
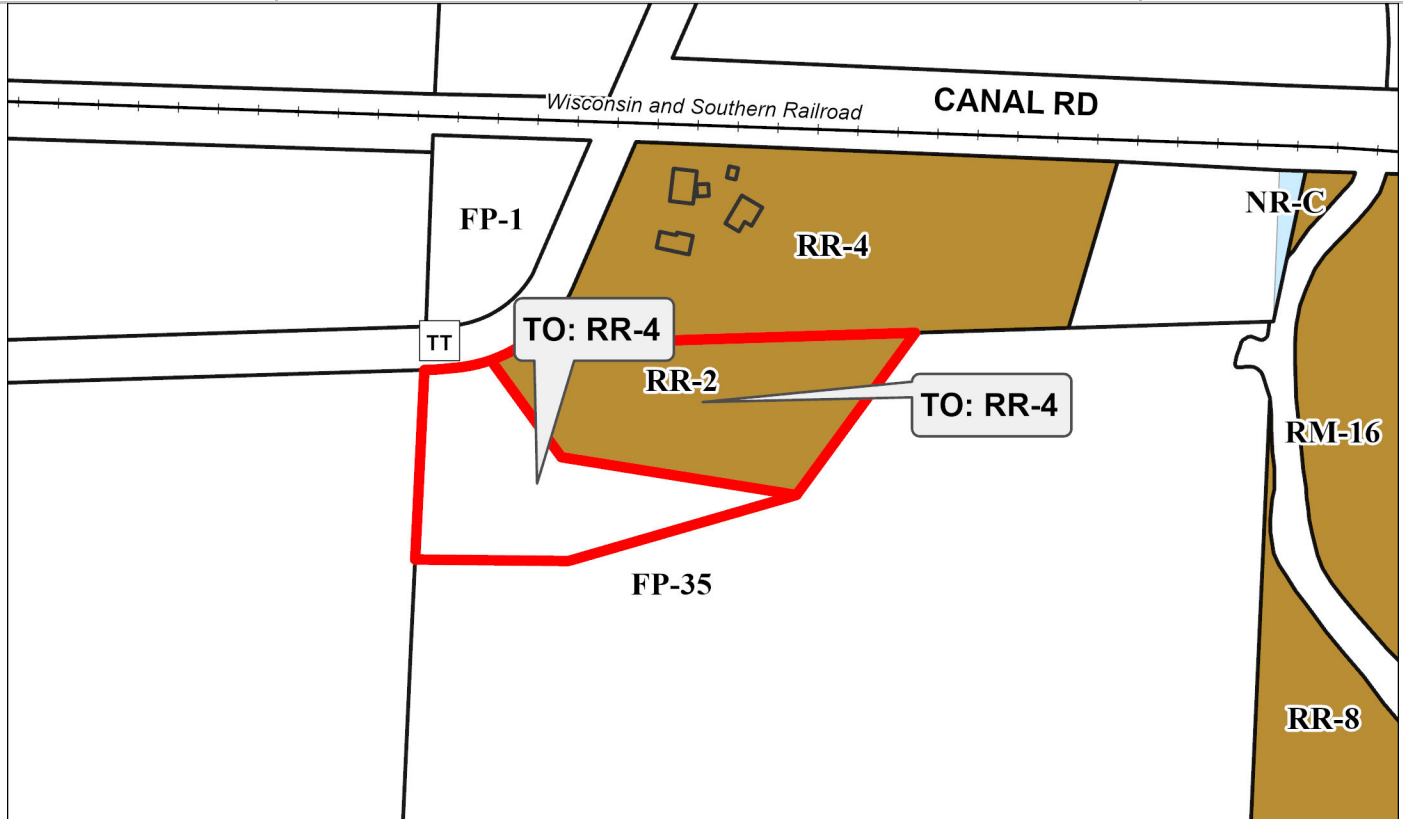


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	Public Hearing: <b>March 26, 2024</b>	<b>Petition 12019</b>
	<b>Report updated for the May 14th ZLR Meeting</b>	
	<u>Zoning Amendment Requested:</u> <b>RR-2 Rural Residential District and FP-35 Farmland Preservation District TO RR-4 Rural Residential District</b>	<u>Town/Section:</u> <b>MEDINA, Section 8</b>
	<u>Size:</u> <b>2.54,2.12 Acres</b> <u>Reason for the request:</u> <b>Increasing the size of an existing residential lot</b>	<u>Applicant</u> <b>LEXI &amp; LUCAS DOBRZYNSKI</b> <u>Address:</u> <b>SOUTH OF 6078 COUNTY HWY TT</b>



**DESCRIPTION:** Lexi and Lucas Dobrzynski propose a rezoning in order to increase the size of their residential lot to a 4.6-acre lot with RR-4 zoning. The current lot was created with Certified Survey Map #11498 recorded in 2005. The applicants own an additional 40+/- acres; the remaining lands would be over 35 acres in size and thus could remain zoned FP-35.

