



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: **February 24, 2015**

Petition: **Rezone 10799**

Zoning Amendment:  
**A-1EX Exclusive Agriculture District to RH-1 Rural Homes District**

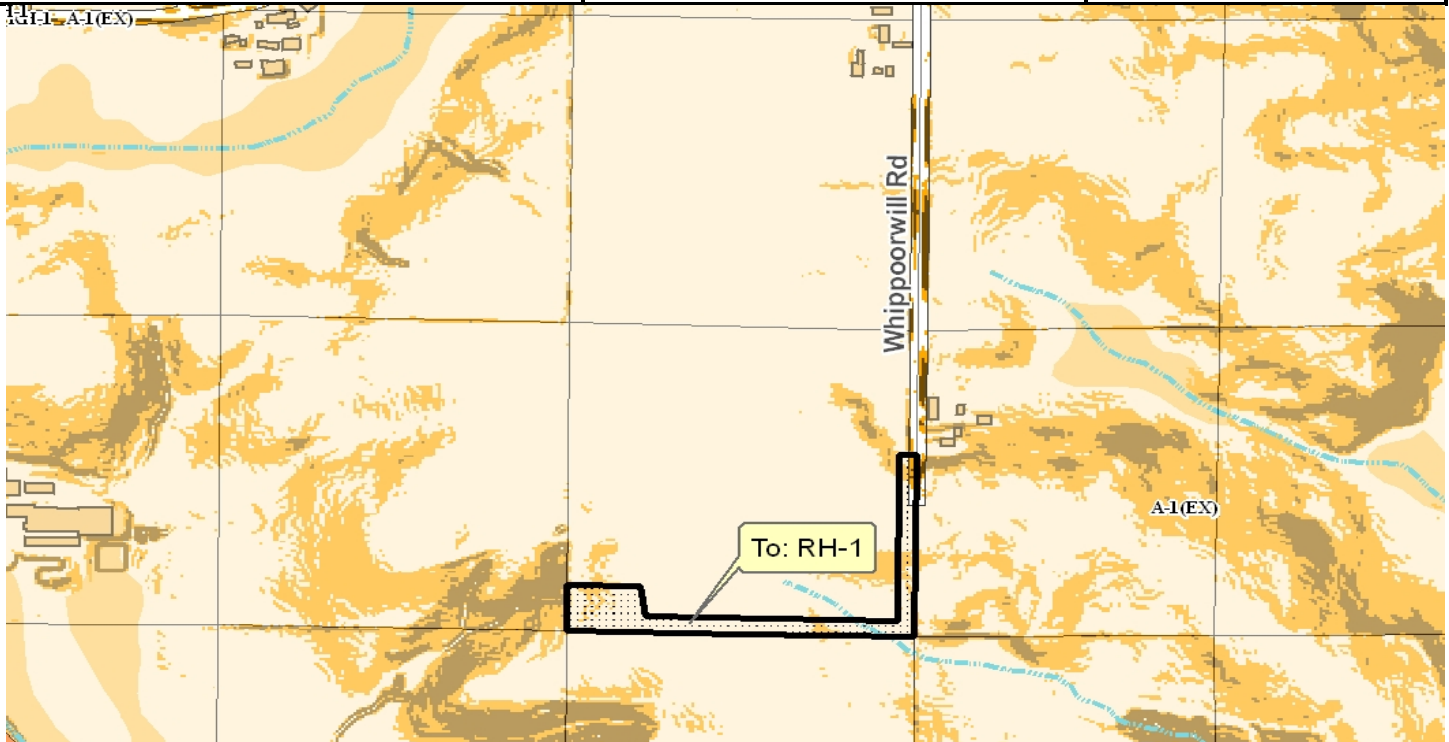
Town/sect:  
**Berry Section 13**

Acres: 3.99  
Survey Req. Yes

Applicant  
**Niesen Home Farm LLC**

Reason:  
**Creating one residential lot**

Location:  
**5729 Whippoorwill Rd**



**DESCRIPTION:** Applicant proposes to create a new residential parcel of 3.99 acres from the ~100 acre farm located at the end of Whippoorwill Road. The applicant is the daughter of the farm owner and will eventually take ownership of the entire farm operation.

**OBSERVATIONS:** The proposed lot is located in the southwestern-most corner of the farm. Access to the building site would be via a ~1700'+ driveway from the end of Whippoorwill Road. An existing north-south field road extends from the end of Whippoorwill Road to the southern property boundary and would be improved per town driveway standards. Wisconsin DNR data shows an intermittent originating on the property and bisecting a portion of the proposed lot. Soils of the proposed 3.99 acre parcel are approximately 85% class III, 10% class II, and 5% class IV.

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

**RESOURCE PROTECTION:** There are no resource protection corridors located on the property.

**STAFF:** As indicated on the attached density study, the property remains eligible for 3 possible splits. If approved, 2 splits will remain. Staff contacted the applicant to inquire about the reasoning behind the siting of the proposed building site. According to the applicant, the site was selected because it is some of the least productive ag land on the farm and would be the least intrusive to the farm operation. The proposal appears to comply with town plan siting standards.

**Land & Water Resources Staff:** If a new driveway that follows the flag in the lot is proposed, it is very likely that stormwater management requirements will be triggered with little space to accommodate control practices.

**TOWN:** Approved.