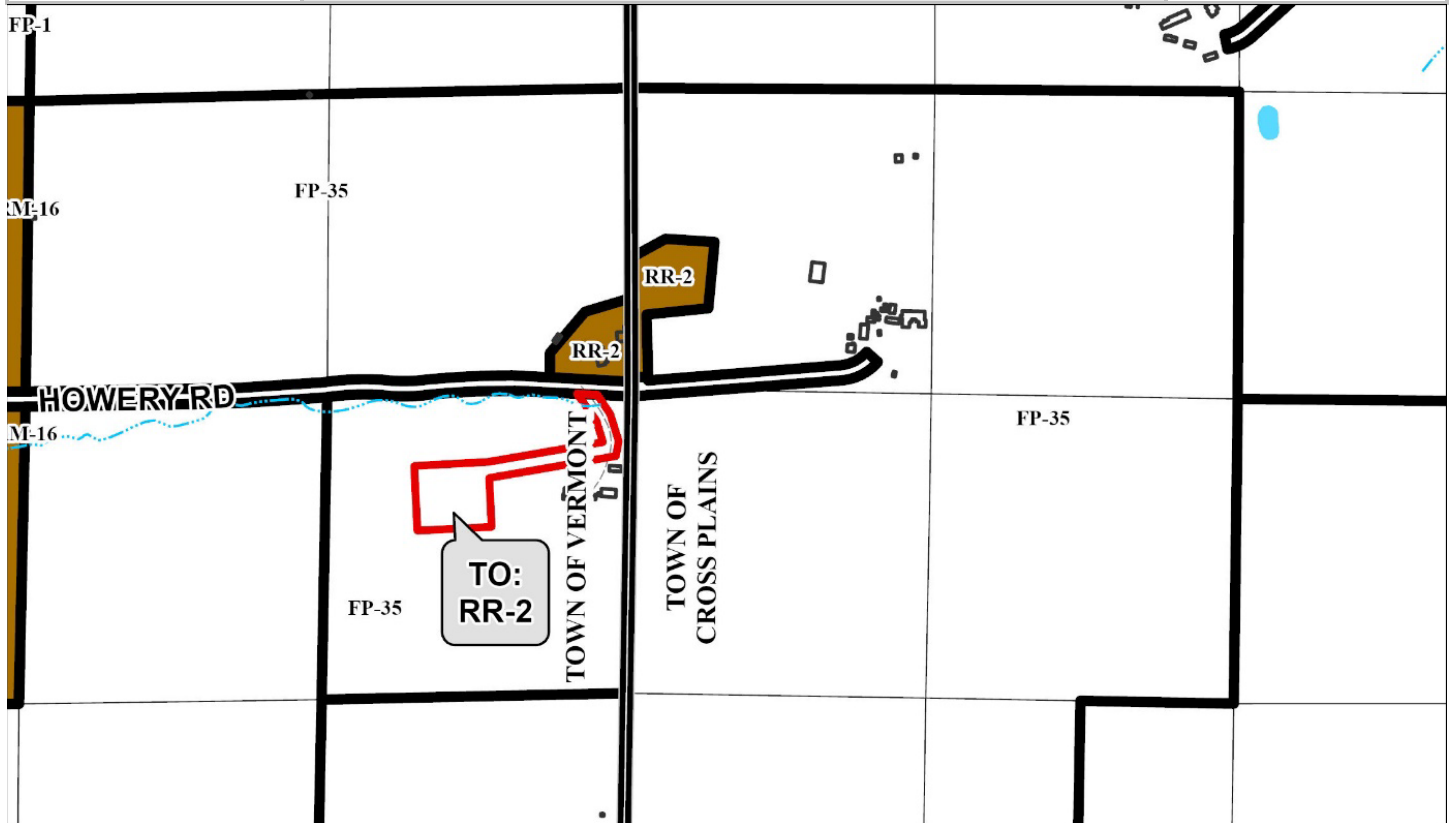


Staff Report  Zoning & Land Regulation Committee	Public Hearing: July 22, 2025		Petition 12186
	Zoning Amendment Requested: FP-35 Farmland Preservation District TO RR-2 Rural Residential District		Town, Section: VERMONT, Section 24
	Size: 2.01 Acres	Survey Required: Yes	Applicant: TODD AND CYNTHIA LEECE
	Reason for the request: Creating one residential lot		Address: 9517 HOWERY RD



DESCRIPTION: Todd and Cynthia Leece propose a rezoning to create a 2-acre residential lot with RR-2 zoning. They would like to build a new home there, in order to sell the remaining 38 acres to their daughter. The remaining land would keep the FP-35 zoning. A one-lot certified survey map (CSM) would be recorded for the new lot.

OBSERVATIONS: The proposed lot meets county ordinance requirements. The remaining FP-35 parcel will need to have at least 66 feet of width where it narrows east of the driveway; the applicants confirmed the final CSM will provide this.

The lot is subject to the Town of Vermont's ridgetop protection overlay zoning, which was formally adopted as part of Dane County's zoning ordinance in 2024: [Dane County - File #: 12103](#). The applicants have provided a site plan for the future home and driveway construction; the plan complies with the ridgetop protection policies.

The driveway is proposed to use the existing driveway, which would be partially within the new lot boundary and partially on the FP-35 land (see site plan). A shared driveway access easement would be provided and will need to be reflected on the CSM.

The landowners are working with a soil specialist and a septic installer to plan for a septic system location.

COMPREHENSIVE PLAN: The proposal is in line with town density requirements and the land use changes are consistent with the Comprehensive Plan. Applicant provided site drawings indicating the proposal meets the limitation required for developing in a natural resource area--[Ridgetop Protection Area](#). Deed restricting further development needed based on agreement between landowners and Ruth Hankle (doc. Number 3449211, 2/8/2002) that applicant had one unit prior to

this application. For questions about the Plan, contact Senior Planner Bridgit Van Belleghem vanbelleghem.bridgit@danecounty.gov.

DANE COUNTY LAND AND WATER RESOURCES: Driveways longer than 125 feet require an erosion control permit to be obtained prior to construction.

RESOURCE PROTECTION: GIS map information shows an intermittent stream that runs parallel to Howrey Road, so shoreland regulations may apply to new construction, unless the stream is determined to be non-navigable.

Any construction of a driveway more than 125 feet long, or disturbing more than 4,000 square feet of soil, requires an erosion control permit from [Dane County Water Resources](#). Please call Water Resources staff at (608) 224-3730.

TOWN ACTION: The Town Board recommended approval of an earlier proposal in August of 2024, noting that this home site will use the last potential development right on this property, and that the town has a shared driveway agreement on file.

Rezone petition #12186 was submitted to Dane County in May, which was modified from the earlier one submitted to the town. On June 9th, the Town Board recommended approval of this rezone petition with no conditions.

STAFF RECOMMENDATION: Pending any comments at the public hearing, Staff recommends approval of the petition with the following conditions:

1. A joint driveway easement shall be recorded with the Register of Deeds for the benefit of the new lot and the FP-35 land.
2. A deed restriction shall be recorded on tax parcels 0706-241-8000-7 & 0706-241-9500-0 stating the following:
 - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The density rights for this part of the original Charles T. and Ruth A. Hankel farm have been exhausted per the Town Comprehensive Plan density policies.

Please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov if you have questions about this petition or staff report.