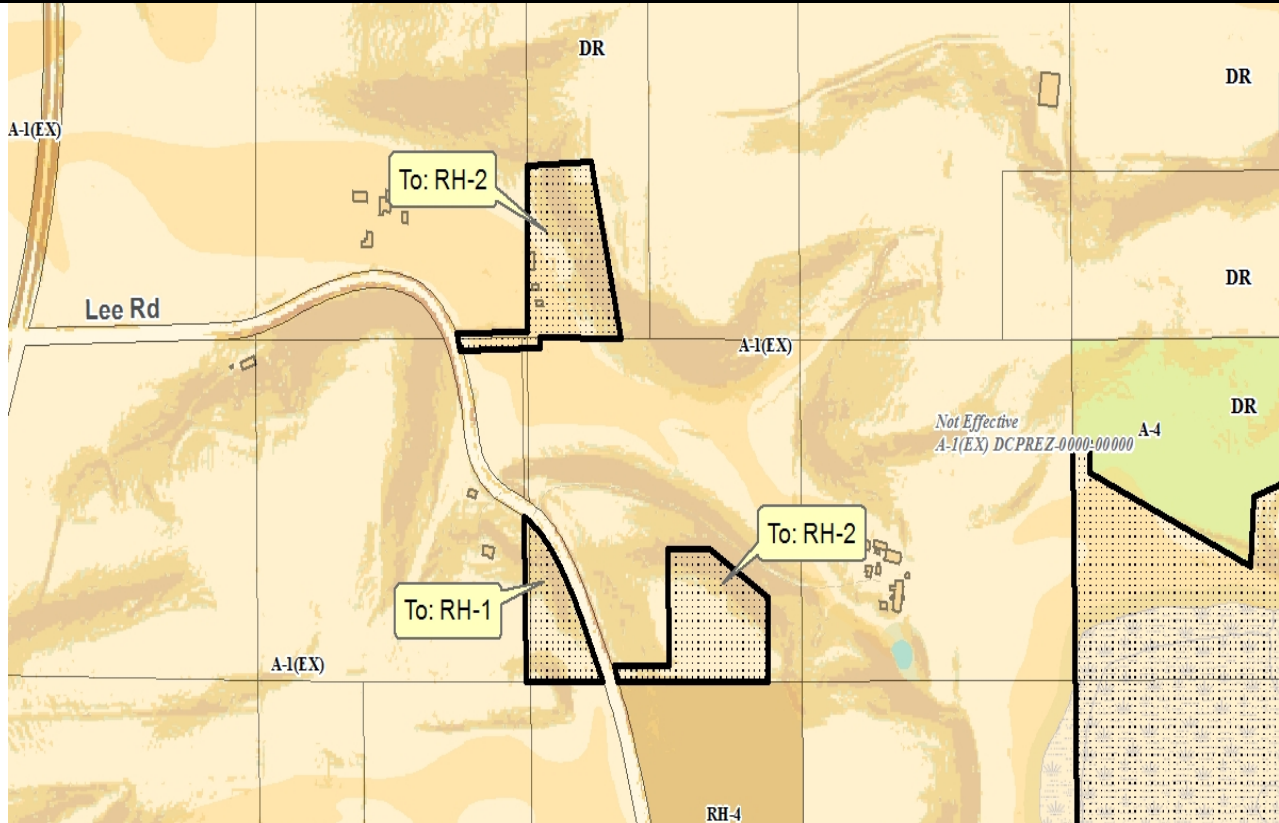




Staff Report

Zoning and Land Regulation Committee	Public Hearing: February 28, 2017	Petition: Rezone 11085
	Zoning Amendment: A-1EX Exclusive Agriculture District to RH-1 Rural Homes and RH-2 Rural Homes District	Town/sect: Dane Section 12
	Acres: 3.57, 6.54, 5.61 Survey Req.	Applicant Mighty Oak Farm LLC
	Reason: Creating 3 new residential lots	Location: 6614 Lee Road



DESCRIPTION: Applicant proposes to create 3 residential parcels for future development.

OBSERVATIONS: Areas of steep slope topography ranging from 12-20% grade are present on portions of the proposed new lots, though there are suitable building site options located outside the steep slope areas. No other sensitive environmental features observed.

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

RESOURCE PROTECTION: Areas of resource protection corridors are located on the property, associated with the steep slope topography.

DANE COUNTY WATER RESOURCE ENGINEERING DIVISION: The leg section of the flag lot may need to be widened to accommodate the storm water management requirements for the future driveway. An engineer should review the narrow area to see if it can accommodate storm water management features.

STAFF: The property consists of an original ~120 acre farm as well as two "legal, substandard" parcels that were created prior to the date of town plan adoption of A-1EX zoning. A total of 4 density units remain available to the entire property. If the petition is approved, one possible density unit / split will remain available.

Staff recommends that a Notice document be recorded on the balance of remaining A-1EX zoned land indicating that one split remains available.

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2/28 ZLR: The petition was postponed due to public opposition. The neighbor to the west, Mr. Ulvestad expressed concerns regarding the placement of residential lots in productive agricultural fields. He also expressed concerns that the proposal conflicted with the Town Plan policies.

Town: The town has approved the petition with no conditions.

Staff: The proposal has been reviewed toward the town plan policies and appears constituent with the policies. The northerly lot has been created around existing barns on the property this area was separated from the farm prior to the adoption of A-1Ex zoning. The two southerly do not contain Class I or II soils. The proposed lot on the east side of Lee Road has slopes ranging from 4 to 10%. The drive entrance will follow a fence line adjacent to existing residential development. The property lot on the west side of Lee Road contains slopes exceeding 20% grades on the north portion of the lot, however, the southerly portion contains slopes under 12%.

Town Development Policies:

Other development criteria which shall be met for non-farm development are as follows: A. Do not allow non-farm development on soils classified as Group I or Group II (as shown on Map 2 of this *Plan*), unless all soils on the ownership parcel are so classified.

B. Locate non-farm development on sites that are least disruptive to agricultural uses.

C. Locate development so that all land division lots connect directly to existing public roadways.

D. Prevent the layout of streets or driveways across agricultural land in order to reach non-farm development, unless no other alignment is possible. Place driveways along property lines, fence rows, or existing vegetation wherever possible. Joint or shared driveways should also be encouraged where possible.

Guide the location and design of development to minimize any adverse impact on the quality of surface waters, aquifers, wetlands, steep slopes, woodlands and agriculture.

2. Prohibit building development on slopes in excess of 12%. Limit driveway grades to a maximum of 12% after construction.

3. Utilize natural drainage patterns and measures which control the quality and quantity of stormwater leaving any site.

4. Preserve wetlands and woodlands as essential components of the hydrologic system and as valuable wildlife habitat, and to restore degraded resources where possible.

5. Protect natural landscape features such as woodlands, wetlands, floodplain areas, streams, lakes, and steep slopes and emphasize their value to the community as potential focal points of natural beauty and recreation.

6. Direct proposed development in areas where soil characteristics are compatible with the proposed development. Soil characteristics incompatible with development include hydric soils, wetlands, Group I and II soils, soils with low or very low suitability for dwellings with basements, and soils least suitable for on-site waste disposal systems, as described and depicted on maps in this plan or the Dane County Map Book published in 2001.

7. Discourage and, where possible, prevent the filling or developing of wetlands and floodplains.

8. Encourage the management of woodlands in an effort to promote further value for timber and wildlife.