Staff Report Zoning and Land Regulation Committee	*Public Hearing*: **December 13, 2022**	**Petition 11911**
	Zoning Amendment Requested: **RR-4 Rural Residential District TO RR-1 Rural Residential District, RR-4 Rural Residential District TO RR-2 Rural Residential District**	*Town/Section:* **BURKE, Section 4**
	Size: **1.8,3.3 Acres** — *Survey Required.* ***Yes***	*Applicant* **RONALD & BARBARA HENNINGS LIVING TR**
	Reason for the request: **Creating one residential lot**	*Address:* **6260 SOMMER VALLEY CIR**

DESCRIPTION: Applicants Ronald and Barbara Hennings propose to divide their existing 5-acre RR-4 lot in order to create a new residential lot for their son Brian Hennings. The property is currently a metes-and-bounds parcel; a new certified survey map (CSM) would create 1.7-acre and a 3.3-acre lots which would be rezoned to RR-1 and RR-2, respectively.

OBSERVATIONS: The subject property is within the shoreland zoning district due to being within 1,000 feet of a pond on parcel 081004495802 to the north. Only a small portion of Parcel A (the proposed RR-2 lot) is within the primary shoreland zone due to being within 300 feet of the DNR designated pond. The pond located on the subject property is not DNR-designated so does not create a shoreland zoning district. The proposed lots meet standards for new lots in the shoreland zone.

New structures on the property are subject to airport height limitations due to proximity to the Dane County Airport. The height limit of 1,009 feet is well above the site's elevation which ranges from 875 to 895 feet.

The property is subject to the City of Madison's extraterritorial jurisdiction for land divisions.

TOWN PLAN: Land development in this area is subject to any relevant provisions in the intergovernmental *Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan.* In this case, because only one additional residential lot is being created, it can be considered consistent with the plan.

(For questions about the town plan, contact Senior Planner Alexandra Andros at (608) 261-9780 or **andros@countyofdane.com**)

RESOURCE PROTECTION: It is likely that a shoreland erosion control permit will be required at the time that Parcel B (the proposed RR-1 lot) develops as there will likely be in excess of 4,000 square feet of land disturbing activity.

STAFF RECOMMENDATION: Staff recommends postponement of this petition due to no town action, per the ZLR Committee's adopted rules and procedures.

DECEMBER 13TH ZLR MEETING: The ZLR Committee postponed action due to no town action.

TOWN ACTION: The Town Board has recommended approval of the petition conditioned upon the CSM being approved by June 30, 2023.

STAFF UPDATE: The Town has acted on the petition. Staff is recommending approval conditioned up a certified survey map being recorded on the property.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@countyofdane.com