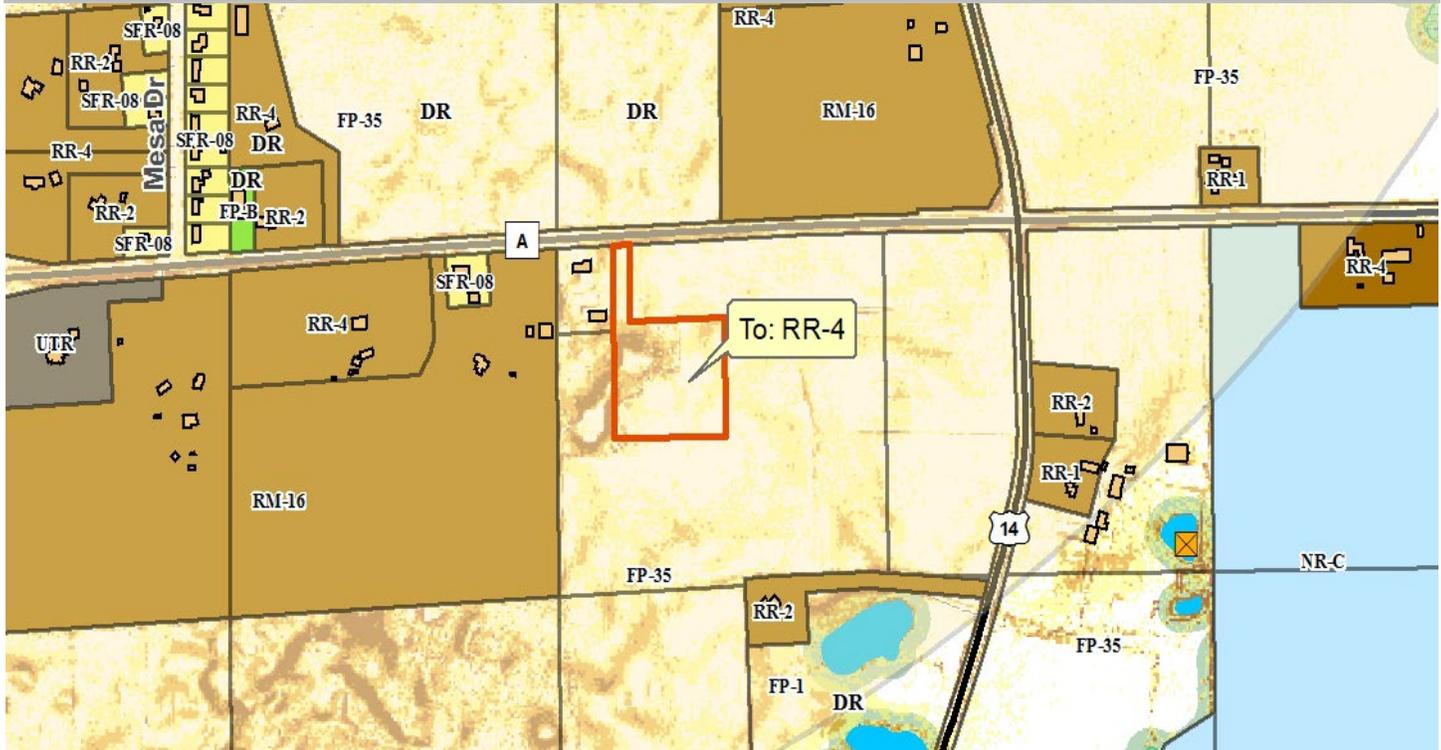


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<i>Public Hearing: May 10, 2022</i>		<b>Petition 11817</b>
	<i>Zoning Amendment Requested:</i> <b>FP-35 Farmland Preservation District TO RR-4 Rural Residential District</b>		<i>Town/Section:</i> <b>RUTLAND, Section 18</b>
	<i>Size:</i> <b>5 Acres</b>	<i>Survey Required:</i> <b>Yes</b>	
	<i>Reason for the request:</i> <b>Creating one residential lot</b>		<i>Applicant:</i> <b>SHOLTS SURVIVORS TR, JOYCE M</b>
			<i>Address:</i> <b>EAST OF 4549 COUNTY HWY A</b>



**DESCRIPTION:** Applicant proposes to create a new five acre RR-4 Rural Residential zoned parcel for future development.

**OBSERVATIONS:** Current land uses of the property are agriculture and woodland. Surrounding land uses are rural residential and agriculture, woodland, and open space. There is a small area of slopes approaching 12% grade. No other sensitive environmental features observed.

**TOWN PLAN:** The property is located in an agricultural preservation area.

**RESOURCE PROTECTION:** No resource protection areas located on or near the property.

**DANE COUNTY HIGHWAYS:** CTH A is a non-controlled access highway. No new access will be permitted to County Highway A. Joint use access will be required. Estimate increase of traffic to be 10 trips per day due to rezone.

**STAFF:** As indicated on the attached density study report, the property remains eligible for one density unit. The proposal appears reasonably consistent with town plan policies.

County highways staff has noted that no new accesses will be granted and that a joint use access will be required with the adjoining property to the west. The Sholts family owns the residential lot immediately adjacent to the proposed new parcel and the existing driveway is located very close to the boundary between the existing and proposed new lot. The existing Sholts residential parcel at 4549 County Highway A was created prior to the Dane County subdivision code

regulations and is described by metes and bounds. In order to comply with the county highway ordinance, a shared driveway will be required for the two adjoining lots (existing and proposed).

The owner should consider having their surveyor prepare and record a 2 lot Certified Survey Map (CSM) to include both the proposed 5 acre RR-4 parcel, and the existing 1.79 acre RR-1 parcel. This would facilitate establishment of a shared driveway easement without the need to record a separate easement document. A shared driveway easement agreement addressing, at a minimum, maintenance responsibilities between the parties to the easement should also be recorded.

Staff recommends approval of the petition with the following conditions:

1. Owners shall prepare and record a shared driveway easement agreement that addresses, at a minimum, maintenance responsibilities between the two lots sharing the driveway.
2. Owners shall record a deed restricting prohibiting nonfarm development on the balance of FP-35 zoned land (parcels 0510-184-9501-0, 0510-184-9000-0, 0510-184-8002-0, 0510-173-8581-0, and 0510-173-9091-0).

Any questions about this petition or staff report, please contact Majid Allan at (608) 267-2536 or [allan@countyofdane.com](mailto:allan@countyofdane.com)

**TOWN:** Approved with the following notation:

- This petition for a homesite exhausts all development rights on parcel 0510-184-9002-0. This also exhausts all splits on all the Sholts property: parcels 0510-173-8581-0, 0510-173-9091-0, 0510-184-8002-0, 0510-184-9000-0, 0510-184-9501-0. that the petition exhausts requiring recording of a