**OBSERVATIONS:** The proposed lot expansion conforms to the requirements of the applicable zoning districts, including lot size, public road frontage and lot width. The property contains steep slopes where the land rises up to a high ridge south of the residential lot area; the ridge effectively separates the farm fields from the residential and wooded areas.

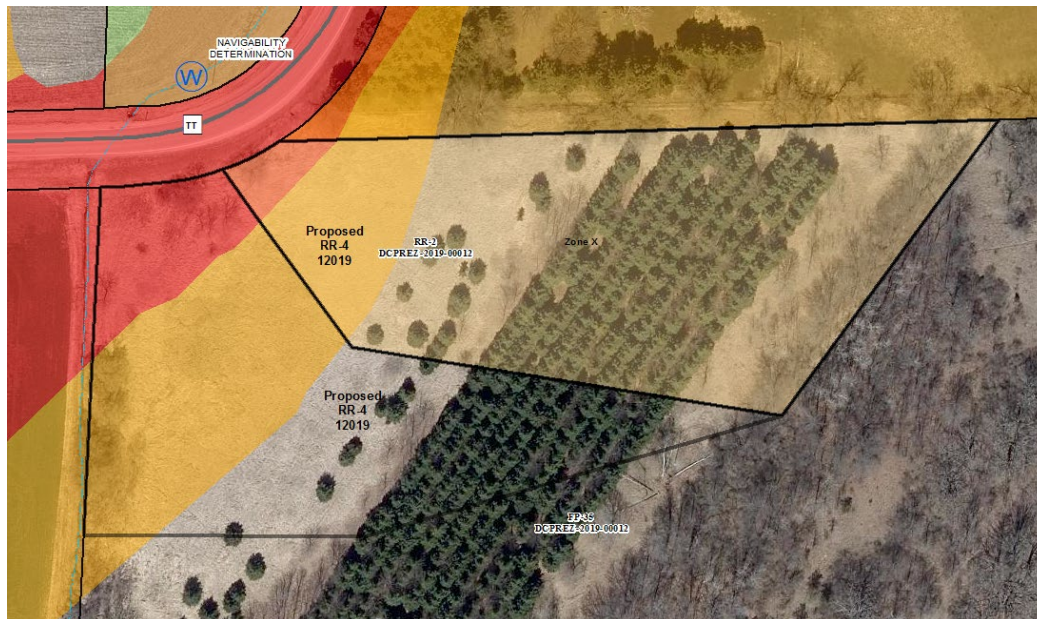
The FP-35 lands currently have frontage on County Highway TT and Canal Road. After this CSM to reconfigure the residential lot boundary, the agricultural lands will only have frontage on Canal Road. There is an existing field access along Canal Road that crosses the railroad tracks.

The property is subject to the Village of Medina's extraterritorial jurisdiction for land division reviews.

**COMPREHENSIVE PLAN:** The property is located in a designated agricultural preservation area. The proposed expansion of the existing residential parcel appears reasonably consistent with comprehensive plan policies. (For questions about the town plan, contact Senior Planner Majid Allan at (608) 267-2536 or [allan@countyofdane.com](mailto:allan@countyofdane.com))

**RESOURCE PROTECTION:** The residential lot is subject to shoreland zoning due to proximity to a pond located to the north and a stream located to the west along County Highway TT. A shoreland zoning permit will be required prior to development activity on the lot.

The portion of the proposed RR-4 lot along the highway contains hydric soils (shown in red below). A wetland delineation will be required prior to construction permits to verify the presence of wetlands on the property. A delineation report was not required as part of the rezoning petition because there is already a residential lot established. The presence of wetlands along the front property line would make access to future development prohibitive due to the required 75-foot setback for structures, and prohibited uses in a wetland.



**DANE COUNTY HIGHWAY DEPT. COMMENTS:** Initial comments were: CTH TT is not a controlled access highway. No new access will be permitted on CTH TT due to reconfiguration of lots. Any change of use for access requires a new permit from the Highway Department. Estimate increase of traffic to be 10 trips per day due to rezone.

Access Permit # 04A-068 allowed a single access point for 1 single family residence and agriculture lands. The Access was not constructed for the single family residence and was considered agricultural only. This permit was revoked. For more information contact Associate Highway Engineer Kevin Eslick at (608)283-1486 or [eslick.kevin@countyofdane.com](mailto:eslick.kevin@countyofdane.com).

**TOWN ACTION:** On March 13, 2024 the Town Board recommended approval of the rezone with no special conditions.

**MARCH 26<sup>TH</sup> ZLR PUBLIC HEARING:** The ZLR Committee postponed action at the public hearing, due to the need for access approval, in accordance with the ZLR Committee's adopted rules and procedures. There were no other concerns and no comments were heard from the public in opposition to the petition.

**STAFF RECOMMENDATION (updated 4/30/24):** Since the public hearing, the applicants have worked with Dane County Highway to obtain a new residential access permit. The new permit (UID #739) was issued on April 16<sup>th</sup> to allow the relocation of the driveway to the southwest, with special provisions on the construction.

Staff recommends approval of the petition subject to the applicant recording the CSM for the expanded lot boundary.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@countyofdane.com](mailto:holloway.rachel@countyofdane.com)