

**Staff Report
REVISED 2/16/22**



**Zoning and
Land Regulation
Committee**

Public Hearing: **February 22, 2022**

Zoning Amendment Requested:

RM-16 Rural Mixed-Use District TO MFR-08 Multi-Family Residential District

Size: **19.94 Acres**

Survey Required: **No**

Reason for the request:

creating a condominium plat for 4 single-family houses on one lot

Petition 11799

Town/Section:

VERONA, Section 36

Applicant

LEE STILWELL

Address:

1730 BEACH ROAD



DESCRIPTION: Landowner seeks to rezone 19.94 acres from the RM-16 zoning district to the MFR-08 zoning district to allow for a 4-unit condominium plat.

OBSERVATIONS: The site is within 700 feet of one existing ([Petition 11276](#), 16 units, effective 2/16/2018) and one pending ([Petition 11779](#), 4 units, public hearing 12/28/2021) single-family condominium plats, both in the MFR-08 district. The site is within 1/4 mile west of the City of Fitchburg municipal line. The City's Extraterritorial Land Division Review Jurisdiction (ETJ) does not apply, since no land division will take place.

TOWN PLAN: The property is within a Rural Residential, 2-4 Acre area under the adopted *Town of Verona / Dane County Comprehensive Plan*.

RESOURCE PROTECTION: Small areas of slopes exceeding 12% exist on the proposed MFR-08 zoning parcel. These areas are small enough that they should be easily avoided, and no significant impact anticipated.

STAFF: Staff recommend approval, with the following conditions

Within 90 days of county board approval of Petition 11799, the applicant shall record the following with the Dane County Register of Deeds :

1. A condominium plat, as submitted to the Zoning and Land Regulation Committee, dated November 29, 2021.
2. A condominium declaration, as approved by the Zoning Administrator and the Town of Verona.
3. A deed restriction that:
 - a. Limits the plat to a maximum of 4 units with no unit area being smaller than 3 acres;
 - b. Limits the use to no more than one detached, single family residence on each unit;
 - c. All buildings must be within the setback area identified in the condominium plat;
 - d. One common area for the shared driveway will be provided as part of the plat.
4. A shared driveway maintenance agreement, that, in the opinion of the Zoning Administrator, substantially complies with the "Shared Driveway Easement Checklist" included in the application packet for this petition.
5. A development agreement, as approved by the Town of Verona for the improvements necessary for the condominium development.

TOWN: Town has recommended approval, with two conditions:

1. Final plat approved and filed with Dane County.
2. Deed be filed to restrict each unit to a single-family residence.

Questions? Contact Brian Standing at standing@countyofdane.com