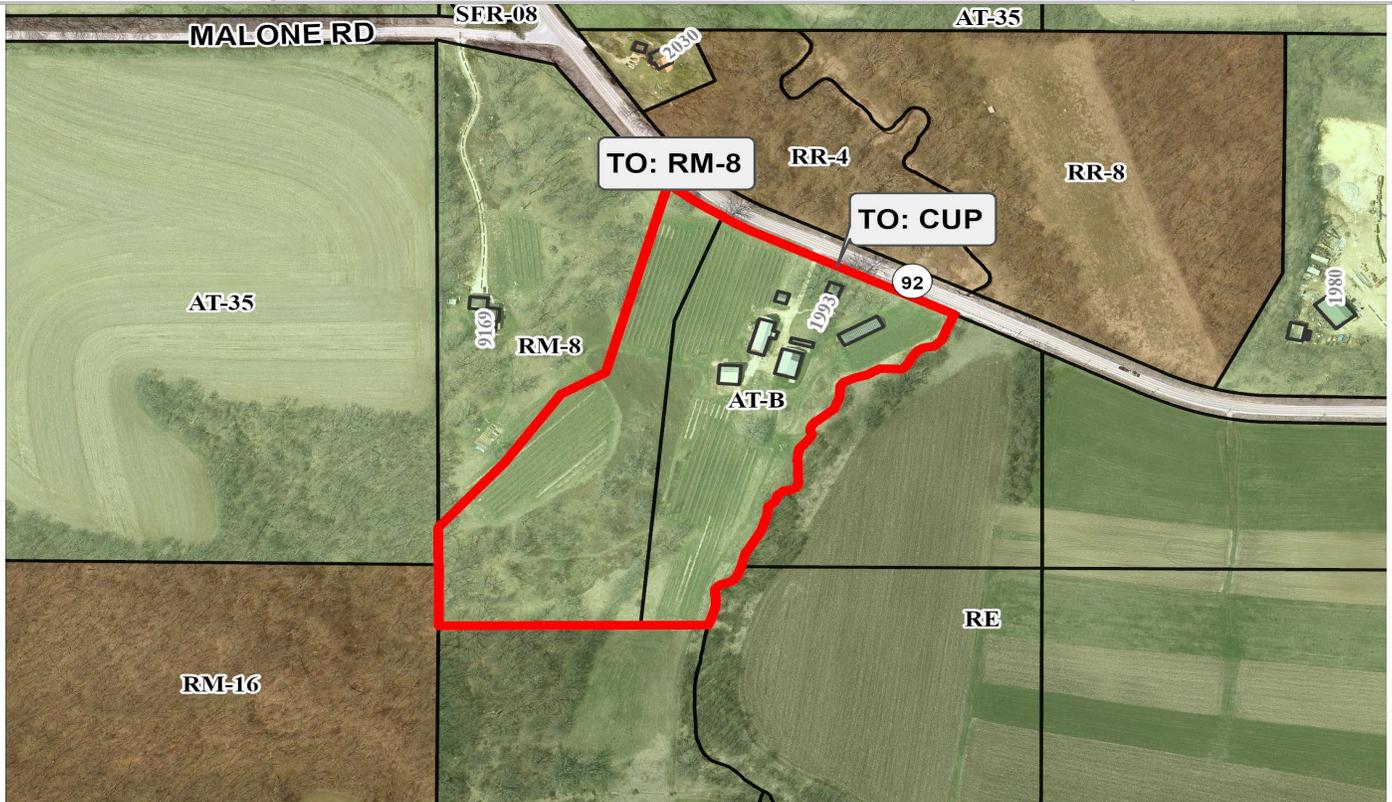


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> September 26, 2023 Report updated for the November 28, 2023 ZLR meeting	Petition 11974	
	<i>Zoning Amendment Requested:</i> AT-B Agriculture Transition Business District TO RM-8 Rural Mixed-Use District	<i>Town/Section:</i> SPRINGDALE, Section 29	
	<i>Size:</i> 7.4 Acres	<i>Survey Required:</i> Yes	<i>Applicant</i> R AND R LIVING TR (RAMI ABUROMIA)
	<i>Reason for the request:</i> LOT LINE ADJUSTMENT AND ZONING FOR SHORT-TERM RENTAL AND FARM BUSINESS USES		<i>Address:</i> 1993 STATE HIGHWAY 92



DESCRIPTION: Applicant proposes a rezoning as part of a lot line adjustment between two lots that he owns. The intent is to expand the existing AT-B lot to 15 acres, and rezone it to RM-8 and keep as much of the existing orchard on this lot as possible. The lots will be adjusted via certified survey map. The applicant has also submitted a separate conditional use permit ([CUP Petition 2603](#)) for proposed Lot 2, the lot being expanded, in order to operate transient or tourist lodging (short-term rental) use and a limited farm business in order to sell agricultural products produced off-site.

OBSERVATIONS: The proposed lots meet the RM-8 zoning district requirements, including lot size and public road frontage. Zoning staff does not consider the proposal to be a change of use with regard to the existing driveway access onto State Highway 92; Wisconsin DOT staff is aware of the proposal.

COMPREHENSIVE PLAN: The property is in a planned Mixed Agricultural/Low Density Residential/Open Space Area. Given that this rezone petition is primarily adjusting a lot line between two existing parcels both under the same ownership, the current uses of each respective parcel will continue as-is (independent of CUP 2603), and no new physical development is proposed, there are no apparent plan policies being triggered by this rezone in itself. As such, it appears reasonably consistent with adopted Town of Springdale Comprehensive Plan/Town of Springdale component of the Dane County Comprehensive Plan. (Questions specifically about this comprehensive plan review can be directed either to Todd Violante at 608.266.4021, or violante@countyofdane.com, or to Brian Standing at 608.267.4115, or standing@countyofdane.com.)

RESOURCE PROTECTION: Much of proposed Lot 2 is within the shoreland zone due to proximity to Deer Creek, a perennial stream that runs along the eastern lot line. Hydric soils are present along the creek, but not under any of the existing buildings. No new development is proposed; however any future development on site would need to comply with applicable shoreland-wetland and floodplain regulations.

TOWN ACTION: Pending (town meetings scheduled for November 21st).

SEPTEMBER 26TH ZLR HEARING: On September 26th, the ZLR Committee held a public hearing on the petition and postponed action to allow more time for town action, in keeping with the Committee's adopted rules and procedures.

TOWN ACTION: On November 21, 2023 the Town Board recommended approval of the rezone with one condition:

1. No further division per the Town of Springdale Land Use Plan.

STAFF RECOMMENDATION: Pending any comments at the public hearing, staff recommends approval of the rezone petition subject to the applicant recording the CSM for the new lot boundary and the following condition:

1. A deed restriction shall be recorded on proposed lots 1 and 2 of the Certified Survey Map (tax parcels 0607-293-8130-0 & 0607-293-8301-0) stating the following:

Further land divisions are prohibited. The housing density rights for the original farm have been exhausted per the Town Comprehensive Plan density policies.

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