
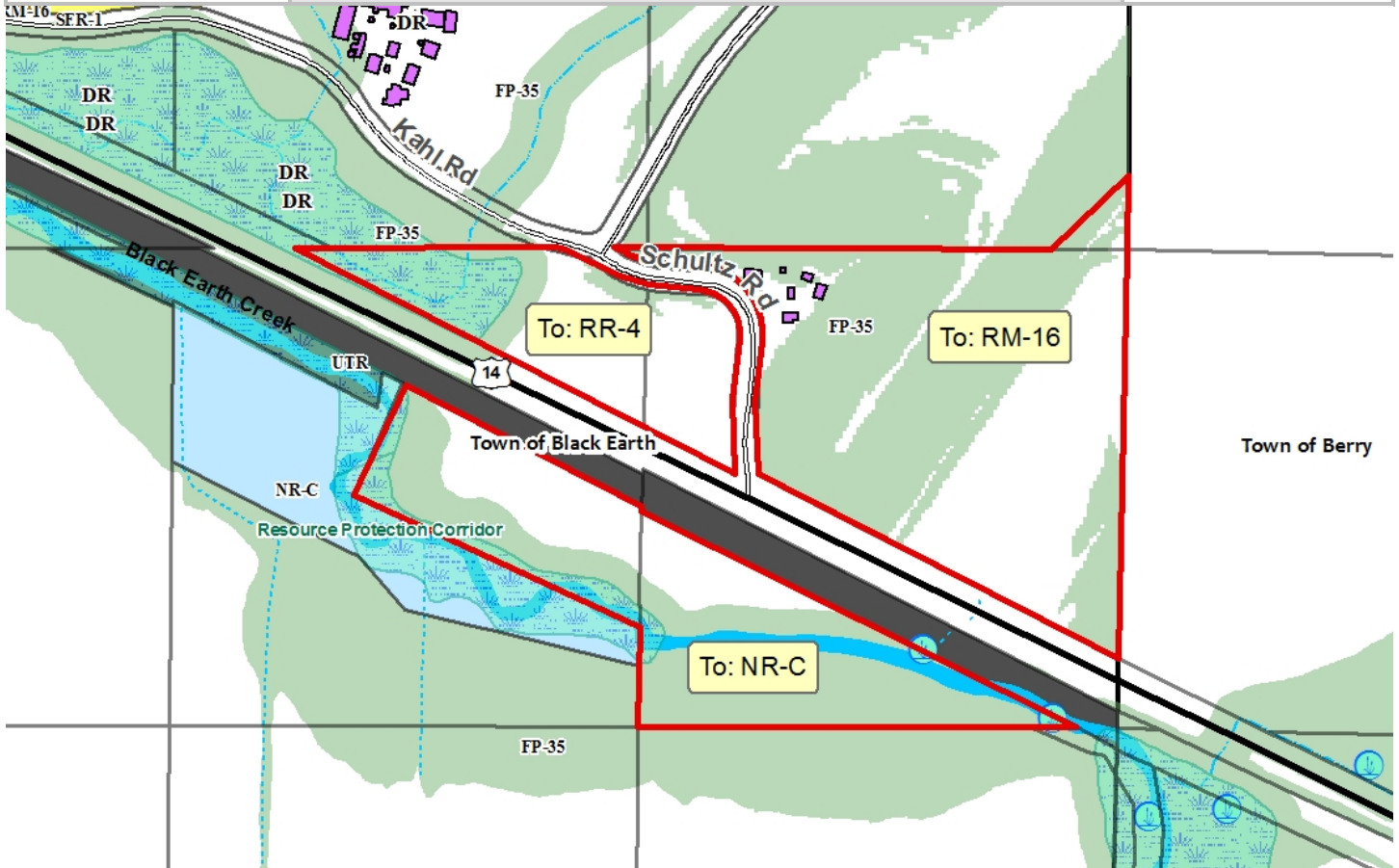


Staff Report  Zoning and Land Regulation Committee	Public Hearing: June 27, 2023	Petition 11954	
	Zoning Amendment Requested: FP-35 Farmland Preservation District TO RR-4 Rural Residential District, RM-16 Rural Mixed-Use District, and NR-C Natural Resource Conservation District		Town/Section: BLACK EARTH, Section 36
	Size: 7.9,21.31,14.93 Acres	Survey Required. Yes	Applicant SRR PROPERTIES LLC
	Reason for the request: Creating 2 residential lots (one for existing residence) and creating a conservation lot		Address: 5076 SCHULTZ ROAD



DESCRIPTION: Applicants propose to create two new residential lots – one with RR-4 zoning for future construction and one with RM-16 zoning for an existing residence – as well as one conservation lot with NR-C zoning intended for sale to Dane County.

OBSERVATIONS: The proposed lots meet Dane County ordinance requirements for the proposed zoning districts including lot size and lot frontage. The final amount of public road dedication will be determined by the Town (for Schultz Road) and the Wisconsin DOT (for Highway 14). The rail line that runs along the south side of Highway 14 is a publicly owned rail line operated by Wisconsin & Southern Railroad.

The property is subject to the Village of Black Earth’s extraterritorial jurisdiction for land division reviews.

TOWN PLAN: The property is in the agricultural preservation planning district. The Town of Black Earth has this policy: “Substandard, legally created A-1EX zoned parcels between 4 and 35 acres in size, with one existing residence as of June 3, 1981 may be rezoned and divided by certified survey map to allow no more than one additional Dwelling unit...” This proposal is consistent with that policy. (For questions about the town plan, contact Senior Planner Curt Kodl at (608) 266-4183 or kodl@countyofdane.com)

RESOURCE PROTECTION: Resource protection corridors are mapped on the proposed lots. This reflects the Black Earth Creek floodplain and 75' buffer from the creek (south of Highway 14) and wetlands and floodplain (north of Highway 14), per Dane County shoreland & wetland zoning. There is also corridor mapped on areas with steep slopes on the proposed RM-16 lot.

On the lot proposed for NR-C zoning there is an established base flood elevation (BFE) of 822 to 824 feet above mean sea level. No development is proposed on the NR-C lot. In addition, the western edge of property is in the shoreland zone and any disturbance requires a shoreland erosion control permit. In The Town of Black Earth the maximum allowable slope for a building site is 15%.

TOWN ACTION: On June 6, 2023 the Town Board recommended approval of the rezone with no special conditions.

STAFF RECOMMENDATION: Pending any comments at the public hearing, staff recommends approval of the rezone with no conditions other than recording the CSM for the new lots. Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@countyofdane.com