

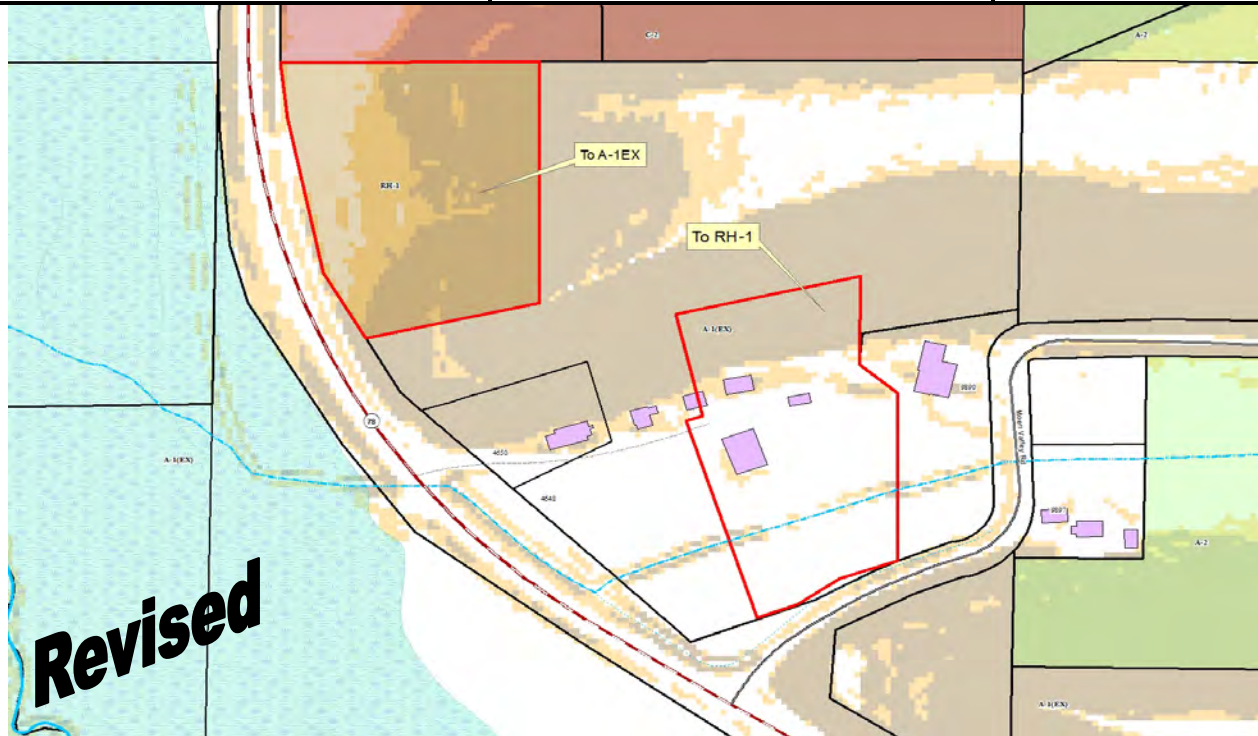


Staff Report

<i>Public Hearing:</i> September 27, 2016	<i>Petition:</i> Rezone 11029
<i>Zoning Amendment:</i> RH-1 Rural Homes District to A-1EX Exclusive Agriculture District and A-1EX Exclusive Agriculture District to RH-1 Rural Homes District	<i>Town/sect:</i> Vermont Section 02
<i>Acres:</i> 3.9, 3.39 <i>Survey Req.</i> Yes	<i>Applicant</i> Randy S Page
<i>Reason:</i> Relocating a residential building site on property	<i>Location:</i> 4650 State Highway 78

Zoning and Land Regulation Committee

NOTE: Petition revised reconfiguring lots to 2 – 2-acre RH-1 lots for the existing houses and one 16.8-acre A-2 lot for a new residence.



DESCRIPTION: The applicant would like to relocate an existing residential zoning boundary on the property to create a residential lot. (See staff update on the following page.)

OBSERVATIONS: The current RH-1 zoning boundary was created in 1995 under Zoning Petition #6321. The entire property consists of approximately 40 acres, although bisected by two roads, Highway 78 and Moen Valley Road. There is an existing residence and several outbuildings on the property. The proposal is to separate the outbuildings onto a separate lot. This lot will be used for a new single-family residence. The proposed lot does contain an existing septic field for the house closest to Highway 78. There is a navigable intermittent stream which bisects the proposed lot. Any future development on the proposed lot, within 300 feet of the stream, will need to be Shoreland Regulations. GIS information shows a high water table, ranging from 3'-5' below the surface, in the lower half of the proposed lot.

DANE COUNTY HEALTH: The health department has expressed concerns of septic fields being on adjacent lands other than the house it serves. The department suggests that a septic easement be required to be recorded as a condition of approval.

TOWN PLAN: The property is located in the town's agricultural preservation area. As indicated on the attached density study report, the property is not eligible for any additional development under the town's density policy. The shifting of the previous zoning boundary will not cause additional development.

The Town Plan siting standards notes that a suitable septic system site should be identified prior to development. The landowner has evaluated the property and there are three suitable sites for septic systems; two for the existing residences and one for the new residence.

RESOURCE PROTECTION: The lower half of the proposed lot is within the resource protection area due to the navigable intermittent stream. Current Shoreland regulations will prevent development within 75 feet of this navigable waterway.

