



Staff Report

Public Hearing: **April 28, 2015**

Petition: **Rezone 10829**

Zoning Amendment:
A-1EX Exclusive Agriculture District and RH-1 Rural Homes to RH-3 Rural Homes District

Town/sect:
Perry Section 07

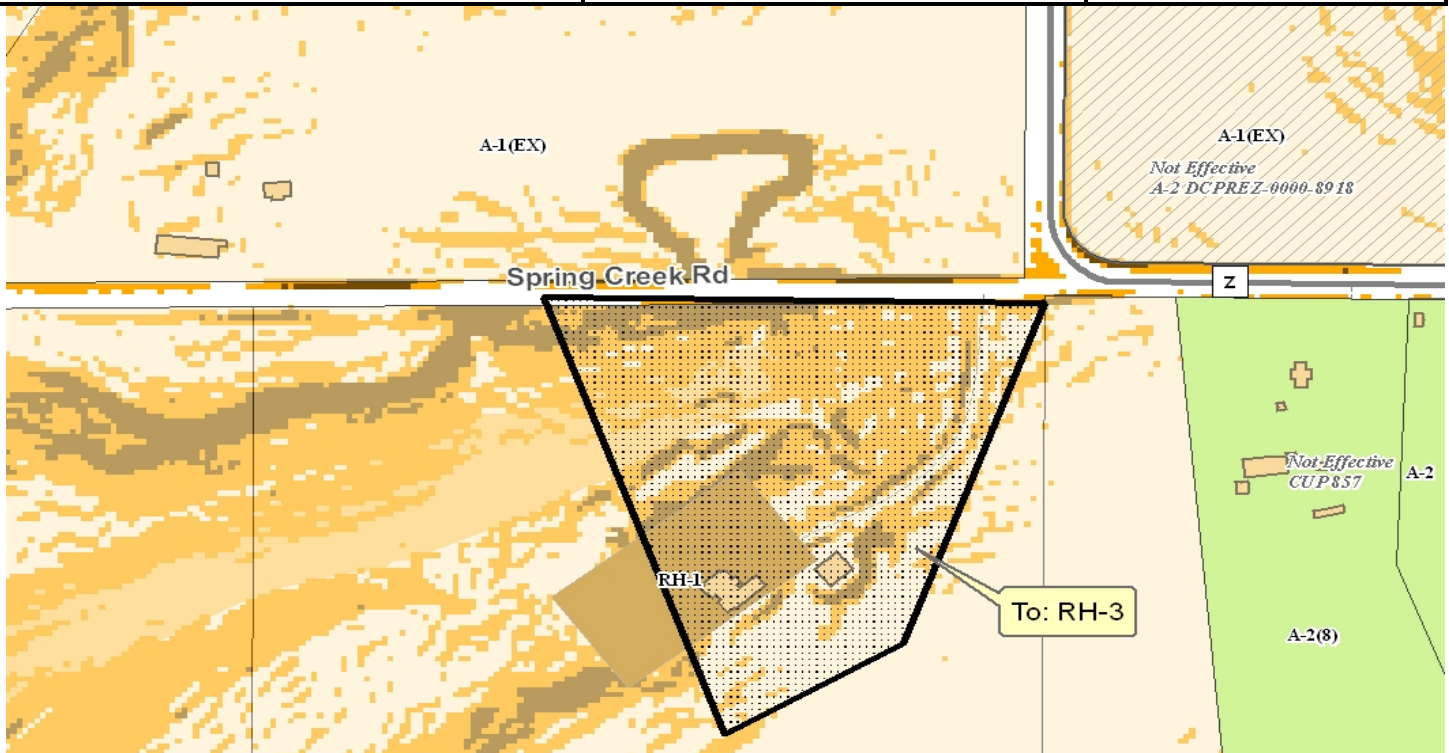
Acres: **8, 2**
Survey Req. *Yes*

Applicant
Greg R Kuker

Reason:
Separating existing residence from farmland

Location:
10841 Spring Creek Rd

Zoning and Land Regulation Committee



DESCRIPTION: The applicant would like to separate the existing residence from the 49-acre parcel.

OBSERVATIONS: A "spot zone" was created in 1990 for the construction of the single-family residence. There is steep slope topography on approximately 50% of the lot. The GIS layer shows an intermittent stream on the property, however, there is no defined bed and bank to have this feature viewed as being navigable or subject to shoreland regulations.

TOWN PLAN: The Town Plan designates this area within the Agricultural Preservation Area. There will be no increase in housing density as part of this petition.

RESOURCE PROTECTION: The existing house is outside the resource protection area. The Town Plan discourages development on slopes exceeding 20% grade.

DANE COUNTY SANITARIAN: The lot configuration should be designed so that the entire on-site septic system is contained within the boundaries of the new lot.

STAFF: The proposal meets the dimensional standards of the zoning district and appears consistent with the Town Plan policies. Given the housing density rights have been exhausted for the original farm as noted on the attached density study, Staff suggests placing a deed restriction on the remnant A-1 Exclusive zoned property to prohibit further residential development.

STAFF UPDATE: The applicant would like to reconfigure the boundaries of the proposed lot. Staff suggests postponement of the petition until such time as the Town of Perry has an opportunity to review the revised proposal.

4/28 ZLR: Postponed due to no town action.

TOWN: Approved conditioned upon a deed restriction being placed on the remaining A-1EX Agriculture lands to prohibit further residential development.