

<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<b>Public Hearing: January 25, 2022</b>	<b>Petition 11793</b>
	<b>Zoning Amendment Requested:</b> <b>FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District, FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District, FP-35 Farmland Preservation District TO RR-2 Rural Residential District</b>	<b>Town/Section:</b> <b>COTTAGE GROVE, Section 11</b>
	<b>Size: 22.0,17.24,3.06 Acres</b>	<b>Survey Required. Yes</b>
<b>Reason for the request:</b> <b>Separating the existing residence from the farmland; creating a residential lot; creating two agricultural lots</b>		<b>Applicant:</b> <b>TERRY L PECKHAM</b>
		<b>Address:</b> <b>2080 COUNTY HWY BB</b>



**DESCRIPTION:** Applicant proposes to separate the existing residence, create one new RR-2 zoned parcel for future residential development, and to create two agricultural lots to provide zoning compliance for the remaining lands. The proposal will be effectuated with a 4 lot Certified Survey Map (CSM).

**OBSERVATIONS:** Existing land uses are rural residential and open space. Surrounding land uses are rural residential and agriculture / open space. The majority of the proposed FP-1 lots are in mapped wetland and floodplain. There is a small glacial drumlin on the property that appears to offer suitable building options. A portion of the property is within the 0.2% chance / "500-year" flood area. Even though such areas are outside regulated floodplains, they have some potential for flooding given recent rainfall trends. If any flooding were to occur in this area, it would affect the driveway access.

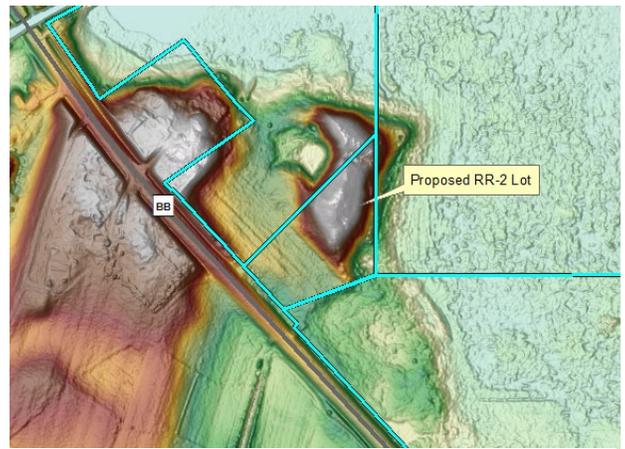
**TOWN PLAN:** The property is located in the town's agricultural preservation area.

**RESOURCE PROTECTION:** There are resource protection areas on the property corresponding to mapped wetlands and floodplain associated with Koshkonong Creek.

**DANE COUNTY HIGHWAYS:** CTH BB is a controlled access highway. Any changes in use of access requires a permit. No new access will be permitted. Joint use access will be required. No significant increase of traffic expected due to rezone.

**STAFF:** The property is surrounded by wetland and floodplain associated with Koshkonong Creek, with the proposed new RR-2 parcel separated from the low/wet areas by a small glacial drumlin.

The applicant has been in contact with Dane County Highways staff regarding access to the property. A change of use permit will be acquired to enable use of the existing field access where the proposed RR-2 lot abuts CTH BB. Given that the portion of the property within the .2% chance flood area is where the future driveway will be located, staff recommends that erosion control and stormwater management permits be obtained prior to installation of the driveway.



Digital elevation model (DEM) showing glacial drumlin and RR-2 lot.

The proposed new ~3 acre RR-2 lot would exceed the town's 2 acre maximum lot size limitation. The town action report notes that the town felt the 3 acres was warranted given the features of the property and would help protect the oak trees located on the property. It appears that the area of the proposed RR-2 parcel represents one of the only viable locations on which to build.

The residence at 2080 CTH BB is located on an *existing* RR-2 zoning lot and will be separated as part of the proposed 4 lot CSM.

Pending any concerns identified during the public hearing, staff recommends approval of the petition with the following town and staff conditions.

1. The proposed FP-1 parcels shall be deed restricted to prohibit development or division.
2. The existing RR-2 zoning boundary surrounding the residence and buildings at 2080 CTH BB is 360' x 360'. Existing buildings on the property at 2080 CTH BB shall meet setback requirements to new lot lines. The existing septic system shall be within the proposed residential lot.
3. Erosion control and stormwater management permits shall be obtained prior to construction of the driveway serving the proposed RR-2 parcel.

Any questions about this petition or staff report please contact Majid Allan at (608) 720-0167 or [allan@countyofdane.com](mailto:allan@countyofdane.com)

**TOWN:** Approved with a deed restriction prohibiting further development on the balance of FP-zoned land. This condition is reflected in the staff recommendations, above.