



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **November 27, 2018**

Petition: **Petition 11364**

Zoning Amendment:
A-1EX Agriculture District TO A-4 Agriculture District and RH-1 Rural Homes District

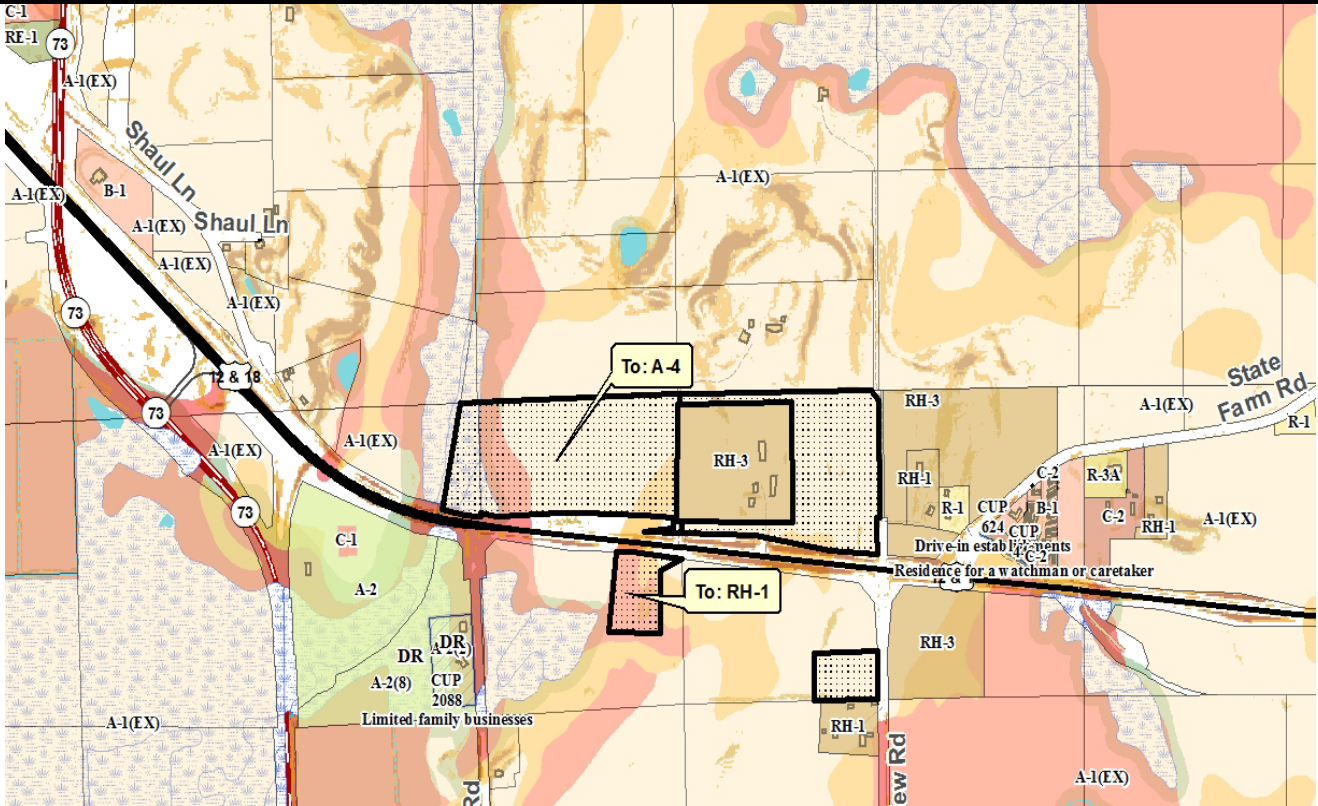
Town/sect:
CHRISTIANA, Section 3

Acres: 38.5,3.6,2.8
Survey Req. Yes

Applicant
ROBERT P RIEGE

Reason:
Creating two residential lots

Location:
SOUTH OF 638 US HWY 12/18 & NORTH OF 3101 CLEAR VIEW ROAD



DESCRIPTION: Applicant proposes to create two new residential lots (RH-1) and two agricultural use only (A-4) lots. The two residential lots would be located south of 638 US Highway 12/18 (proposed lot 3), and north of 3101 Clear View Road (proposed lot 4). Proposed lot 3 would have driveway access directly on to Highway 12/18.

OBSERVATIONS: Surrounding land uses include agriculture / open space and scattered rural residences. Proposed lot 3 south of US 12/18 is wooded and is comprised of approximately 75% hydric (wet) soils. Proposed lot 4 is currently cropped and consists of 90% class II soils. No other sensitive environmental features observed.

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

RESOURCE PROTECTION: No areas of resource protection corridor located on the proposed residential lots.

STAFF: As indicated on the attached density study report, the property remains eligible for two possible splits. For properties eligible for multiple splits, the town has a phasing requirement of 1 lot per 5 years. The proposal for two new lots would conflict with the phasing requirement. There are also concerns about safe driveway access onto US 12/18. Staff recommends that the applicant amend the request to only one new lot to comply with the phasing requirement. If the applicant proceeds with the new lot adjoining US 12/18, approval should be conditioned upon a driveway permit being granted by WISDOT, including installation of any improvements WISDOT may require to ensure safe ingress/egress.

TOWN: The Town rejected the proposal as presented and requested that the applicant revise the proposal by creating just one lot.

STATE HIGHWAY DEPARTMENT: The Highway Department denied the request to obtain access to US Highway 12/18 to allow access for proposed Lot 3 (RH-1 lot)

STAFF UPDATE: The applicant has revised the applicant by removing the proposed lot along Clear View Road and shifting the proposed lot along Hwy 12/18 to the west to allow the lot to have access from Fadness Road (see below). The Town of Christiana has reviewed the revised plan and has approved it with no conditions.

Since the public hearing, the Town of Christiana has adopted the new zoning ordinance. The zoning classifications will need to be updated to reflect the new zoning districts. If approved, Staff suggests amending the petition to the following:

- 1) 38.5 acres of FP-35 Farmland Preservation District to be changed to FP-1 Farmland Preservation District to allow the creation of Lots 1 and 2 on the north side of US Hwy 12/18.
- 2) 4.1 acres of FP-35 Farmland Preservation District to be changed to RR-4 Rural Residential District

