

Staff Report



Zoning and Land Regulation Committee

Public Hearing: **September 20, 2022**

Petition 11885

Zoning Amendment Requested:

FP-35 Farmland Preservation TO RR-2 Rural Residential District; RR-2 Rural Residential, FP-1 Farmland Preservation and RR-4 Rural Residential District RR-2 Rural Residential TO FP-35 Farmland Preservation District

Town/Section:

OREGON, Section 15

Size: **2, 2, 1.1, 1.1 Acres**

Survey Required.

Applicant

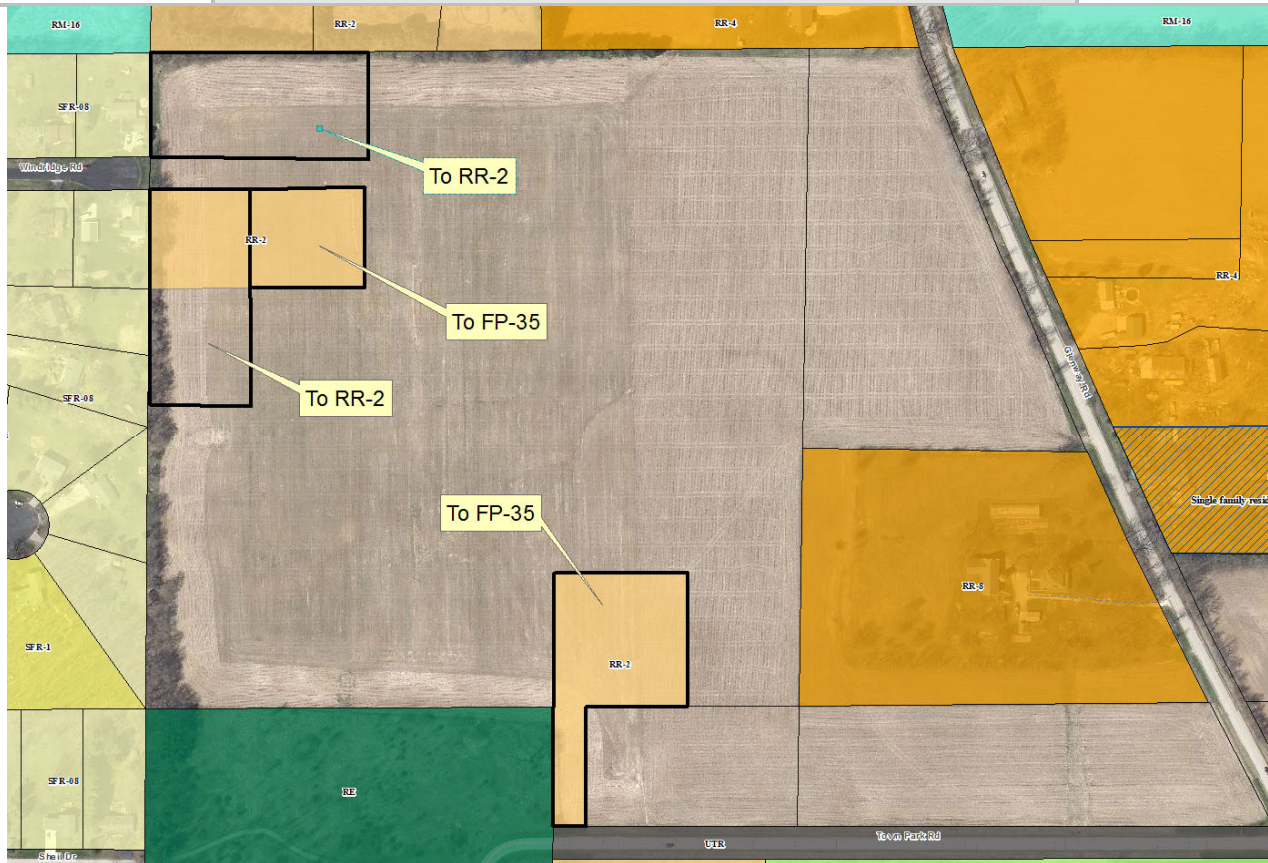
JENSEN FAMILY FARM LLC (JERRY JENSEN)

Reason for the request:

Rezone to reconfigure lot lines and relocate residential lots

Address:

NORTH AND SOUTH OF TOWN PARK ROAD



DESCRIPTION: Applicant Gerald Jensen wishes to reconfigure the one residential lot and one spot zone area on the farm property for more efficient use of farmland and high-quality agricultural soils. The original farm’s three development rights have been used but no homes were constructed. This petition would relocate two of the existing home sites via certified survey map (CSM).

OBSERVATIONS: The entire property is currently in agricultural use. Three home sites, including two CSM lots and one spot zone, were created in 2010 when CSM #13122 was recorded. That CSM also separated the farmstead from the rest of the tract. The proposal would locate the lots in the northwest corner, on a knoll with less suitable soils for farming, using an extension of the Windridge Road cul-de-sac. Staff asked the applicant to revise the initial proposal submitted last fall, based on concerns about the proposed lot layout and the impact on potential future road connections.

Town Park Road was purchased by the Town of Oregon in 1996. Although used as a roadway, the property has not technically been dedicated to the public. There is nothing improper about this arrangement, but this is stated as an observation. If the Town desires the roadway to be dedicated to the public, this could be accomplished as part of the CSM. Approvals may be needed by the Wisconsin DNR prior to dedication.

The land division is also subject to the Village of Oregon's extraterritorial jurisdiction.

TOWN PLAN: Property is within a Rural Preservation Area I in the *Town of Oregon / Dane County Comprehensive Plan* and a Farmland Preservation Area in the *Dane County Farmland Preservation Plan*. Residential development is capped at one unit per 35 acres owned as of 1995. If Petition 11885 is approved as revised, there will be no further development potential under the town/county plan. The balance of the property should be deed restricted against further nonfarm development.

RESOURCE PROTECTION: There are no sensitive environmental features on site. A few small areas in the southern parcel are mapped as resource protection corridor which reflects steeper slopes. Soils are predominantly Class 3 in the western parts of the tract, and Class 2 in the eastern portions and along the north side of Town Park Road.

TOWN: On March 14, 2023 the Town Board recommended approval of the rezone with the following conditions:

1. Developers agreement to be approved by Town Board.
2. Engineering plans to be approved by Town Board.

STAFF RECOMMENDATION (updated 3/16/23): In September, the ZLR Committee postponed action on the petition due to the lack of town action and public comments in opposition. One town resident submitted comments noting concerns about the extension of Windridge Road, the creation of additional lots, and the resulting traffic. Windridge Road was created as part of the Windridge subdivision plat in 1979, with a plat note that reads "temporary turnaround until road is extended." A single-family home typically generates an estimated 10 vehicle trips per day on average.

Jensen's original petition was to relocate two of the existing home sites to the northwest corner of the farm, for a total of three home sites there including the existing RR-2 spot zone. The revised proposal would result in two residential lots off of Windridge Road, removing the existing spot zone and making it a CSM lot. Windridge Road would be extended slightly to provide the public road frontage required for the new lots. A cul-de-sac bulb is proposed similar to the temporary dead end that exists now.

Since the Town has approved the rezoning, staff recommends approval subject to the recording of the CSM, and the following conditions:

1. Developers agreement to be approved by Town Board.
2. Engineering plans to be approved by Town Board.

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