
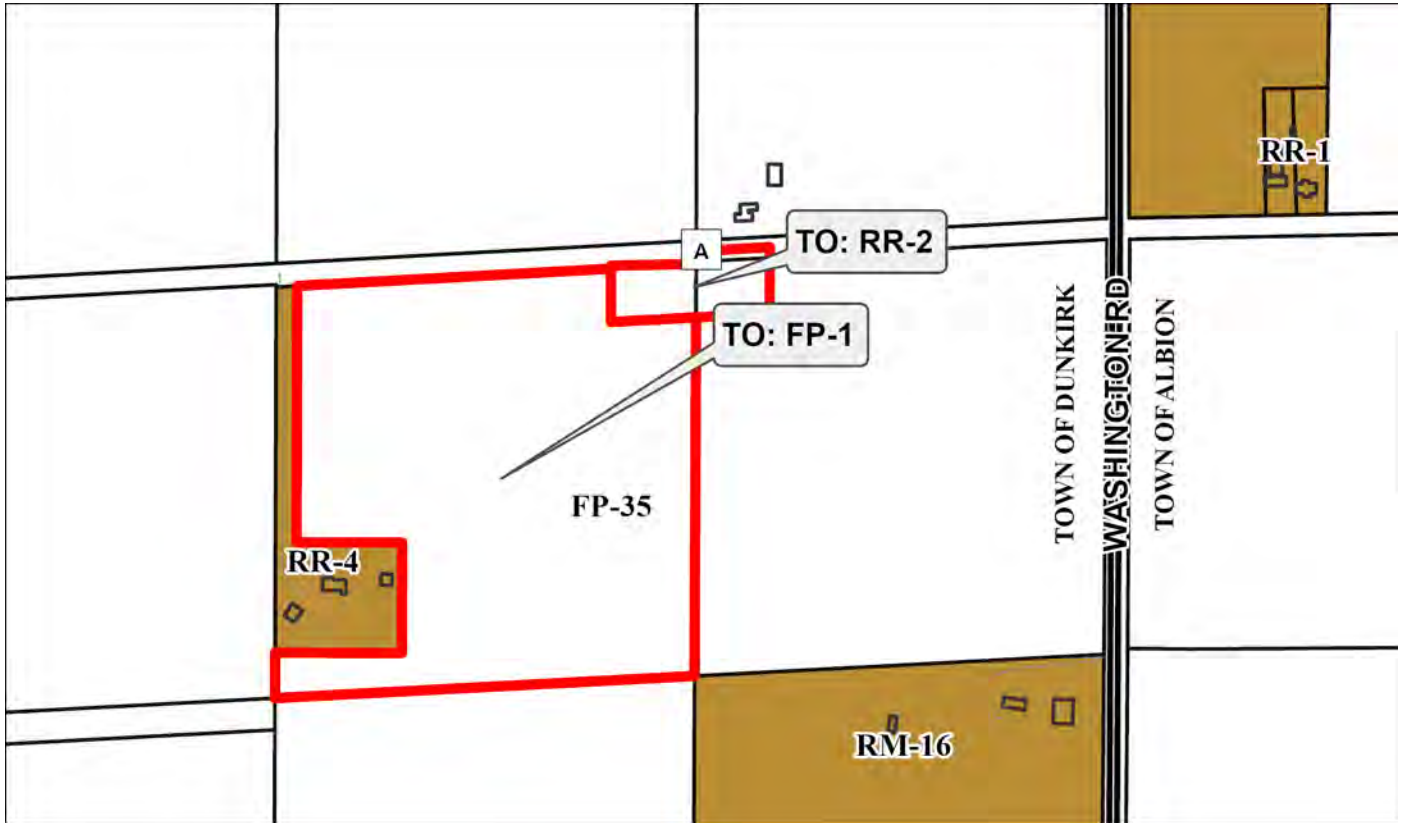


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> August 27, 2024		Petition 12074
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO RR-2 Rural Residential District, FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District		<u>Town, Section:</u> DUNKIRK, Section 13
	<u>Size:</u> 2.0,33.3 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> TAD AND JERI SHUMAKER
	<u>Reason for the request:</u> Creating one residential lot		<u>Address:</u> EAST OF 1691 COUNTY HIGHWAY A



DESCRIPTION: Applicant Tad Shumaker would like to create a 2-acre residential lot with RR-2 zoning, on what is currently a 74-acre tract of FP-35 zoned farm land. The Shumakers own two FP-35 parcels. However, the westerly parcel is already a certified survey map (CSM) lot, while the eastern parcel is unplatted metes and bounds land. The land remaining on the western parcel would be less than 35 acres in size so the lot would be rezoned to FP-1.

OBSERVATIONS: The proposed lot meets ordinance requirements including lot size and public road frontage.

COUNTY HIGHWAY: County Highway A is not controlled access highway, but an access permit is required from Dane County Highway Department for the change of use (residential access). Applicants obtained the permit in March.

COMPREHENSIVE PLAN: The property is located in a designated farmland preservation area, where the density of nonfarm development is limited to no more than one dwelling unit per 40 acres owned as of July 1, 1979. As indicated on the attached density report, the property remains eligible for 1 density unit. If the petition is approved, the density units will be exhausted.

In accordance with comprehensive plan policies, staff recommends the owner record a deed restriction on the balance of FP-35 zoned prohibiting further nonfarm development (tax parcel 051113480000). For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or allan.majid@danecounty.gov.

RESOURCE PROTECTION: DNR wetland maps show wetlands on the larger property but not within the proposed RR-2 lot boundary. There are hydric soils present in the southeast corner of the proposed lot; however the majority of the site does not contain hydric soils. Dane County requires a 75 foot setback from the actual wetland boundary to any structure, including buildings, walkways, driveways, etc. If development is proposed at least 75 feet away from hydric soils, no additional investigation into the wetland status is needed. A wetland delineation will be required prior to development if land disturbance is proposed closer to the hydric soils.

There is FEMA-mapped floodplain present on the FP-35 land but not within the proposed RR-2 lot boundary.

TOWN ACTION: The Town Board recommended the rezone on February 19, 2024 with no conditions.

STAFF RECOMMENDATION: Pending any comments at the public hearing, Staff recommends approval of the rezone with conditions other than recording the CSM.

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