
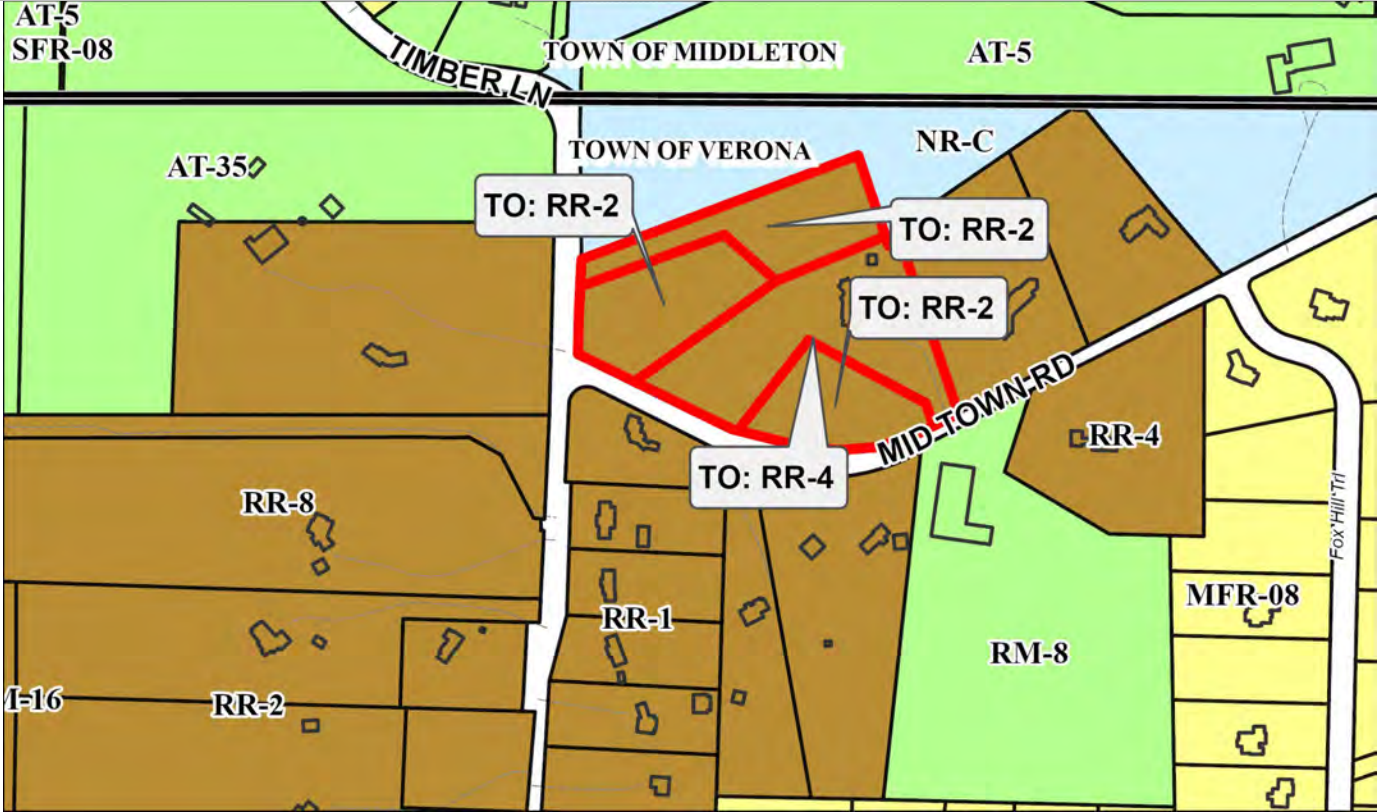


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> October 22, 2024 Report updated for the January 14, 2025 ZLR meeting	Petition 12101
	<u>Zoning Amendment Requested:</u> RR-8 Rural Residential District TO RR-4 Rural Residential District, RR-8 Rural Residential District TO RR-2 Rural Residential District	<u>Town, Section:</u> VERONA, Section 6
	<u>Size:</u> 4.06,6.87 Acres	<u>Survey Required:</u> Yes
	<u>Reason for the request:</u> change zoning to create up to 4 residential lots on property (one for existing residence)	



DESCRIPTION: Sara and Andrew Wright propose to rezone their 11-acre lot to RR-4 and RR-2 in order to create four residential lots. [Update: The original petition was amended with small adjustments to the lots, so that all four lots are under four acres in size and could all be zoned RR-2.] The property is a Certified Survey Map lot (Lot 1 of CSM #9942). A new CSM would be done to divide it into four lots, one of which contains the Wrights’ current home.

The original petition envisioned creating one additional lot in the future; however based on the owners’ plans for a geo thermal field on one of the lots the petition was amended to remove the 5th lot from the proposal. The preliminary CSM designates the planned geo thermal area.

OBSERVATIONS: The proposed lots meet county ordinance requirements including minimum lot size, public road frontage, building coverage and building setbacks.

The location of the existing septic system appears to be contained within the lot for the existing house (Lot 1). Future lot lines will need to be a minimum of 5 feet from the toe of the drainage field.

Applicants have worked with town staff to determine the best layout for driveways, to limit the number of access points onto Mid Town Road and Timber Lane. The proposed CSM shows the proposed driveway access points.

While the property is within 3 miles of the City of Verona’s boundary, the land division is not subject to the city’s extraterritorial jurisdiction due to the boundary agreement between the town and city.

COMPREHENSIVE PLAN: The property is within a Rural Residential 2-4 acre planning area under the *Town of Verona / Dane County Comprehensive Plan*. Residential development is allowed, up to a maximum density of one unit per 2 acres. For questions about the town plan, contact Senior Planner Brian Standing at (608) 267-4115 or Standing.Brian@danecounty.gov.

RESOURCE PROTECTION: The north edge of the property is in proximity to an intermittent stream to the north; however the stream has been determined to be non-navigable so shoreland zoning permit requirements will not apply to the lots.

OCTOBER 22ND ZLR HEARING: In October the ZLR Committee held a public hearing on the proposed rezoning. No comments were submitted in opposition to the proposal. The Committee postponed action to allow more time for town action.

TOWN ACTION: On January 7, 2025 the Town Board recommended approval of the rezone with conditions:

1. That access to Lot 2 is provided via a shared access easement/agreement with Lot 1.
2. Determination of non-navigability of the intermittent stream located north of Lot 4.

STAFF UPDATE: Since the public hearing, the applicants asked to modify the petition with changes that staff view as minor adjustments. With some adjustments to the interior lot lines, all four of the proposed lots would be between 2 and 4 acres in size. This means they would need RR-2 zoning; no lots would need RR-4 zoning. The basic proposal remains the same as it was at the public hearing.

As noted above, the town has recommended the rezone conditioned on a determination that the stream to the north is non-navigable. Zoning staff has conducted a field study and has determined the stream is not navigable. Since the stream was found to be not navigable, shoreland zoning regulations do not apply to the new lots. Based on this, staff recommends approval with the following conditions:

1. Access to Lot 2 shall be provided via a shared access easement/agreement with Lot 1.

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