



## Staff Report

### Zoning and Land Regulation Committee

Public Hearing: **November 24, 2015**

Zoning Amendment:

**A-3 Agriculture District and RH-1 Rural Homes District to R-4 Residence District**

Acres: 51, 2.1

Survey Req. Yes

Reason:

**Creating a 21-unit single-family home condominium development**

Petition: **Rezone 10920**

Town/sect:

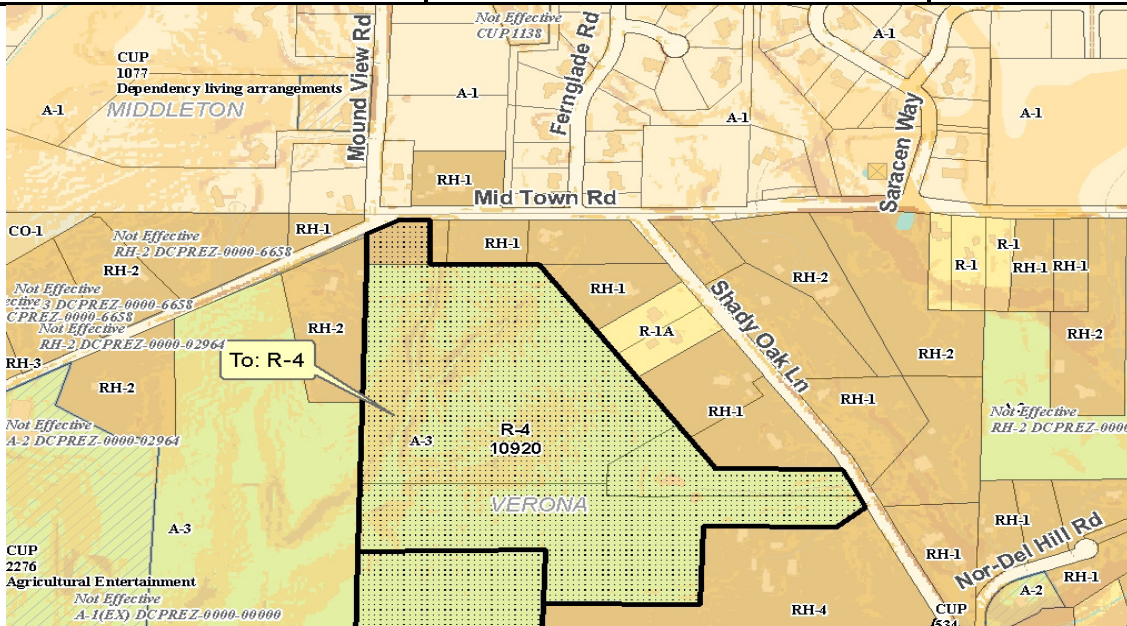
**Verona  
Section 05**

Applicant

**Jacobsen REV Living  
Trust**

Location:

**3159 Shady Oak Lane**



**DESCRIPTION:** Temple Builders would like to develop a 21-unit condominium project on a 53-acre property. The project consists of 21 single-family detached buildings which are served by a private road. The drive will be connected to Shady Oak Lane and Mid-Town Road and will be constructed to Town Road standards. Each house will have a building envelope area that is approximately 1.25 acres in size. Each dwelling will be served with a private well and private septic system.

**OBSERVATION:** The property is located on the edge of a single-family development area consisting of residential lots ranging from 1 to 4 acres in size. The majority of the property is wooded. Some areas have slopes just over 12% grade. No other sensitive environmental features observed.

**DEPARTMENT OF HEALTH:** The Department would like to see the individual septic systems and individual wells be placed in recorded easement areas assigned to each dwelling unit.

**TOWN PLAN:** The property is located in the town's Rural Residential Planning Area. Residential density is limited to a maximum of one unit per two acres. Residential development requires a site plan that *"demonstrates the preservation and protection of wetlands, woodlands, native grasslands, erodible slopes, and wildlife habitat."*

**CITY OF MADISON:** The City of Madison Department of Planning and Development has objected to this proposal. (See letter dated 11/11/2015 in packet.) Although the property is within the City of Madison's extraterritorial plat review jurisdiction, the City of Madison has no statutory review authority over condominium plats.

**RESOURCE PROTECTION:** There are small areas of slopes that exceed 20% grade on the property, but these should not pose a significant obstacle to development.

**STAFF:** The proposal appears to be consistent with Town plan policies. Staff suggests that a deed restriction be placed on the property to limit the land use to detached single-family dwellings only. Also, easements should be recorded for all private wells and septic systems for each dwelling.

**TOWN:** Approved conditioned upon a deed restriction limiting the land use to single-family homes on 2-acre areas and contingent upon the Town approving a developers agreement for the proposed development.