
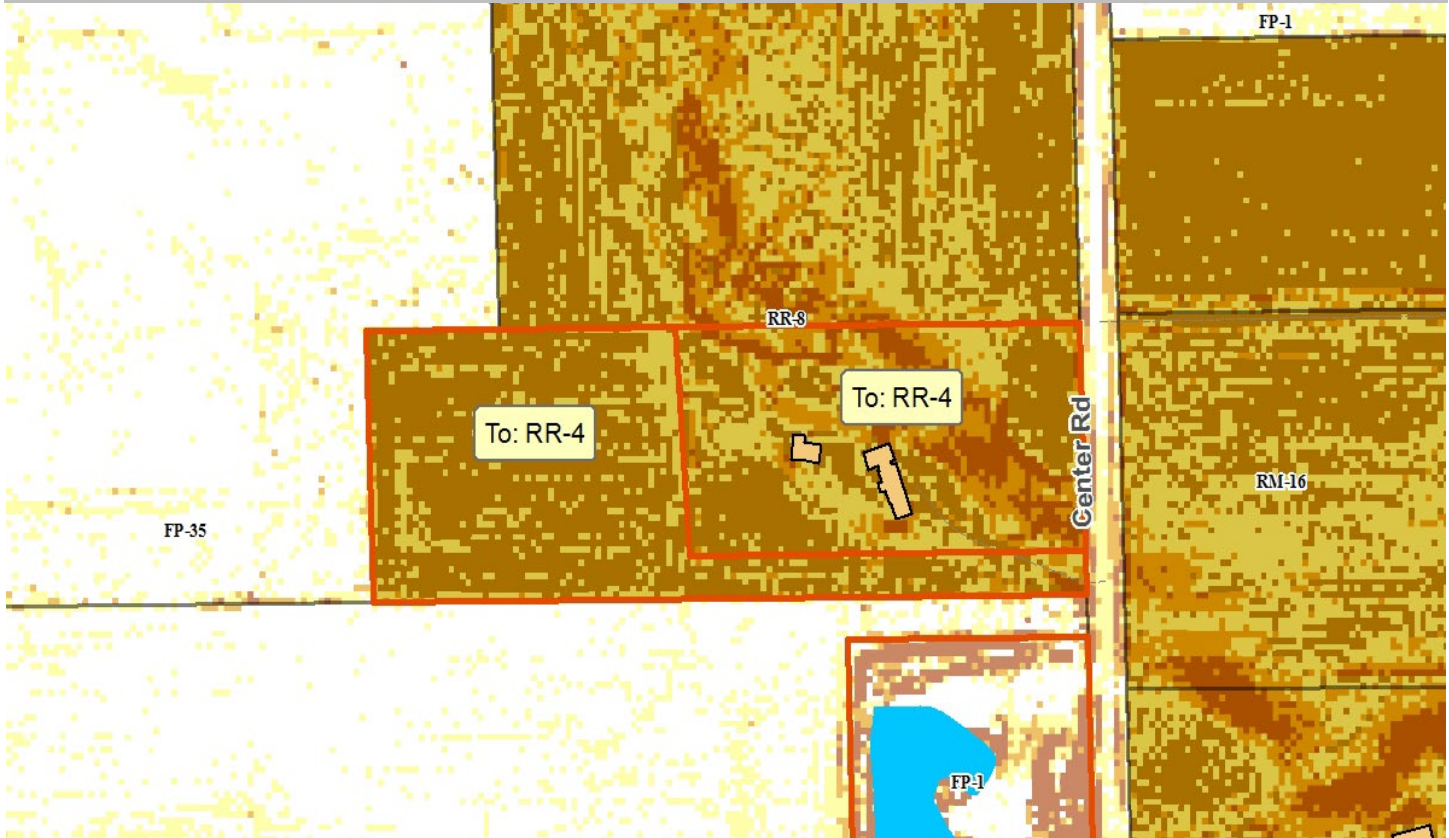


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> July 26, 2022		Petition 11853
	<i>Zoning Amendment Requested:</i> RR-8 Rural Residential District TO RR-4 Rural Residential District		<i>Town/Section:</i> RUTLAND, Section 28
	<i>Size:</i> 12 Acres	<i>Survey Required:</i> Yes	<i>Applicant:</i> KEVIN W HAHN
	<i>Reason for the request:</i> Creating one residential lot		<i>Address:</i> 439 CENTER ROAD



DESCRIPTION: Applicant proposes to divide existing 12 acre RR-8 parcel to RR-4 for the purpose of creating a new residential building site.

OBSERVATIONS: Existing uses of the 12 acre property are rural residential and agriculture / open space. Surrounding land uses are scattered rural residences, agriculture, and mineral extraction. The applicant owns/operates an existing nonconforming mineral extraction site at 439 Center Road just south of the subject property, and a new mineral extraction site was recently approved on adjoining lands to the south under Conditional Use Permit #2563. No sensitive environmental features observed.

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

RESOURCE PROTECTION: No resource protection corridors located on the property.

STAFF: Town plan policies allow for division of parcels between 8 – 35 acres in size that were created prior to June 7, 1978. The 12 acre property was created in 1976.

As noted above, the applicant, Kevin Hahn, owns the existing non-conforming mineral extraction area to the south, and was recently approved for a new mineral extraction operation on adjoining property. Mr. Hahn acquired the subject 12 acre property in July of 2021 with the intent to divide the property for the purpose of creating a building site for his son.

The town has approved the petition with a condition requiring a deed restriction to prohibit further residential development since the eligible density units are being exhausted.

Pending any concerns raised at the ZLR public hearing, staff recommends approval of the petition with the following condition. Note that this condition is slightly different than what is included in the town action report, but more accurately captures the intent:

1. Deed restrict the two proposed RR-4 parcels to prohibit further division or nonfarm development.

Any questions about this petition or staff report, please contact Majid Allan at (608) 267-2536 or allan@countyofdane.com

TOWN: Approved with conditions.

