

Town of Vienna Farm Residences

Chapter 10.004 Definitions

(66) Farm residence.

Any of the following structures that is located on a farm:

- (a) A single-family residence that is occupied by any of the following:
 - 1. A person who is both the owner and farm operator of the farm.
 - 2. A parent or child of the owner and farm operator of the farm.
 - 3. An individual who earns more than 50 percent of his or her gross income from the farm.
- (b) A migrant labor camp that is certified under s. [103.92, Wis. Stats.](#)

10.103 Special Requirements for Particular Uses

(11) Farm residences.

- (c) Application. Applicants must provide, in a form acceptable to the zoning administrator, the following information:
 - 1. Written description of the farm operation. The description should include the following details:
 - a. Location of the farm.
 - b. Size of the farm operation in acres.
 - c. Crops grown and/or livestock raised.
 - d. Number of employees, if any, in addition to farm family members.
 - e. Summary of farm income derived from the farm operation.
 - 2. Completed Internal Revenue Service form "Schedule F – Profit or Loss from Farming," or subsequent IRS form for reporting farm profit or loss, for the past 3 tax years.
 - 3. Farm conservation plan obtained from the Land Conservation Division of the Dane County Land & Water Resources Department, detailing the types/location of crops grown, and any on-farm conservation measures (e.g., grass drainage swales, buffer strips, etc.).
 - 4. Map/site plan with aerial photograph showing the farm ownership boundaries. The map should clearly identify the location of the proposed new Farm Residence and driveway access.
- (d) Permit conditions.
 - 1. Any approved conditional use permit for a farm residence shall expire on the sale of the property to an unrelated third party. Continued use of a farm residence after sale to an unrelated third party shall require approval of a new conditional use permit.
 - 2. The Zoning Committee may revoke any Conditional Use Permit it finds in violation of this section. Continued use of residence with a revoked conditional use permit shall require approval of a rezone petition to a zoning district that allows nonfarm residential use.
 - 3. The Zoning Committee shall require the recording of a notice document with the Register of Deeds on the subject property notifying current and future owners of the provisions of paragraph 1. And 2. of this section.

Town Plan Options

1. Count the “new farm residence” as part of density (most do)
2. Do not count as part of density
3. Count/not count under certain restrictions.
 - a. Constructed prior to Town adoption date
 - b. Replacement for existing farm residence

Town Plan:

“1.03 Density Policy - Within Agricultural Preservation areas that are outside of approved urban service areas, limit **non-farm residential development** to a maximum density of one unit per 75 contiguous acres.”

Workforce Housing Option:

The Town may consider, on a case-by-case basis, any farm based residential proposal that follows the DCCO CUP requirements for a new farm residence (specifically a CUP in FP-35 for a SF or Worker Housing.)

Things to know

- Income limitations at or above 50%
- CUP expires, building(s) must be removed
- No limit to number of units by DCCO (septic and UDC still hold)