
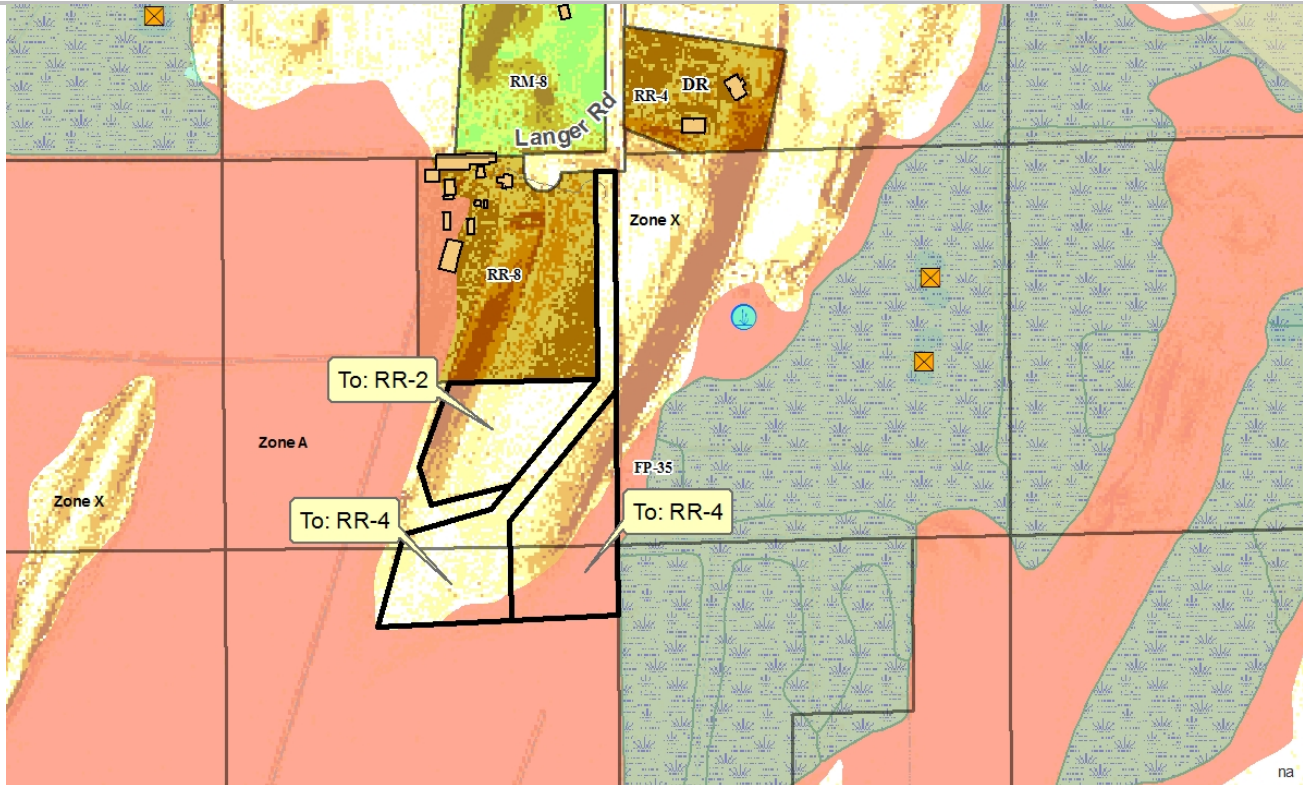


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>  <b>Questions? Contact: Majid Allan – 267-2536</b>	<b>Public Hearing: July 28, 2020</b>	<b>Petition 11571</b>	
	<b>Zoning Amendment Requested:</b> <b>FP-35 Farmland Preservation District TO RR-4 Rural Residential District, FP-35 Farmland Preservation District TO RR-2 Rural Residential District</b>	<b>Town/Section:</b> <b>MEDINA, Section 20</b>	
	<b>Size: 9.1,3.5 Acres</b>	<b>Survey Required. Yes</b>	<b>Applicant</b> <b>REISOP FARMS LLC</b>
	<b>Reason for the request:</b> <b>Creating 3 residential lots with a shared access</b>		<b>Address:</b> <b>SOUTH OF 5408 LANGER ROAD</b>



**DESCRIPTION:** Applicant proposes to create three new Rural Residential lots for future development. Access to the lots would be via a ~1,300' shared driveway easement extending from the end of Langer Road.

**OBSERVATIONS:** Existing land use is agriculture/open space and woodland. Surrounding land uses are agriculture/open space, and scattered rural residences (there are 9 residences located along 1.3 mile long Langer Road). The subject property appears to be part of a glacial drumlin with some steep slope topography present on proposed lots 1 and 3. A large wetland complex is located to the east of the property. Intermittent stream and constructed drainage channels with associated floodplain surround the proposed lots, with an area of 100 year floodplain present on the southern half of proposed lot 1 (easternmost RR-4 lot).

**TOWN PLAN:** The proposed lots are located in the town's agricultural preservation area. A large portion of the ~200 acre original farm is mapped floodplain and designated as environmental protection area in the town plan.

**RESOURCE PROTECTION:** An area of resource protection corridor associated with 100 year floodplain and steep slope topography over 12% grade is located on proposed lot 1. Steep slopes are also present on proposed lot 3.

**DANE COUNTY ENVIRONMENTAL HEALTH (UPDATE 2-9-21):** Environmental health staff had noted a concern regarding the most easterly proposed lot, recommending that the owner have soil testing completed to verify there is an acceptable location for an on-site private sanitary system outside of the floodplain and hydric soils. The owner had a soil test completed identifying a suitable area for the sanitary system.

