



Madison County Planning and Zoning

Application Summary and Staff Report

Application Type:	CONDITIONAL USE PERMIT
Applicant:	Tyler Thueson
Surveyor/Engineer:	N/A
Location:	2738 W 4000 N, Rexburg
Date for Consideration:	September 28, 2022

Project Description:	The applicant is applying for a Conditional Use Permit to construct an accessory building with living space on their 9.699 Acre lot at 2738 W 4000 N, Rexburg
Staff Recommendation:	Madison County Code allows an accessory building with living space in Trans Ag Zones with a Conditional Use Permit. The maps on the following pages indicate the location of the parcel and the building, as well as neighboring land uses. The property is zoned Trans Ag.

Possible Motions

<p><u>Approval</u> I move to recommend APPROVAL of the application from Tyler Thueson for a Conditional Use Permit for an accessory building with living space as proposed in application materials received August 29, 2022, with the following conditions:</p> <ol style="list-style-type: none"> 1. 2. 	<p><u>Denial</u> I move to recommend DENIAL of the application from Tyler Thueson for a Conditional Use Permit for an accessory building with living space as proposed in application materials received August 29, 2022, for the following reasons:</p> <ol style="list-style-type: none"> 1. 2. 	<p><u>Tabled</u> I move to TABLE the application from Tyler Thueson for a Conditional Use Permit for an accessory building with living space as proposed in application materials received August 29, 2022, and request additional information from the applicant, including:</p> <ol style="list-style-type: none"> 1. 2.
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Description/Definition of Current and Proposed Zoning – Madison County Code Section 101-137

Sec 101-137 Standards Applicable To Conditional Uses

The commission shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location will:

1. *In fact, constitute a conditional use as established in this part for the zoning designation involved, in that it is not already defined as a permitted use;*
2. *Be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or this part;*
3. *Be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;*
4. *Not be hazardous or disturbing to existing or future neighboring allowed uses;*
5. *Be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;*

6. *Not create excessive additional requirements at public cost for public facilities or services, and will not be detrimental to the economic welfare of the community;*
7. *Not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;*
8. *Have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and*
9. *Not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.*

(Prior Code, title 10, § 1.4.3; Ord. No. 384, § 1.4.3, 3-12-2012)

Zoning – The subject property is in the Trans Ag Zone.





Staff Report prepared by Melissa VanSlochteren, Planner