
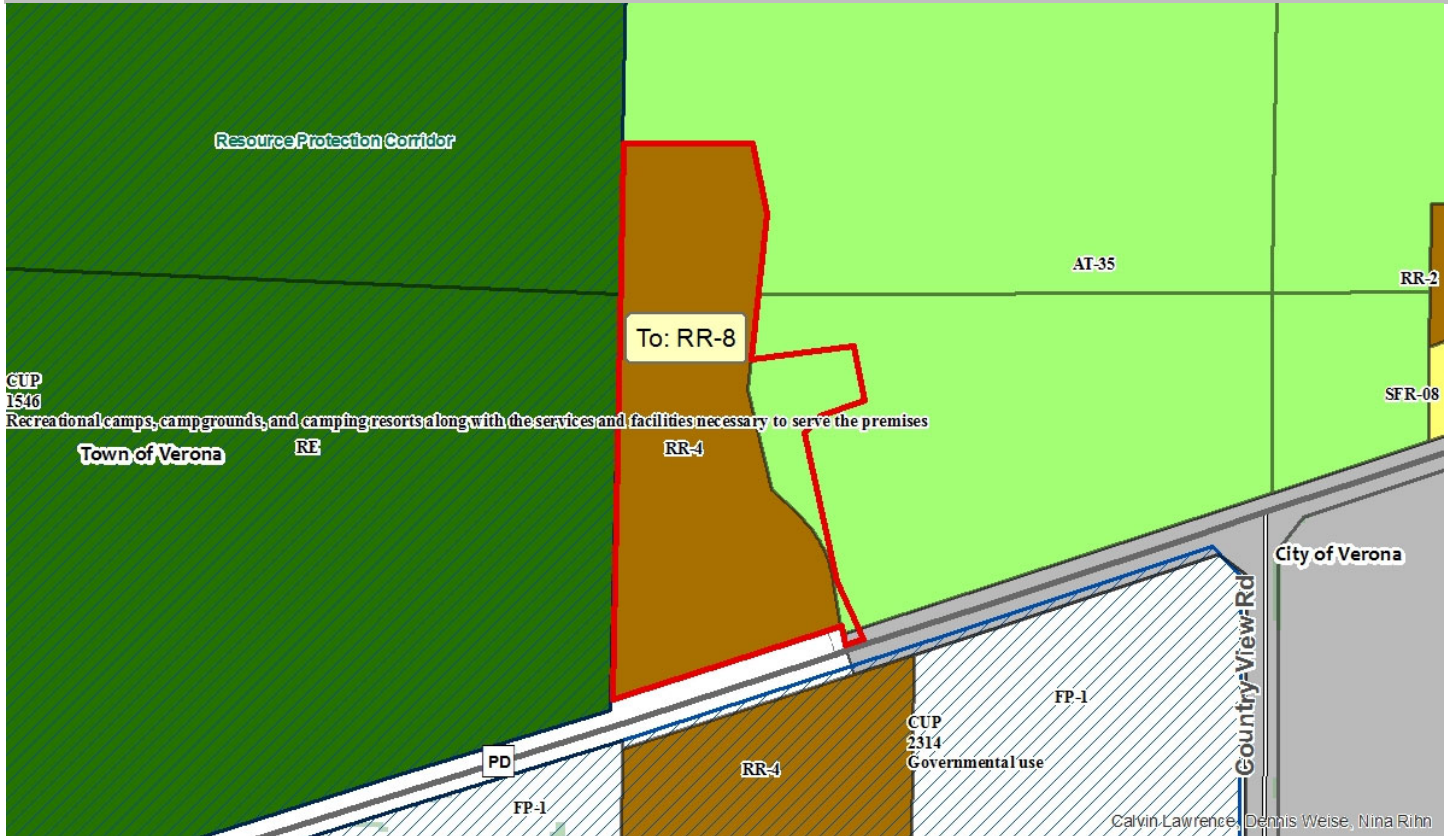


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<b>Public Hearing: July 25, 2023</b>	<b>Petition 11963</b>
	<b>Zoning Amendment Requested:</b> <b>RR-4 Rural Residential District TO RR-8 Rural Residential District, AT-35 Agriculture Transition District TO RR-8 Rural Residential District</b>	
	<b>Size: 7.95,1.15 Acres</b>	<b>Survey Required. Yes</b>
	<b>Reason for the request:</b> <b>Expand the size of an existing residential lot</b>	
		<b>Town/Section:</b> <b>VERONA, Section 8</b>
		<b>Applicant</b> <b>ROBERT W BOVY</b>
		<b>Address:</b> <b>7648 COUNTY HWY PD</b>



**DESCRIPTION:** Applicant Robert Bovy proposes to increase the size of an existing residential lot, to include the existing agricultural buildings within the lot boundary. The original petition was submitted requesting RR-8 zoning; however during the Town’s review the applicant modified the request to the RM-8 Rural Mixed Use zoning district.

**OBSERVATIONS:** The proposed lot size meets ordinance requirements for the RM-8 zoning district. While the RM-8 and RR-8 zoning classification are very similar, RM-8 zoning allows for a wider range of land uses than the RR zoning districts. The applicant indicated that “seasonal storage of vehicles” and “agricultural use” are important to retain as permitted uses because they fit with his past and intended future use of the property.

**COUNTY HIGHWAY DEPARTMENT:** Highway Department comments have not been received yet as of the time of writing. The property is located on County Highway PD, and the property currently contains a 40’ wide access easement for field access to the adjacent farm land per the current CSM 12942. The existing driveway access and land uses are not changing based on this proposal; however the access easement must be adjusted slightly based on the new lot boundary (see Town Action section below).

**COMPREHENSIVE PLAN:** The property is within a Rural Residential 2-4 Acres planning area under the *Town of Verona / Dane County Comprehensive Plan*. Residential development is permitted up to a maximum density of 1 unit per 2 acres. RM-8 is listed as an appropriate zoning district. (For questions about the town plan, contact Senior Planner Brian Standing at (608) 267-4115 or [standing@countyofdane.com](mailto:standing@countyofdane.com).)

**RESOURCE PROTECTION:** The northern portion of the lot, north of the existing home, is within the shoreland zone due to an intermittent stream that is present on the property. No development is proposed within this area and staff has concerns based on this proposal.

**TOWN ACTION:** On July 5, 2023 the Town Board recommended approval of the rezone, noting that the Board approved the rezone to RM-8 instead of RR-8, at the request of the applicant, and with the following conditions:

1. Creation of a new access easement agreement.
2. Recordation of the rezone with the County for the CSM.
3. Approval of the CSM and rezone by the Joint City/Town Planning Committee.

The new access easement agreement is needed in order to adjust the layout of the access easement, because the current easement would not reach the lot line to connect to the adjacent farm field (see access easement exhibit from D’Onofrio Kottke and Associates).

**STAFF RECOMMENDATION:** The certified survey map (CSM) will be required to make this rezone effective, and as a matter of standard procedure the CSM will need to be approved by the Joint City-Town Planning Committee (and a certificate for signatures must be included on the CSM document) before it can be recorded.

Pending any comments at the public hearing, staff recommends approval of the rezone to RM-8 instead of RR-8, at the applicant’s request, and subject to the applicant recording the CSM for the new lot boundary and the following conditions:

1. Applicant shall prepare and record a new access easement agreement with the Dane County Register of Deeds.

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