
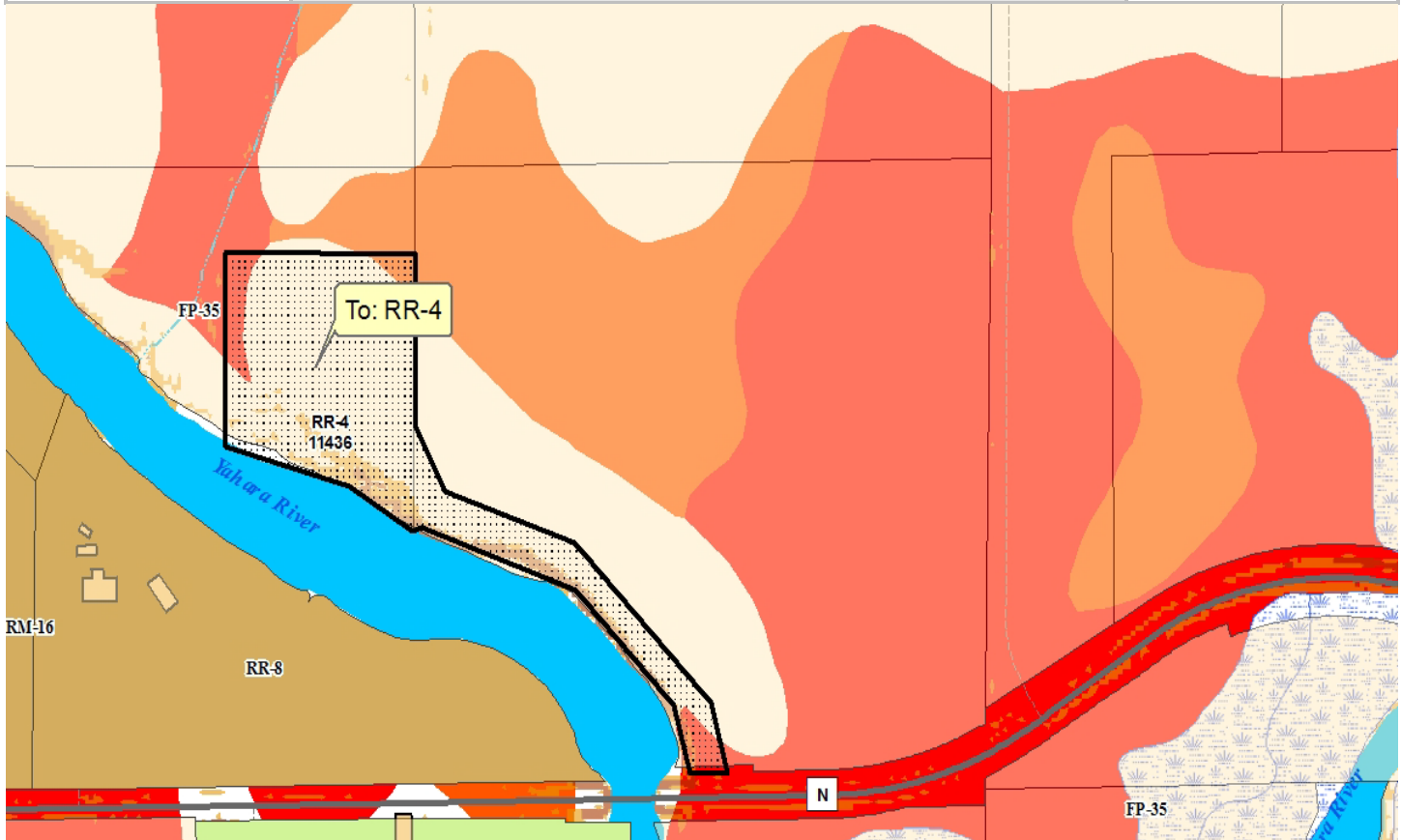


Staff Report  Zoning and Land Regulation Committee Questions? Contact: Majid Allan 608-267-2536	<i>Public Hearing:</i> July 23, 2019	Petition 11436	
	<i>Zoning Amendment Requested:</i> FP-35 (General Farmland Preservation) District TO RR-4 (Rural Residential, 4 to 8 acres) District	<i>Town/Section:</i> DUNKIRK, Section 27	
	<i>Size:</i> 6.5 Acres	<i>Survey Required:</i> Yes	<i>Applicant:</i> JUSTAMERE FARMS INC
	<i>Reason for the request:</i> Creating one residential lot		<i>Address:</i> NORTHEAST OF 325 COUNTY HIGHWAY N



