
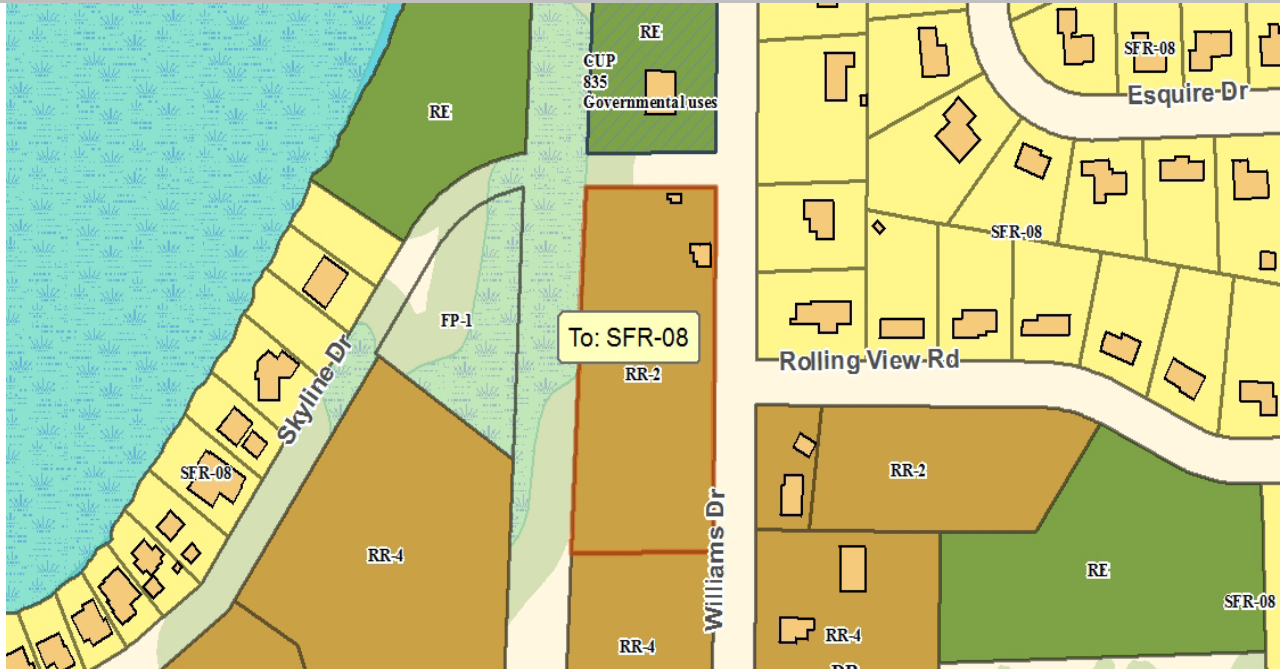


Staff Report  Zoning and Land Regulation Committee	Public Hearing: August 24, 2021		Petition 11729		
	<u>Zoning Amendment Requested:</u> RR-2 Rural Residential District TO RR-1 Rural Residential District, RR-2 Rural Residential District TO SFR-08 Single Family Residential District		<u>Town/Section:</u> PLEASANT SPRINGS, Section 29		
	<u>Size:</u> 1.0,1.6 Acres	<u>Survey Required:</u> Yes		<u>Applicant:</u> LOIS ANN WILLIAMS	
	<u>Reason for the request:</u> Creating three residential lots			<u>Address:</u> 2069 WILLIAMS DRIVE	



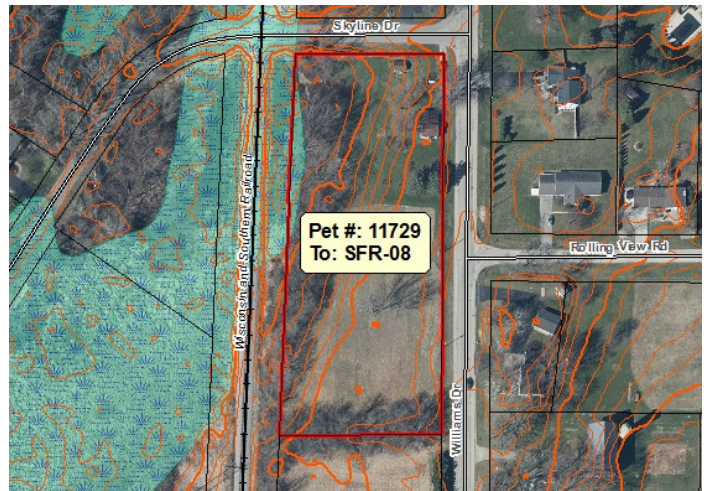
DESCRIPTION: Applicant proposes to rezone and subdivide the existing ~3 acre RR-2 (Rural Residential) zoned lot to SFR-08 (Single Family Residential) to create 2 additional lots for future development.

