
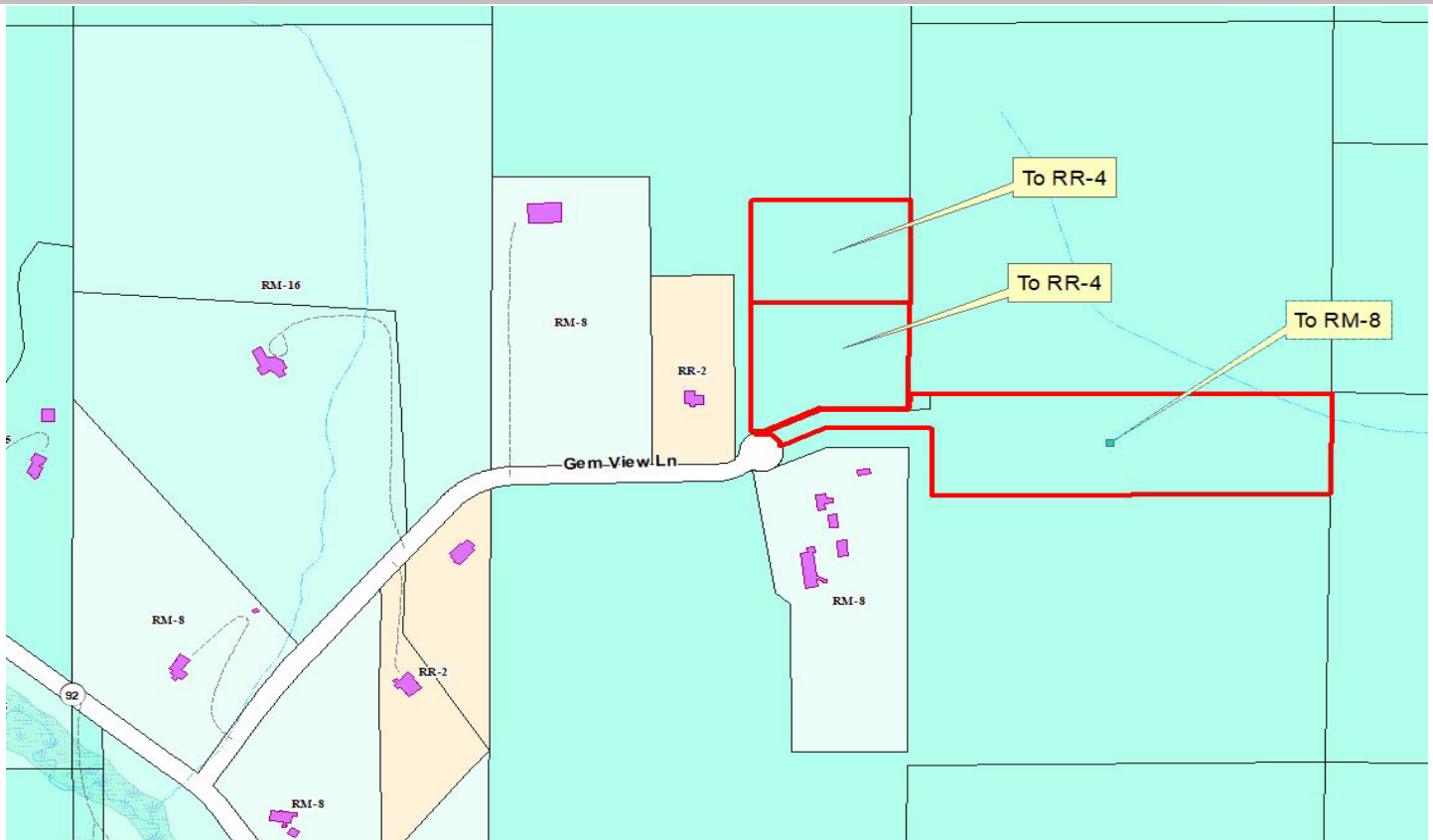


<b>Staff Report</b>    <b>Zoning &amp; Land Regulation Committee</b>	<u>Public Hearing:</u> <b>April 22, 2025</b>		<b>Petition 12133</b>
	<u>Zoning Amendment Requested:</u> <b>AT-35 Agriculture Transition District TO RR-4 Rural Residential District</b>		<u>Town, Section:</u> <b>SPRINGDALE, Section 17</b>
	<u>Size:</u> <b>8 Acres</b>	<u>Survey Required:</u> <b>Yes</b>	<u>Applicant:</u> <b>KELLY CONNOR (GINTHER)</b>
	<u>Reason for the request:</u> <b>Creating two residential lots</b>		<u>Address:</u> <b>EAST OF 9204 GEM VIEW ROAD</b>



**DESCRIPTION:** Applicant would like to create two residential lots with RR-4 zoning from what is now a 60-acre farm parcel. At the same time, an existing Certified Survey Map (CSM) lot will be rezoned to RM-8 to reflect that lot's size and intended use (it was previously created and contains one housing density unit. The remaining farm land would remain in AT-35 zoning, but would be included in the survey as proposed Lot 4 due to town CSM requirements.

