

### **Staff Review of the Facts**

February 28, 2012

### **SUP1-2012 Ryan & Sara Waldschmidt Special Use Permit Request**

#### **Analysis**

1. Ryan & Sara Waldschmidt are requesting the construction of a new nonfarm residence on a 15.44 acre tax parcel. The Waldschmidt's own a total of 66.318 contiguous acres in Section 30, northeast corner of Oak Center Road and Elm Road.
2. The proposed location of the residence would be in the northwest corner of the property, near the Wild Goose State Trail. The entire 66.318 is in the Town's Farmland Preservation Zoning District.
3. Most of the 66.318 acres is in the Federal Wetland Reserve Program, except for the 4 acres where the house would be built.
4. The Town's Zoning Ordinance allows the construction of a new nonfarm residence in the Farmland Preservation District, provided that certain conditions apply (see Sec. 6.3, page 29 of the Zoning Ordinance).
5. The process for the permit being a public hearing before the Plan Commission with a recommendation to the Town Board. The Town Board has the final decision on granting the permit.

#### **Recommendation:**

It is recommended that in considering this special use permit request the Plan Commission review **Section 6.3 Special Uses in the Farmland Preservation District, Paragraph 2, Nonfarm Residences** on page 29 of the Town's Zoning Ordinance adopted on February 7, 2011 and **Section 15.0 Special Uses** in the Zoning Ordinance on page 53.

Under special uses there are standards listed in Section 15.7, starting on page 55. The Plan Commission should review the standards applicable to this special use permit request when making their recommendation to the Town Board.

Also the Plan Commission may recommend to the Town Board that there be conditions placed on the granting of the special use permit request (see Section 15.6 on page 55).