



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **September 27, 2016**

Petition: **Rezone 11039**

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

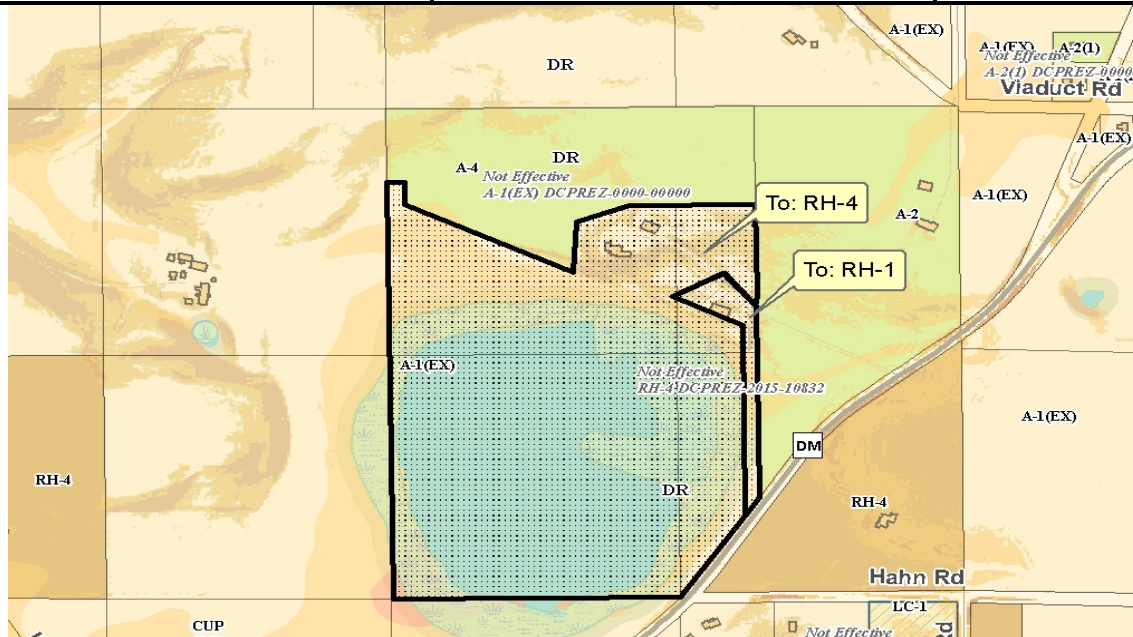
Town/sect:
Dane Section 12

Acres: **2.64, 74.96**
Survey Req. **Yes**

Applicant
Richard A Eberle

Reason:
Creating one residential lot

Location:
6354 County Highway DM



DESCRIPTION: The applicant would like to bring the current residence into compliance with zoning regulations and create a residential home site around an existing accessory building.

OBSERVATIONS: The existing residence on the property was constructed under Farm Plan #98. It was discovered that the owner no longer derives income from agricultural production and the property would need to be rezoned to a residential category in order to be in compliance with Farmland Preservation requirements. There is an existing accessory building on the property that has been converted into an office building with sanitary fixtures.

There is 42-acre pond located on the property. Wetlands surround the shores of this shallow pond.

TOWN PLAN: The property is located in the town's agricultural preservation area and is also identified as open space/environmental corridor. Development is limited to one dwelling unit per 35 acres owned. As indicated on the attached density study report, the property was originally eligible for a total of 4 splits. Three prior splits have been taken. If the petition is approved, the splits will be exhausted.

DANE COUNTY HIGHWAY DEPARTMENT: County Highway DM is not a controlled access highway. Any changes or new access points require permits to be obtained from Dane County Highway Department.

RESOURCE PROTECTION: The majority of the of the RH-4 property is in the resource protection area due to the pond and wetland areas.

STAFF: The proposal meets the dimensional standards of the zoning district. Staff recommends that a deed restriction be recorded on the proposed RH-4 parcel prohibiting further division of the property or further residential development. Given that the proposed RH-1 lot has an existing structure on it, it is suggested that the a deed notice be placed on the property that identifies that the structure may only be used for residential purposes and that commercial use of the building is prohibited.

TOWN: Approved with no conditions.