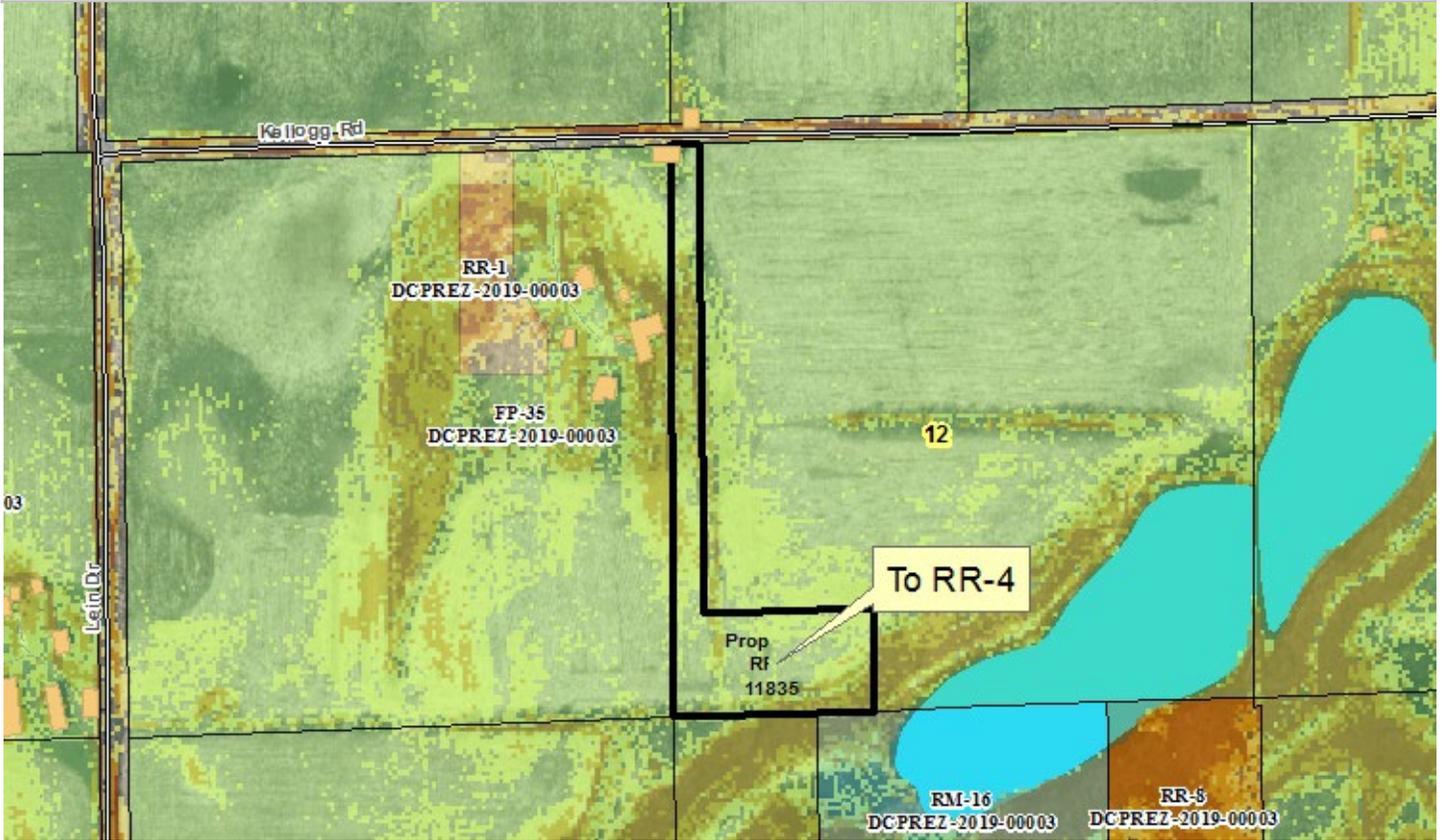


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| Staff Report  Zoning and Land Regulation Committee | Public Hearing: May 24, 2022 | Petition 11835 | |
| | <u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO RR-4 Rural Residential District | | <u>Town/Section:</u> ALBION, Section 12 |
| | <u>Size:</u> 4.0 acres | <u>Survey Required:</u> Yes | <u>Applicant:</u> RIAZUL HAQUE |
| | <u>Reason for the request:</u> Creating one residential lot | | <u>Address:</u> EAST OF 213 KELLOGG ROAD |



DESCRIPTION: Applicant proposes to create a new 4 acre RR-4 Rural Residential zoned parcel for future development. Prospective buyer would also acquire the adjoining ~35 acres of FP-35 zoned land.

