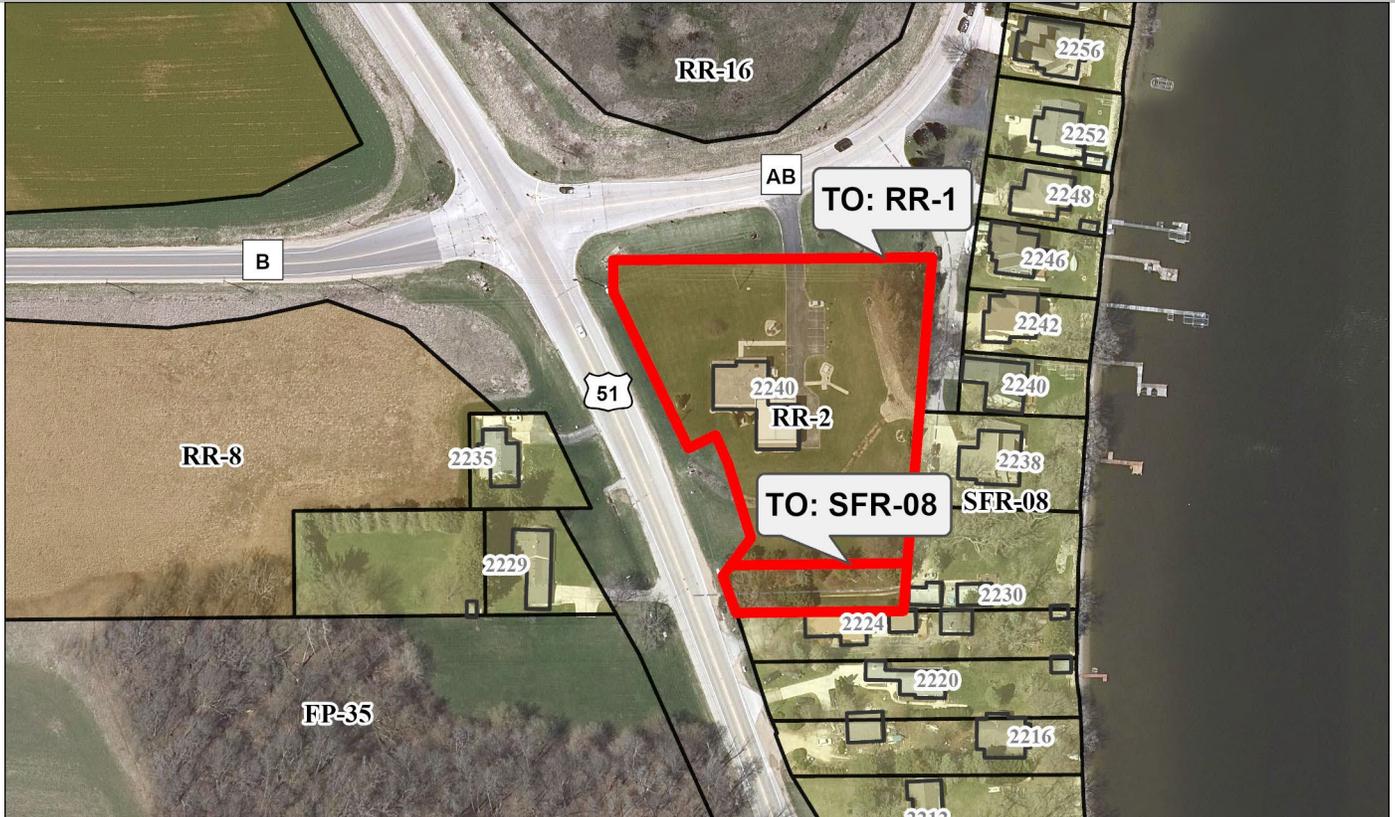


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>November 28, 2023</b>		<b>Petition 11989</b>
	<i>Zoning Amendment Requested:</i> <b>RR-2 Rural Residential District TO SFR-08 Single Family Residential District, RR-2 Rural Residential District TO RR-1 Rural Residential District</b>		<i>Town/Section:</i> <b>DUNN, Section 23</b>
	<i>Size:</i> <b>0.21,1.83 Acres</b>	<i>Survey Required.</i> <b>Yes</b>	
	<i>Reason for the request:</i> <b>Zoning compliance for land sale</b>		<i>Applicant</i> <b>JOSEPH and ELIZABETH SEMERLING</b>
			<i>Address:</i> <b>2230 &amp; 2240 US HWY 51</b>



**DESCRIPTION:** Applicant proposes a rezone of lands to the SFR-08 and RR-1 zoning districts, in order to bring the property into zoning compliance due to a previous land sale between adjoining owners. The proposal would expand the SFR-08 zoning for the residential lot owned by the Semerlings, who previously acquired land from the neighboring Kegonsa Sanitary District. The Sanitary District property is 1.8 acres and is currently zoned RR-2; the lot size requires it be rezoned to RR-1. The lots would be reconfigured with a new certified survey map (CSM). A previous rezone petition (petition #5065) was approved in 1991 subject to a CSM that was never recorded.

**OBSERVATIONS:** The proposed lot boundaries would meet the requirements of the proposed zoning districts for lot size, and building coverage. The buildings on these developed lots are an existing condition. Because the Semerling property is only 50 feet wide on the strip that extends to Highway 51, a waiver would be required to the minimum lot width and road frontage requirements in Dane County ordinances. When the last rezone and lot line adjustment were conditionally approved for these properties, the configuration was acceptable.

**COUNTY HIGHWAY DEPARTMENT:** CTH AB is not a controlled access highway. No new access will be permitted on CTH AB due to reconfiguration of lots. No significant increase of traffic expected due to rezone. Additionally, the preliminary CSM included in the rezone petition needs No Access designated across the frontage of CTH AB.

**COMPREHENSIVE PLAN:** The property is located in the town's limited service area. No new development is proposed, and this petition would simply correct a prior land division ordinance violation and assign zoning appropriate for the size and uses of the two adjoining properties. Note that the Kegonsa Sanitary District property is covered by conditional use permit for governmental uses (#1531). The proposal is consistent with comprehensive plan policies. (For questions on the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or [allan@countyofdane.com](mailto:allan@countyofdane.com))

**RESOURCE PROTECTION:** Subject property is located within the shoreland zone, due to proximity to Lake Kegonsa. No concerns; no new development is proposed with this petition.

**TOWN ACTION:** On November 16, 2023 the Town Board recommended approval of the rezone, conditioned upon the recording of a CSM following approval of the CSM by the Town of Dunn and Dane County.

**STAFF RECOMMENDATION:** Pending any comments at the public hearing, staff recommends approval subject to the CSM being recorded for the new lot boundaries, and the following condition:

1. The CSM for the new lot boundaries shall designate a "No Vehicular Access" restriction along the CTH AB frontage.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@countyofdane.com](mailto:holloway.rachel@countyofdane.com)