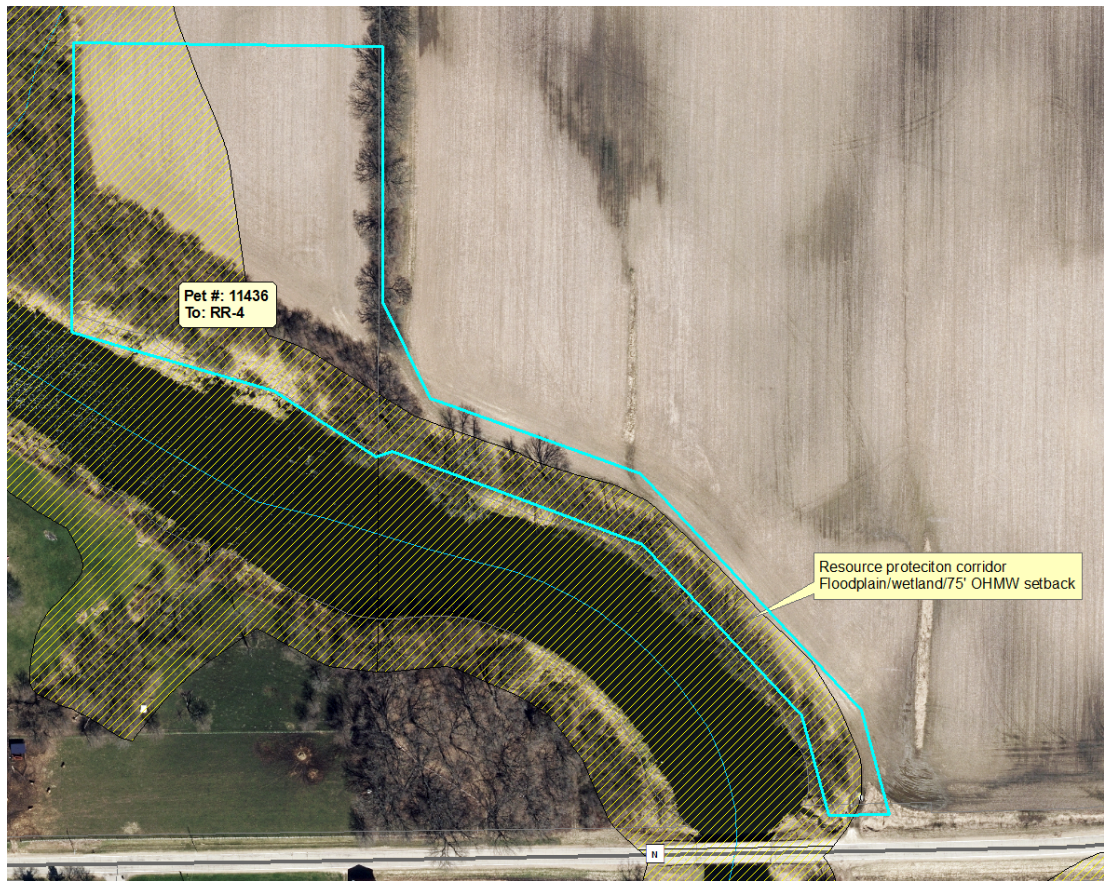
DESCRIPTION: Applicant proposes to create a new 6.5 acre rural residential lot northeast of 325 County Highway N on the north shore of the Yahara River.

OBSERVATIONS: Surrounding land uses include agriculture / open space and scattered rural residences located south of the Yahara River. An area of the Yahara River’s 100 year floodplain covers the westerly half of the proposed lot. The property consists of approximately 90% class II soils. Driveway access is proposed via an existing field road that would be improved to meet town driveway ordinance standards. Note that the driveway location must be located outside of the 75’ setback to the Ordinary High Water Mark (OHWM) of the river. It appears that the property has suitable dryland access and a buildable area outside of the floodplain totaling approximately 2 acres. Shoreland zoning regulations will apply to development of this property.

TOWN PLAN: The property is located in the town’s agricultural preservation area. Development is limited to 1 dwelling unit per 40 acres owned as of July 1, 1979.

RESOURCE PROTECTION:

An area of resource protection corridor associated with mapped 100 year floodplain and 75' waterbody setback area are located on portions of the property. Installation of the driveway or any structures must be located outside of the 75' setback area.



DANE COUNTY HIGHWAY DEPT: CTH N is not a controlled access highway. Any new points of access or changes in use of existing access requires a permit. Joint use access will be required. Estimate increase of traffic to be 10 trips per day.

DANE COUNTY LAND & WATER RESOURCES DEPT: Development of a flag lot in primary shoreland zone will require shoreland erosion control permit and will likely require a stormwater permit.

PLANNING STAFF: As indicated on the attached density study report, the property remains eligible for at least one split. The town of Dunkirk has been in discussions with the property owner over the siting of this split for several months working to ensure a building location that complies with town siting standards. Structural development should be located outside of the mapped floodplain area. As noted in the Observations section, above, the driveway must meet the minimum 75' setback to the Ordinary High Water Mark of the river.

The applicant is proposing a revision to the parcel boundaries in order to meet the OHWM setback requirement and to ensure a building envelope located outside of the 100 year floodplain area. See revised proposed map, below.

Staff recommends postponement until the town has had an opportunity to review the proposed revisions to the parcel boundaries and to submit an action report.

July 23rd ZLR Meeting: The petition was postponed due to no town action.

TOWN: The Town Board approved the petition conditioned upon the final certified survey map being reviewed by the Town Board.

STAFF UPDATE: The applicant has revised the lot configuration to make it more suitable for development under the Shoreland regulations. The area along the river has been widened to 100 feet to allow for a driveway to be installed outside of the stream buffer area (75-foot setback).