**OBSERVATIONS:** The lots meet most county ordinance requirements for lot size and configuration. The proposal would provide the required 66 feet of lot width and road frontage on the agricultural Lot 4. It would provide access to Lot 2 (which has no road frontage) by a shared access easement across both Lot 1 and Lot 3. In order to have a lot without frontage, the adjacent lot must have a 66-foot wide driveway easement and the agreement must meet specific requirements under Dane County Land Division Ordinance Section 75.19(8). This was discussed with the applicants previously and options were provided to meet ordinance requirements.

Because Lot 1 (where the driveway would be located) does not have 66 feet of road frontage, the CSM will need to be adjusted to either (a) expand the access easement on Lot 3 to include that lot's entire 66 feet of frontage, and locate the driveway entrance within Lot 3 or (b) modify Lot 1 so that it has 66 feet of frontage (this would require reducing Lot 3's frontage; a minimum 30 feet of frontage is required in this case).

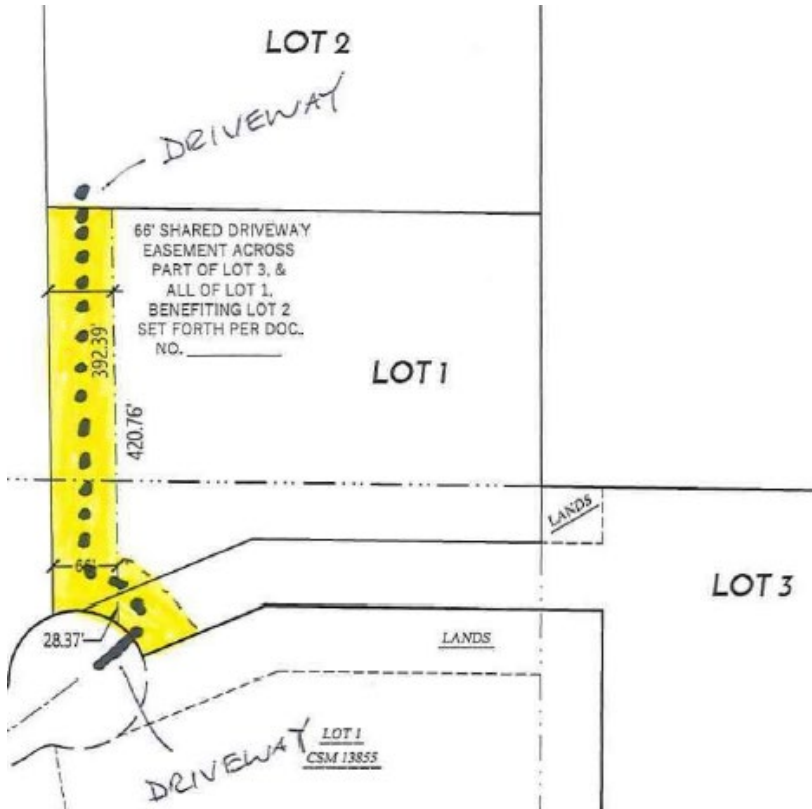
Gem View Lane is roughly 2,300 feet long and provides access to seven homes today. This proposal would add two new homes to the road. The property is within the Village of Mount Horeb's extraterritorial jurisdiction for the CSM review.

**COMPREHENSIVE PLAN:** The proposal is consistent with the Comprehensive Plan. For questions about the town plan, contact Senior Planner Bridgit Van Belleghem [vanbelleghem.bridgit@danecounty.gov](mailto:vanbelleghem.bridgit@danecounty.gov).

**RESOURCE PROTECTION:** There are no sensitive environmental features on or within 300 feet of the proposed new lots. The east end of the existing residential lot is subject to shoreland zoning. No concerns to note.

**TOWN ACTION:** The Town Board recommends approval of the petition subject to no further land divisions per the town land use plan, and no building or further divisions of Lot 4 (the AT-35 lot).

**STAFF RECOMMENDATION:** As noted above, there are a couple of ways the applicants can address the lot layout and driveway access requirements of the Dane County Chapter 75 land division ordinance. Lots 1 and 3 could be reconfigured slightly so that the entire access easement is on Lot 1. Alternately, if the lot layout remains as proposed, another workable solution would be to expand the easement and construct the driveway as shown below:



If the applicants are willing to modify the lot configuration to meet the county requirements noted above, staff would support the proposal. Pending any comments at the public hearing, staff would recommend approval subject to the following condition:

1. The layout of the lots shall meet the Shared Access easement requirements in s.75.19(8) of Dane County Land Division Ordinance.
2. A deed restriction shall be recorded on proposed CSM Lot 4 (current tax parcel 0607-173-9051-0) stating the following:
  - a. Lot 4 (zoned AT-35) shall have no further buildings or further land divisions.
3. A deed notice shall be recorded on Lots 1-3 of the proposed CSM (current tax parcel 0607-202-8485-0 and part of tax parcel 0607-173-9051-0) stating the following:
  - a. Further land divisions are prohibited. The housing density rights for the original Ginther Family Limited Partnership farm have been exhausted per the Town Comprehensive Plan density policies.

Please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@danecounty.gov](mailto:holloway.rachel@danecounty.gov) if you have questions about this petition or staff report.