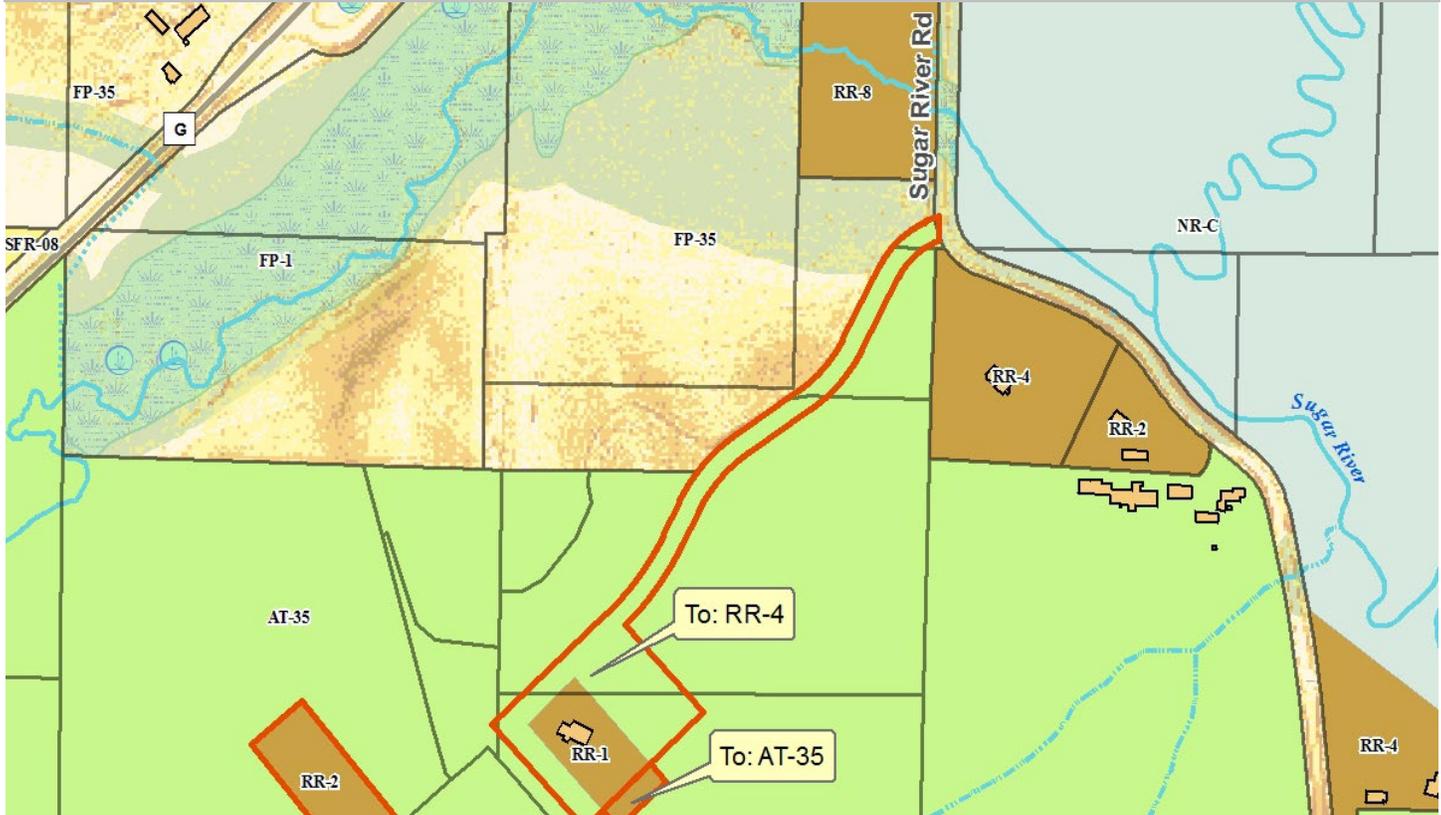


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>September 28, 2021</b>		<b>Petition 11741</b>
	<i>Zoning Amendment Requested:</i> <b>AT-35 Agriculture Transition District TO RR-4 Rural Residential District, RR-1 Rural Residential District TO RR-4 Rural Residential District, RR-1 Rural Residential District TO AT-35 Agriculture Transition District</b>		<i>Town/Section:</i> <b>VERONA, Section 20</b>
	<i>Size:</i> <b>5.65,1.46,0.39 Acres</b>	<i>Survey Required:</i> <b>Yes</b>	<i>Applicant</i> <b>MISHPACHA LLC</b>
	<i>Reason for the request:</i> <b>Separating existing residence from farmland</b>		<i>Address:</i> <b>2313 SUGAR RIVER ROAD</b>



**DESCRIPTION:** Landowner wishes to separate an existing RR-1 zoning parcel (not currently a separate lot of record), with a residence, from the surrounding AT-35-zoned land. The new lot would be in the RR-4 zoning district. A small remnant of the existing RR-1 parcel would be rezoned to the AT-35 zoning district to match the surrounding lands.