OBSERVATIONS: Current land uses are agriculture and open space. Surrounding land uses are agriculture/open space and scattered rural residences. There is an unnamed pond located on the southeastern portion of the property and also areas of hydric and partially hydric soils located on the property. The prospective buyer is having a wetland delineation performed to establish whether or not wetlands are present on the proposed RR-4 parcel.

The width of the lot providing access to the building site may not be wide enough to accommodate stormwater management facilities. Additional land may need to be added to the proposed new lot to accommodate facilities, or an easement provided on the adjoining parcel to the east.

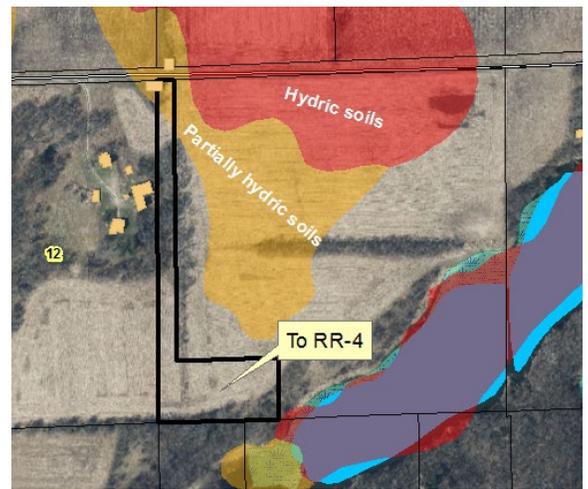
TOWN PLAN: The property is located in the town's agricultural preservation area.

RESOURCE PROTECTION: There is an area of resource protection associated with the pond and adjoining wetlands / 75' wetland buffer. As noted above, areas of hydric soils are also present. Hydric soils may be indicators of wetlands. The

prospective buyer is having a wetland delineation performed. The building site portion of the proposed RR-4 parcel is outside of the resource protection areas.

STAFF: As indicated on the attached density study report, the owner's larger ~115 acre property remains eligible for 2 possible density units or "splits". Note that the two existing residences on tax parcel [0512-123-8500-6](#) appear to have been built prior to 7/1/1979 and therefore do not count toward the town's "1 per 35" density limitation.

The proposed RR-4 building site appears to represent one of the few viable building locations on the larger Haque property. Significant portions of the larger property consist of hydric or partially hydric soils.



The prospective buyer is having a wetland delineation performed to determine if any wetlands are present on the proposed RR-4 parcel. Dane County Land and Water Resources Department staff have been consulted regarding the possible need for stormwater permits and facilities given the likelihood of over 20,000 sqft of earth disturbance resulting from the driveway and home construction. Since the prospective buyer intends to acquire the adjoining ~35 acres of FP-35 land to the east, there should be ample space on which to site facilities.

Pending the outcome of the wetland delineation, the proposal appears reasonably consistent with town and county plan policies.

Staff recommends that action not be taken until the wetland delineation results are provided by the applicant and reviewed by staff.

Questions about this petition or staff report, please contact Majid Allan at (608) 267-2536 or allan@countyofdane.com

TOWN: Approved with the following condition / notation: "Approval pending the outcome of the wetland delineation. Must provide wetland delineation to county on or before public hearing date of 05/24/2022."

MAY 24th ZLR Committee meeting: The ZLR Committee postponed action until County Staff had an opportunity to review the wetland delineation report.

STAFF UPDATE: A wetland evaluation was performed on the proposed rezoning area by Short Elliot Hendrickson Inc. The report identifies an area of hydric soils along Kellogg Road, but no other areas of potential wetlands noted. A soil boring and a field analysis was conducted. The findings were that no wetlands are present in the area.

It appears that County Staff concerns have been addressed. Staff recommends approval with no conditions.