OBSERVATIONS: The current use of the property is residential with an existing dwelling and yard. Surrounding land uses are residential. The Wisconsin & Southern rail line borders the western lot boundary. The property is within a Limited Service Area where sanitary sewer service is available. It appears, however, that only the northerly half of the property is actually within the Pleasant Springs Sanitary District boundary (i.e., proposed lots 1 & 2). An area of wetlands encroaches onto the north-westerly portion of the property.

TOWN PLAN: The property is located within the town’s Lake Kegonsa and Lower Yahara River Residential planning area.

RESOURCE PROTECTION: An area of resource protection corridor associated with the mapped wetlands and 75’ wetland setback encroaches on the north-western boundary of the property.

STAFF: The town’s Lake Kegonsa and Lower Yahara River residential planning area corresponds to the boundary of the town’s Limited Service Area where sanitary sewer service is provided by the Pleasant Springs Sanitary District. The primary goals for the area are to, “...protect water quality and promote the efficient use of public infrastructure.” Town plan policies allow for limited development opportunities within the area.



One of the primary policies for the area states: *“There is no explicit density limitation or policy for the Lake Kegonsa & Lower Yahara River Residential planning area. All new or infill development shall be reviewed on a case-by-case basis to determine if the proposal is appropriate in light of the goals, objectives, and policies for the area, consistent with the character of the neighborhood, and compatible with existing neighboring uses.”*

Other neighboring lots in the immediate area range in size. Nearby residential lots within the sanitary district boundary (e.g., Rolling Meadows and Kegonsa Grove subdivisions) average approximately ~1/2 acre in size, while residential lots outside the boundary are significantly larger (1+ acre). The proposed lots are each at least .8 acres in size.

As noted above, it appears that only proposed lots 1 & 2 are currently within the Pleasant Springs Sanitary District boundary. The town approved the petition with a condition indicating, *“No further residential development on lot three, unless annexed into MMSD’s Limited-Service Area.”*

Since the town policies for the planning area are based on the availability of sanitary sewer service, development on proposed lot 3 would be inappropriate until/unless it is annexed into the sanitary district. The applicant has indicated that they do not intend to pursue annexation for proposed lot 3 at this time.

Pending comments or concerns raised at the ZLR public hearing, staff finds the proposal reasonably consistent with town plan policies and recommends the following conditions of approval. Note that the conditions below incorporate the condition required by the town of Pleasant Springs.

1. Any residential dwellings on the proposed lots shall be served by public sanitary sewer.
2. Property owner shall record a deed restriction on proposed lot 3 prohibiting residential development until such time as the property is annexed into the MMSD’s limited service area.

Any questions about this petition or staff report please contact Majid Allan at (608) 267-2536 or allan@countyofdane.com

STAFF UPDATE: The zoning petition was postponed at the August 24th ZLR public hearing due to public [opposition](#) from a neighboring resident. The neighbor expressed concerns about the loss of rural character, and also called into question whether the proposal is consistent with town plan policies. The applicant has provided a [response](#) to the opposition.

[Town policies](#) seek to strike a balance between protecting the integrity and character of existing neighborhoods and water quality while allowing for additional development opportunities as a way of maximizing the use, and defraying the overall cost, of sanitary sewer infrastructure. The addition of new development in existing neighborhoods can understandably be a source of concern for current residents. This proposal will result in one additional building site, along with the possibility of a second site if/when the southerly portion of the property is annexed into the sanitary sewer service area. This is a fairly modest increase in residential density and appears reasonably consistent with density of development in the broader neighborhood.

Staff stands by the initial review and believes that the town board acted in accordance with town plan policies regarding development within the area served by sanitary sewer.

Staff recommends approval of the zoning petition with the following conditions:

1. Any residential dwellings on the proposed lots shall be served by public sanitary sewer.
2. Property owner shall record a deed restriction on proposed lot 3 prohibiting residential development until such time as the property is annexed into the MMSD’s limited service area.

TOWN: Approved with the following condition: *“No further residential development on lot three, unless annexed into MMSD’s Limited-Service Area.”*