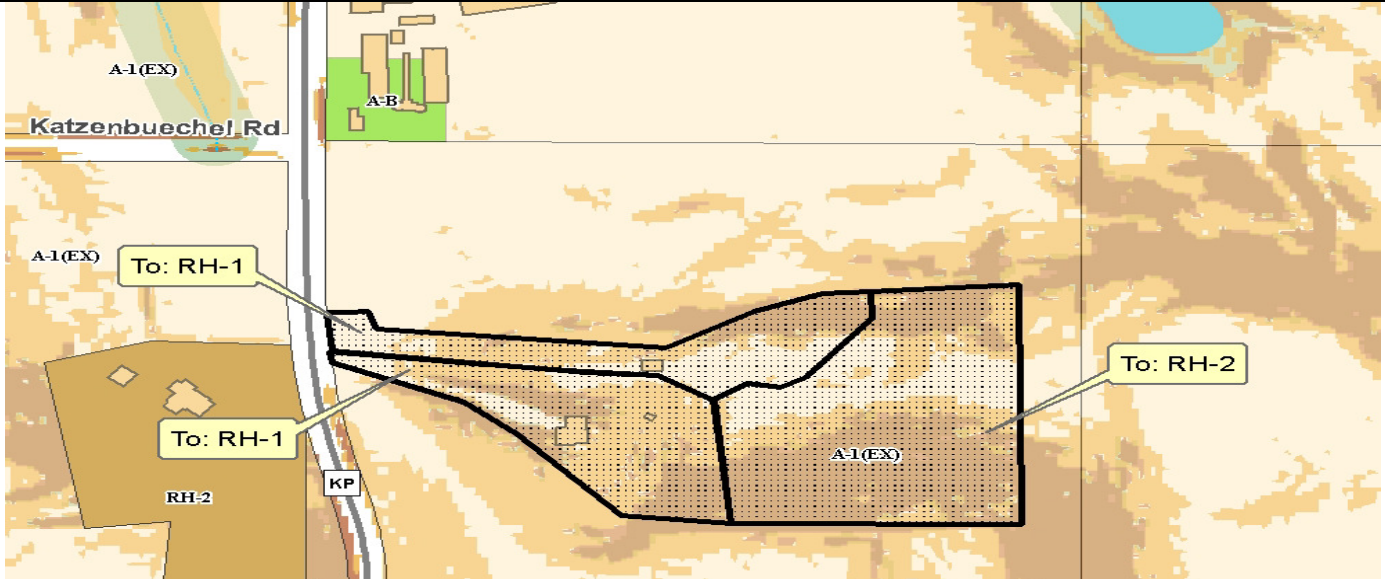




# Staff Report

<b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>March 22, 2016</b>	<i>Petition:</i> <b>Rezone 10952</b>
	<i>Zoning Amendment:</i> <b>A-1EX Exclusive Agriculture District to RH-1 Rural Homes District and RH-2 Rural Homes District</b>	<i>Town/sect:</i> <b>Roxbury Section 34</b>
	<i>Acres:</i> 4.898, 5.558, 28.2307 <i>Survey Req.</i> YES	<i>Applicant:</i> <b>Rocky Hill Farm LLC</b>
	<i>Reason:</i> <b>Creating 3 residential lots</b>	<i>Location:</i> <b>6494 County Highway KP</b>



**DESCRIPTION:** The applicant would like to create three residential lots, one of which will be used for an existing house. The proposed residential lots will be used by family members. The remaining acreage of the 40-acre site is proposed to be transferred to the surrounding ~400-acre Ballweg family farm.

**OBSERVATIONS:** There is an existing residence on the 40-acre property. The house was constructed prior to the adoption of A-1 Exclusive Zoning. The proposal covers all the wooded area on the property. All other areas are being cropped. There are 30% slopes covering a majority of the proposed Lots 2 & 3. No other sensitive environmental features observed.

**DANE COUNTY HIGHWAY:** The existing driveway will need to be shifted 100 feet to the north due to visibility concerns. A joint driveway will be required for the cluster development.

**TOWN PLAN:** The property is located in the Agricultural Preservation Area. As indicated on the attached density study report, there are 6 housing density rights currently available for the original farm. If approved, the farm would remain eligible for 4 possible splits. Note that the town counts all residences and rezonings out of A-1EX as a split.

**RESOURCE PROTECTION:** The Town of Roxbury discourages development on slopes greater than 20% due to complications regarding erosion control.

**STAFF:** The proposal will require a waiver from the land division regulation due to the lack of road frontage for the lots. The County Ordinances allows this type of development contingent upon a shared driveway agreement being recorded which meets DCCO Section 75.19(8) requirements. The proposal appears reasonably consistent with town plan policies. Staff suggest the zoning be contingent upon the remaining ag lands being transferred to the adjacent owner (Jerome & Russel Ballweg) within 180 days of approval.

**TOWN:** Approved with no conditions.