**STAFF:** As indicated on the attached density study report, the property remains eligible for 4 possible density units or “splits” for new nonfarm development. The property is located at the end of Langer Road, a 1.3 mile dead end road that connects to County Highway T to the north. The proposed lots are located on a glacial drumlin and represent what appears to be the only developable land on the owner’s 190 acre property. The property has only 66’ of access to Langer Road. Access to the lots is proposed via a shared driveway easement across proposed lot 2, with lot 2 having 66’ of frontage onto the public road.

County land division regulations require that each new lot under 35 acres have a minimum of 66’ of frontage onto a public road. In order to comply with land division regulations, approval of either a variance or an “exception” to the road frontage requirement will be necessary.

Town plan policies encourage siting of new residential development in a manner that will not conflict with agricultural uses on surrounding property or negatively impact sensitive environmental areas. As noted, the lots are proposed on the only accessible upland area on the property. The presence of 100 year floodplain may limit development options on proposed lot 1.

A neighboring resident has registered in opposition to the proposal, expressing concern that the proposal will negatively impact the rural atmosphere.

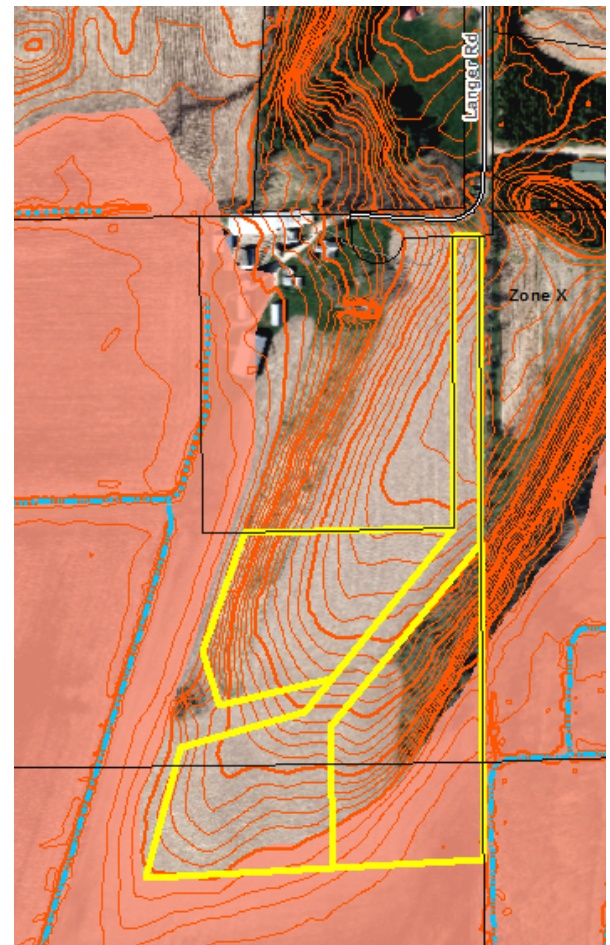
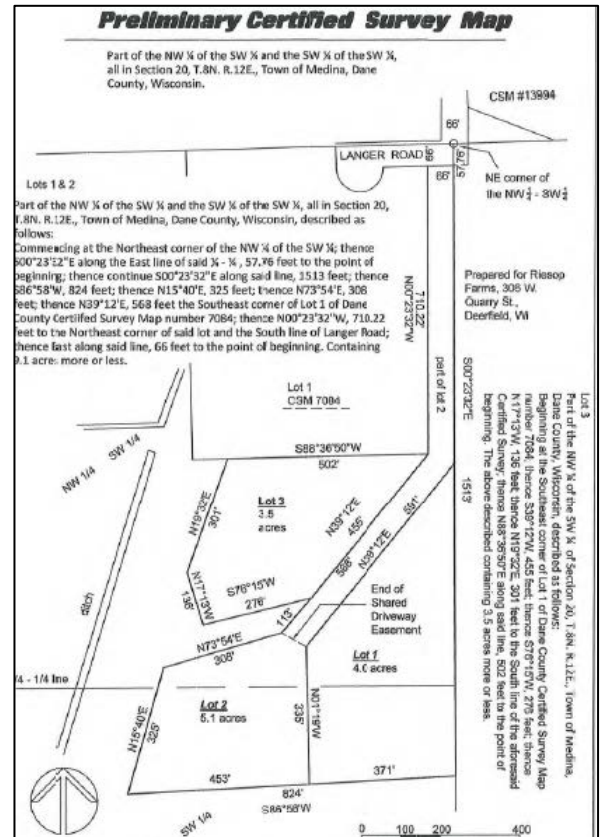
Given the overall characteristics of the property, the proposed lots appear reasonably consistent with town plan policies.

**STAFF UPDATE 2-9-21:** The petition was postponed at the July 28, 2020 ZLR public hearing due to public opposition and also the concerns expressed by environmental health staff. The concerns raised at the hearing were potential negative impacts to the rural atmosphere and possible issues with snow removal and a tree line on the easterly boundary of the property near where the driveway would be installed. In response to the concerns, the applicant indicated that he does not intend to install the driveway at the very edge of the property along the easterly boundary and has no plans to prune trees that may extend across the property line.

As noted above, the applicant had a soil test done to verify that there is a suitable area for a septic system located outside of the mapped floodplain and hydric soil area on the easterly lot.

Staff recommends the petition be approved with the following conditions:

1. The shared driveway easement shall be shown on the final Certified Survey Map.
2. The approximate location of 100 year floodplain boundary shall be shown on the final Certified Survey Map. All structural development shall occur outside of the environmentally sensitive area.



3. Applicant shall record a shared driveway easement agreement meeting the standards required under section 75.19(8) of the county land division ordinance.

**TOWN:** The Town Board approved the petition conditioned upon the Town of Medina animal unit restrictions being recorded on the new lots.