**OBSERVATIONS:** In addition to separating the existing residence, the new lot would also separate an existing shared driveway, which provides the only access to Sugar River Road. This driveway currently serves 4 Certified Survey Map lots, each of which is 35 acres or larger, and none of which have direct frontage onto a public road.

**TOWN PLAN:** The property is within a Rural Residential (2-4 acres) planning area under the Town of Verona / Dane County Comprehensive Plan. Residential development is supported up to a maximum density of one unit per two acres.

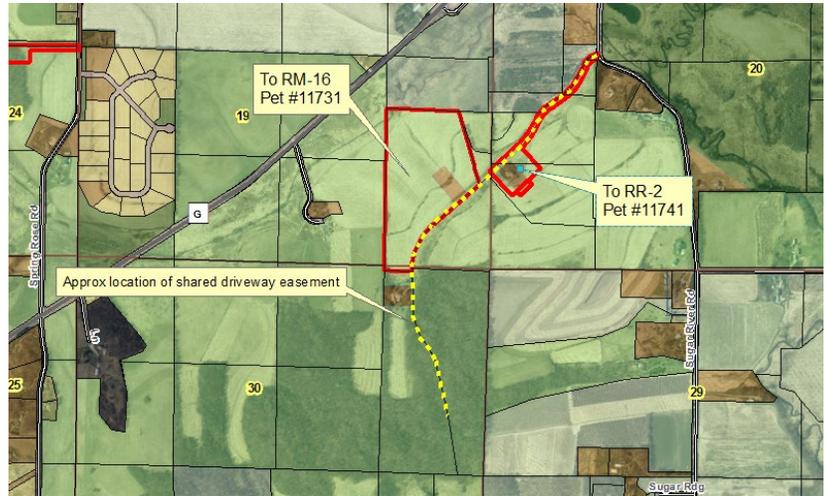
**RESOURCE PROTECTION:** There are no mapped resource protection corridors within 300 feet of this property.

**STAFF:** The proposal appears reasonably consistent with town plan policies. Because this property is in an area where additional future development may occur, consideration should be given to the potential for installation of a town road along the existing private driveway. The town’s action on the proposal reflects this objective. Since the driveway extends beyond the boundary of the subject property, it would be appropriate to ensure that the town’s condition be applied to the entire length of the driveway and associated easement area.

Staff confirmed with town of Verona that the intent is for the condition regarding potential future road dedication apply to the entire driveway / easement area.

There are several options to address the town's objective, including applying the same or similar conditions of approval to the neighboring property owner's pending rezone petition #11731.

The town approval of this petition required a condition that, *"...satisfactory language be approved by the Town's attorney for the potential dedication of the road in whole or part to the Town. This language would be added to the CSM or filed in a separate document."*



*Pending petitions 11731 & 11741 shared driveway easement*

This same condition could be applied to petition 11731. Alternatively, or in addition, approval of both petitions could be conditioned on recording of a new shared driveway easement and related agreement that meets the requirements of the county subdivision code under 75.19(8) ([see attachment in legistar](#)).

Staff recommends that action on the petition be postponed at the 9/28 public hearing to provide an opportunity to coordinate with the town and adjoining property owner regarding potential future dedication of a town road.

**STAFF UPDATE:** Staff discussed the shared driveway issue with the various parties. Staff recommends approval of the petition with the following conditions. Note that the recommended conditions incorporate and clarify the town conditions.

1. The final CSM shall provide a right of way dedication on Sugar River Road to the satisfaction of the town.
2. The applicant shall submit satisfactory language to be approved by the Town's attorney for the potential dedication of the existing driveway, in whole or part, as a town road. Applicant shall add this language to an updated shared driveway access easement agreement and record the updated easement agreement with the Register of Deeds.
3. The driveway shall meet the safety standards required by the fire department.

**TOWN:** Approved with the following conditions listed below.

1. That the Town accept the ROW dedication on Sugar River Road.
2. That satisfactory language be approved by the Town's attorney for the potential dedication of the road in whole or part to the Town. This language would be added to the CSM or filed in a separate document.
3. That the driveway meets the safety standards required by the fire department.

*Questions? Contact Majid Allan at [allan@countyofdane.com](mailto:allan@countyofdane.com)*