STAFF: In order to create the lot, the remaining lands north and east of the public roads will need to be rezoned to an appropriate category and be part of the certified survey map in order to comply with zoning and land division requirements. (Surveyor is to provide information.)

Due to the development using a common driveway and a common area for septic fields, staff suggests that a joint driveway easement and on-site septic field easements are required to be recorded on the property as part of this petition.

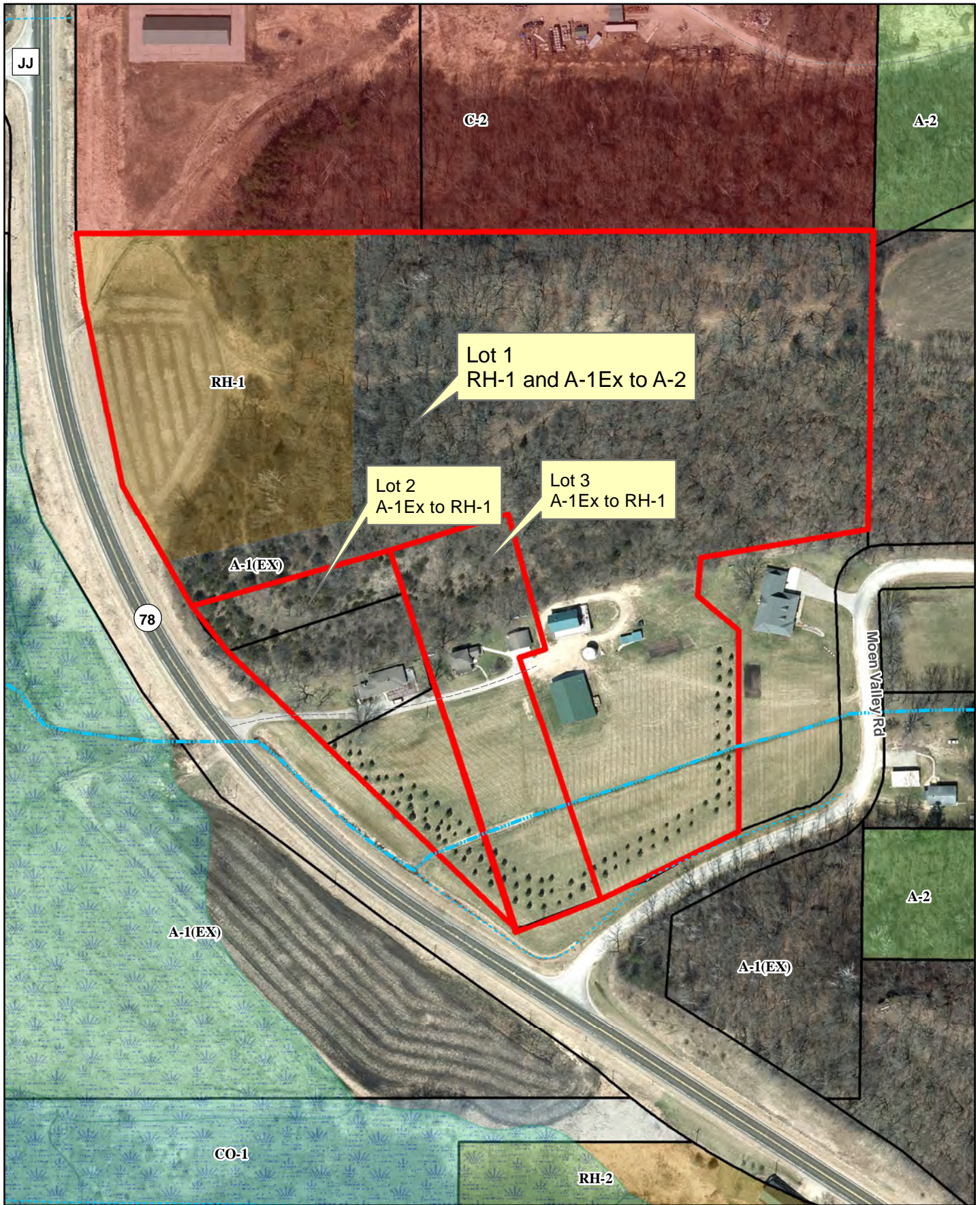
Note: Future development of the property will involve compliance with the Shoreland Regulation. The landowner should discuss Shoreland District development requirements with County staff prior to development.

TOWN: Approved with no conditions. (Previous submittal.)

STAFF UPDATE: The petition has been revised to expand the new residential lot to 16.8 acres. The two existing houses have been separated off onto two proposed 2-acre lots. Proposed septic systems for all three houses have been identified on the proposed A-2 lot. The landowners have been in contact with Dane County Zoning Division to get familiar with Shoreland Regulations. See attached revised map showing the changes.

If found to be acceptable, staff is suggesting the following motion with conditions:

1. The petition to be amended to create a 4.4-acre RH-1 zoning district boundary to create two 2.2-acre residential lots.
2. The petition to be amended to change the current 3.9-acre RH-1 zoning boundary and 12.7-acre portion of the A-1 Exclusive Agriculture area to A-2 Agriculture to create a 16.6-acre residential lot.
3. A joint driveway agreement shall be recorded with the register of deeds for the benefit of the three lots.
4. Septic easements shall be created and recorded for the placement of on-site septic fields on the adjacent lots.



Legend

 Wetland

