
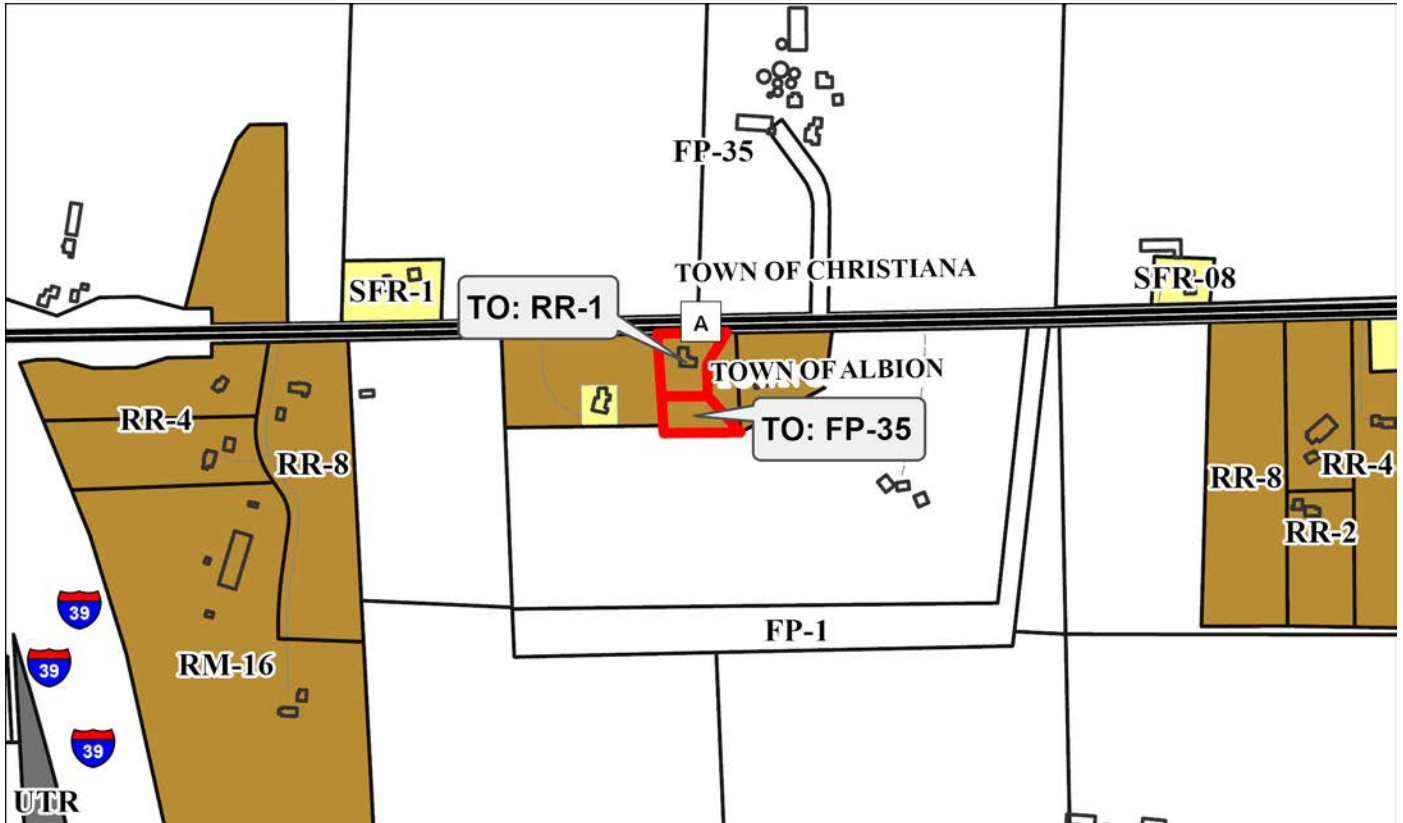


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| Staff Report  Zoning & Land Regulation Committee | <u>Public Hearing:</u> October 22, 2024 | Petition 12102 | |
| | <u>Zoning Amendment Requested:</u> RR-2 Rural Residential District TO RR-1 Rural Residential District and FP-35 Farmland Preservation District | <u>Town, Section:</u> ALBION, Section 4 | |
| | <u>Size:</u> 1.0,0.66 Acres | <u>Survey Required:</u> Yes | <u>Applicant:</u> DOUGLAS A & MARY E PORTER JT REV LIVING TR |
| | <u>Reason for the request:</u> Shifting of property lines between adjacent land owners (modify two existing residential lots) | | <u>Address:</u> 721, 731, 741 COUNTY HIGHWAY A |



DESCRIPTION: Doug Porter wants to modify two existing residential lots currently zoned RR-2. One lot would be enlarged and remain RR-2; the other lot would be reduced in size and rezoned to RR-1. Land being removed from the smaller/western lot would be added to the adjacent property zoned FP-35. The FP-35 lands would be included as a third CSM lot because some of the land being transferred is already part of a CSM.

OBSERVATIONS: The lots conform to the requirements of the proposed zoning districts, including lot size, building setbacks and building coverage. The septic system on proposed Lot 1 is sufficiently away from the property line.

The unusual lot configuration is based on the owner’s goals. Proposed Lot 1 contains an existing driveway in the NE corner, and two large oak trees he wants to keep on the lot. The angle also provides room on Lot 2 if there is ever a problem with that lot’s septic drain field (see CSM sheet 3). The N-S line between Lots 1 and 2 reflects a row of 30 arborvitae trees that the owner planted and wants to keep on his property (proposed Lot 2). The southern line of Lot 1 was established to make the lot one acre in size.

County Ordinance section 75.19(6) requires that the size, shape and orientation of lots be appropriate for the type of development and use contemplated. It also states that side lot lines shall be substantially at right angles or radial to streets. However, staff supports the proposal for the reasons above as long as it meets town plan requirements. Albion’s policy does require a 2-acre minimum for new lots, but also indicates that proposals should remove only as much land as necessary for a replacement septic and suitable yard area. In this case, the land being removed from the western lot is steep and would likely be unsuitable for locating a replacement septic.

COUNTY HIGHWAY: CTH A is not access restricted, and no change is proposed to the existing access points or use.

COMPREHENSIVE PLAN: The property is located in the town's agricultural preservation area. No new development is being proposed that would trigger application of the town's density policy. The proposed lot line reconfiguration appears reasonably consistent with comprehensive plan policies. For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or Allan.Majid@danecounty.gov.

RESOURCE PROTECTION: The proposed lots are partially within the shoreland zone. Both lots are already developed; staff has no concerns to note.

TOWN ACTION: On September 10th the Town Board recommended approval with no conditions.

STAFF RECOMMENDATION: Pending any comments at the public hearing, Staff recommends approval with no conditions other than recording the new CSM.

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