expire upon sale of the property to an unrelated 3<sup>rd</sup> party.