

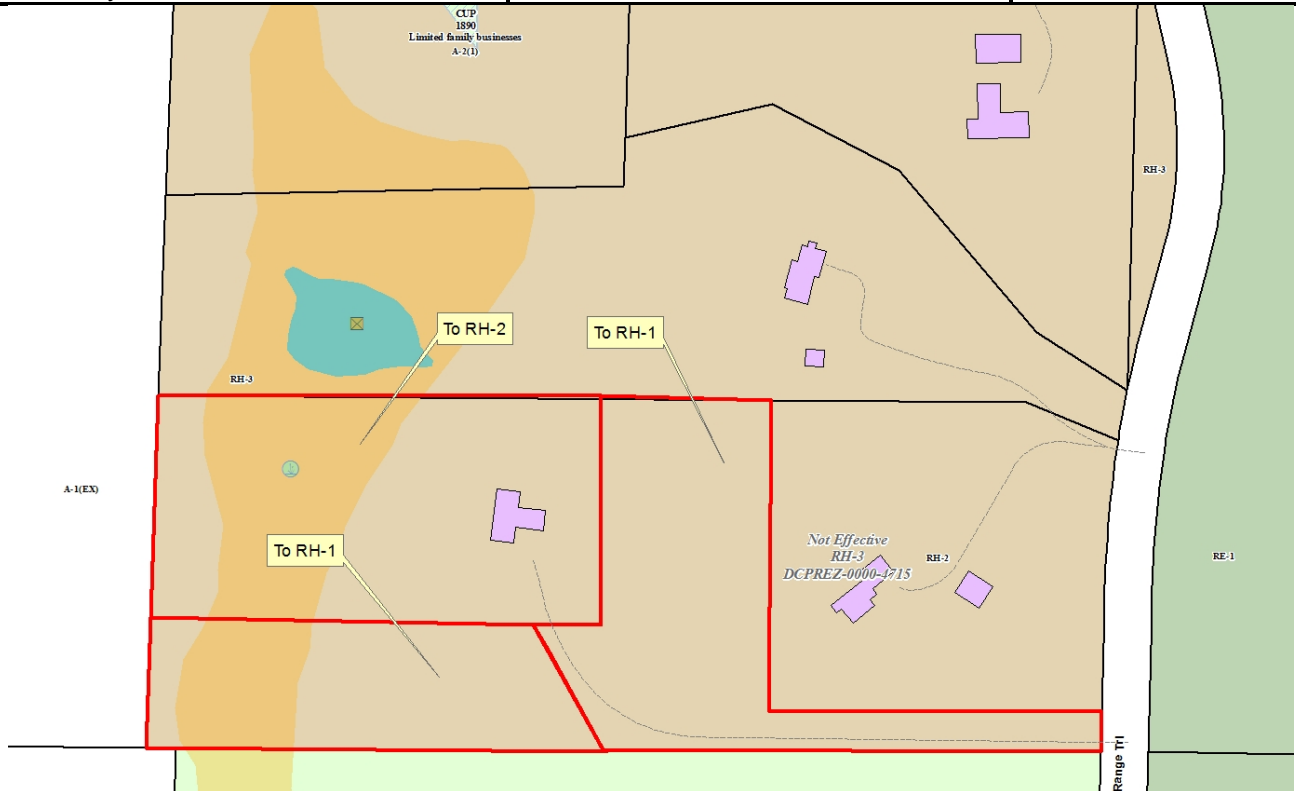


# Staff Report

<b>Public Hearing: March 28, 2017</b>	<b>Petition: Rezone 11105</b>
<b>Zoning Amendment: RH-3 Rural Homes District to RH-1 Rural Homes District</b>	<b>Town/sect: Verona Section 34</b>
<b>Acres: 5.5 , 4.5 Survey Req. Yes</b>	<b>Applicant Wendy Pacetti</b>
<b>Reason: Creating <del>four</del> three residential lots, one for existing residence</b>	<b>Location: 1841 Range Trial</b>

## Zoning and Land Regulation Committee

**NOTE:** Proposal was reduced to three lots. See revised layout.



**DESCRIPTION:** The applicant would like to create ~~three~~ two additional home sites around the existing house.

**OBSERVATIONS:** The property was created in 2006 as a 10-acre residential lot. There is an existing residence on the property. There is a low area along the western property line which contains hydric soils and may contain wetlands. The eastern side of the property contains a hill with slopes in excess of 30% grade. The lot is accessed by a 66-foot strip of land from Range Trail. The two of the proposed lot will not have frontage to a public street.

**TOWN PLAN:** The property is located in the town's Rural Residential planning area. Residential development is permitted in this area at a density limit of one house per 2 acres of land. The Transportation Element of the plan calls for new lots to front on a public road with a lot width of 66 feet. The Town is reviewing an exception as part of this petition.

**RESOURCE PROTECTION:** The property is outside the resource protection area.

**STAFF:** The proposal has been amended by reducing the number of lots down to three. The zoning request will need to be amended to allow for one RH-2 lot and two RH-1 lots. If approved, Staff suggests that the approval be conditioned upon a shared access agreement be prepared and recorded which meets the standards under DCCO 75.19(8).

**3/28 ZLR:** The petition was postponed due to no town action and public opposition. The neighbors expressed concerns regarding the density keeping with the neighborhood, the potential of wetlands on the west side of the property, and dust conditions of the driveway.

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## Petition 11105 continued

**STAFF UPDATE:** It appears that the concerns of the neighborhood have been addressed by the conditions of approval by the Town of Verona.

**DENSITY:** The proposal is located in the Rural Residential Development Area as per the Town Comprehensive Plan. The Rural Residential Development Area allows development to a maximum density of one house per 2 acres. To address the density concern, the applicant has reduced the proposal from 4 homes on the 10 acres to 3 homes. This equates to a density of one house per 3.4 acres. The Town of Verona is also requiring a deed restriction prohibiting further development.

**WETLAND:** The west side of the property contains hydric soils which are a good indication of the presence of wetlands. The Town of Verona is requiring that a wetland delineation be performed on the property to identify the presence of wetlands. Any wetlands present shall be shown on the recorded certified survey map.

**DUST:** The neighbor expressed concerns on the dust generation due to the increased traffic on the proposed joint driveway. The Town of Verona is requiring that the driveway be paved upon the construction of the second home.

**TOWN:** Approved with conditions. See attached.

If approved, staff suggests the following conditions:

1. The zoning petition be amended to assign the zoning district classification of RH-1 to the proposed Lot 1 and Lot 3. The zoning district classification of RH-2 shall be assigned to proposed Lot 2.
2. A joint driveway agreement shall be recorded with the Register of Deed which meets the standards of Dane County Code of Ordinances Section 75.19(8). A copy of the agreement shall be submitted to the Town of Verona.
3. The driveway shall be paved prior to the issuance of a zoning permit or building permit for the construction of any additional home on the property.
4. Tree trimming shall be limited on the property to avoid impacts related to oak wilt.
5. A note shall be placed on the certified survey map identifying the potential of wetlands along the west side of the property. Development in this area will be subject to a wetland delineation.
6. A deed restriction shall be recorded on the property to prohibit further residential development.