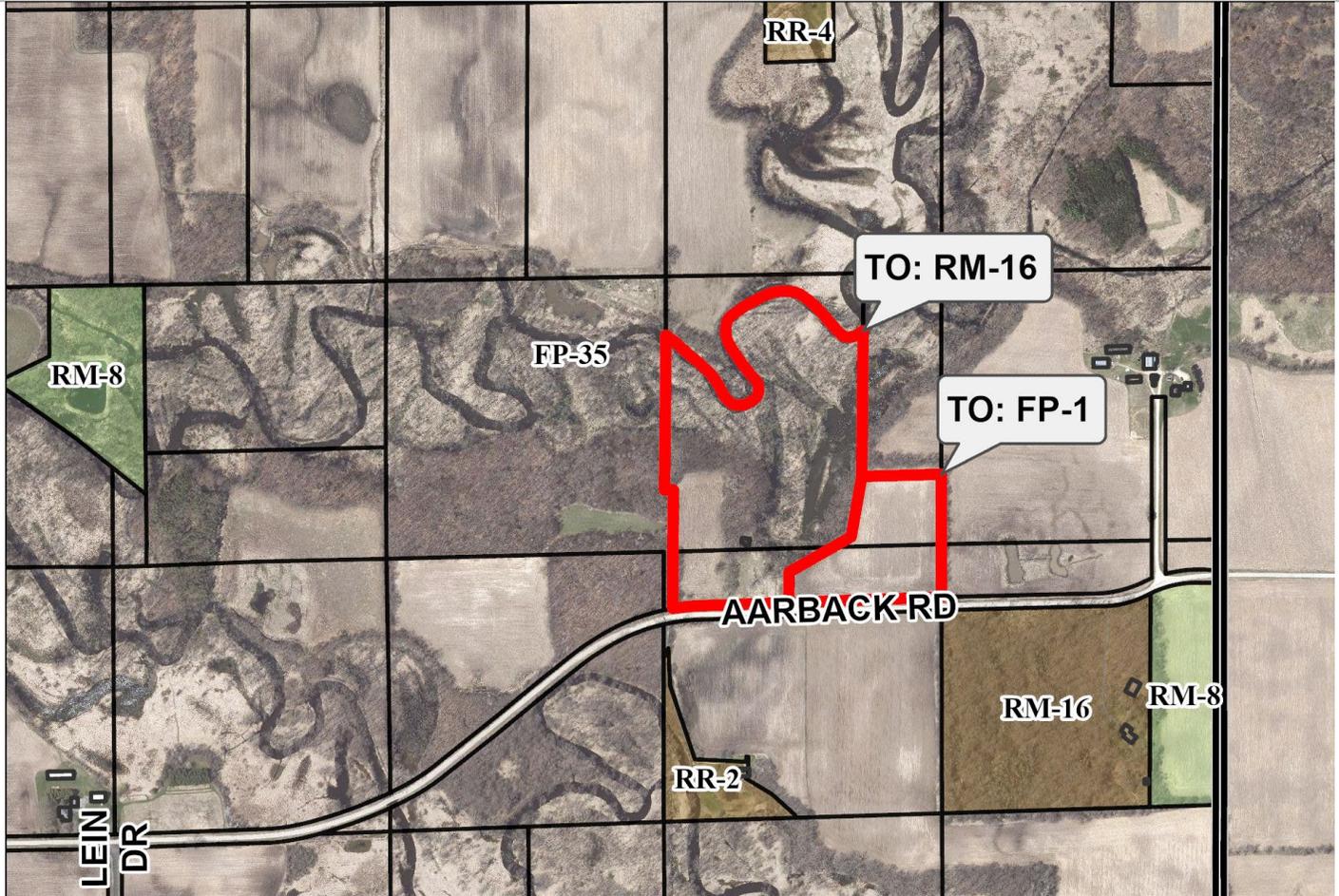


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| Staff Report  Zoning and Land Regulation Committee | <i>Public Hearing:</i> October 24, 2023 | | Petition 11978 |
| | <i>Zoning Amendment Requested:</i> FP-35 Farmland Preservation District TO RM-16 Rural Mixed-Use District, FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District | | <i>Town/Section:</i> ALBION, Section 1 |
| | <i>Size:</i> 25.3,7.3 Acres | <i>Survey Required:</i> Yes | <i>Applicant</i> DIANE L. EVERSON TR |
| | <i>Reason for the request:</i> Separate existing residence from farmland and create one agricultural lot | | <i>Address:</i> 120 AARBACK RD |



DESCRIPTION: The Diane L. Everson Trust proposes a rezone in order to separate the existing house and buildings from the farmland, to enable the future sale of the house. The trust owns roughly 184 acres in this area. The proposal would split roughly 32 acres of land north of Aarback Road into a 25.3-acre lot for the house with RM-16 Rural Mixed Use zoning, and a 7.3-acre agricultural lot with FP-1 zoning.

OBSERVATIONS: The proposed lots conform to the proposed zoning district regulations, including lot size and public road frontage. The property abuts Koshkonong Creek (see resource protection comments below).

COMPREHENSIVE PLAN: The property is located in the town’s agricultural preservation area where the density of nonfarm development is limited to no more than one home/lot per 35 acres owned as of June 29, 1979. As indicated on the attached density study report, the town does not count separation of residences built prior to June 29, 1979 towards the density limit. The town also does not count rezones to the FP-1 district. If the petition is approved, 12 possible density units (“splits”) will remain available to the ~420 acre Everson Trust property. The proposal appears reasonably consistent with comprehensive plan policies. (For questions about the comprehensive plan, contact Senior Planner Majid Allan at (608) 267-2536 or allan@countyofdane.com)

RESOURCE PROTECTION: Much of proposed Lot 1 is within the shoreland zone due to proximity to Koshkonong Creek to the north, a perennial stream. Wetlands are also mapped on Lot 1 by DNR. Lot 1 also contains floodplain (Zone AE with an established base flood elevation of 801 feet to the northeast and 800 feet to the west). The current home is set well above this elevation, at approximately 818 feet. No sensitive environmental features are present on proposed Lot 2. It is clear that Lot 1 contains areas beyond the 75-foot wetland setback and out of the floodplain for future development, if that were proposed at a later time. Since no new development is proposed, there is no need for a wetland delineation at this time.

TOWN ACTION: On October 3, 2023 the Town Board recommended approval of the rezone with no special conditions.

STAFF RECOMMENDATION: Pending any comments at the public hearing, staff recommends approval of the petition with no conditions other than the recording of the certified survey map.

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