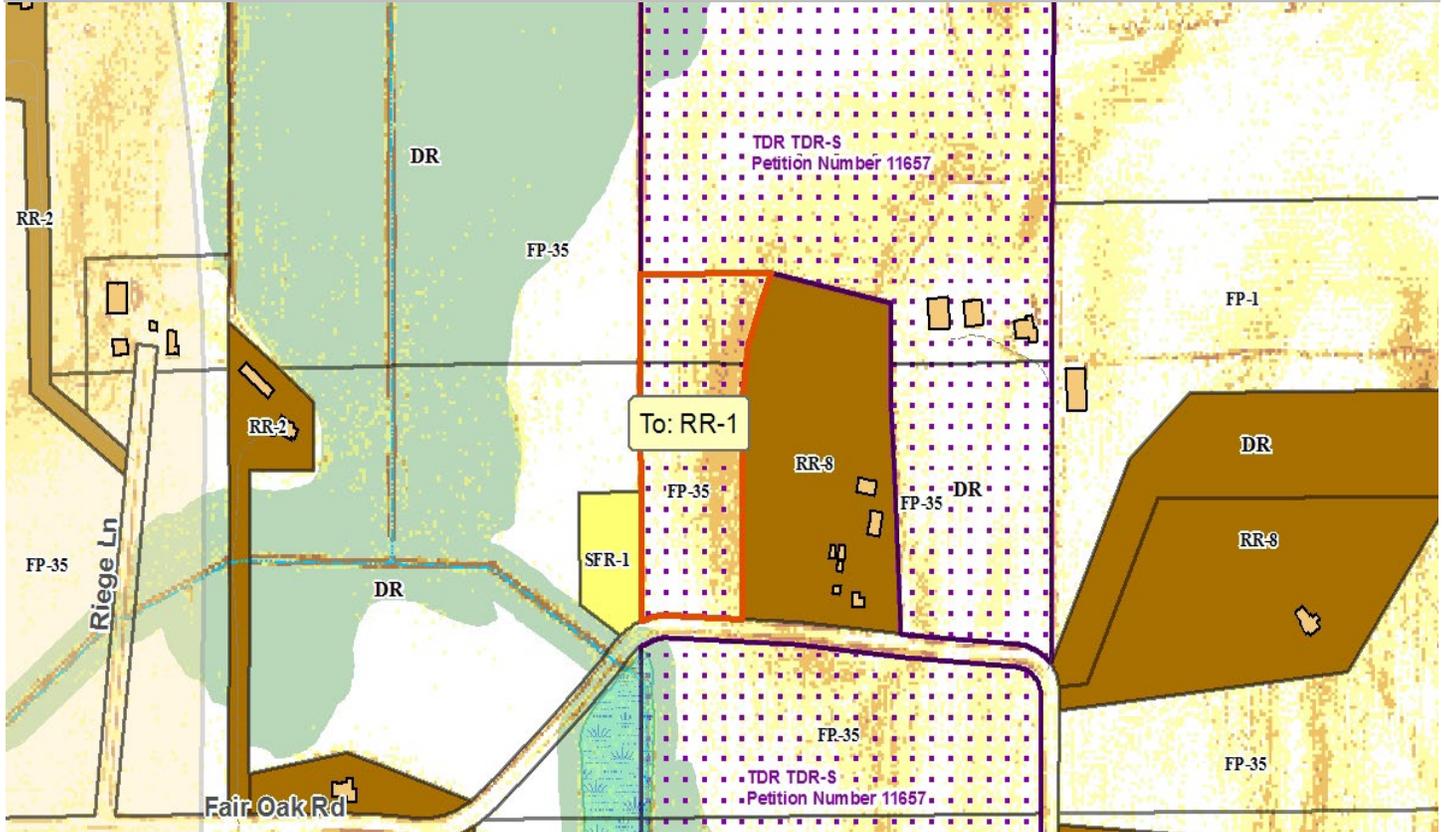


Staff Report  Zoning and Land Regulation Committee	Public Hearing: June 28, 2022	Petition 11843
	Zoning Amendment Requested: FP-35 Farmland Preservation District TO RR-1 Rural Residential District	Town/Section: DEERFIELD, Section 24
	Size: 8.2 Acres	Survey Required. Yes
	Reason for the request:	Applicant: ROBERT & KIM RIEGE
		Address: WEST OF 168 FAIR OAK ROAD



DESCRIPTION: This proposal would create a total of 4 new RR-1 (Rural Residential) zoned building sites by transferring development rights from another property the applicant owns. The proposed lots would share a single driveway access to Fair Oak Road.

OBSERVATIONS: Current land use of the subject property is agriculture / open space. Surrounding land uses are agriculture / open space and scattered rural residences. The property appears to encompass the western edge of a larger glacial drumlin feature, including areas of slopes over 12% grade. No other sensitive features observed.

The lots would share a single driveway access, which would be located on proposed lot 1. Note that the 3.1 acre proposed lot 1 exceeds the maximum 2 acre lot size of the RR-1 zoning district. Staff recommends that RR-2 zoning be applied to proposed lot 1 (see recommended condition #5, below).

TOWN PLAN: The property is located in the town’s agricultural preservation area.

RESOURCE PROTECTION: No resource protection areas located on the property.

STAFF: As noted, this proposal involves a Transfer of Development Rights. The subject property remains eligible for two density units. The applicant owns an adjoining farm to the east that remains eligible for three density units. To create

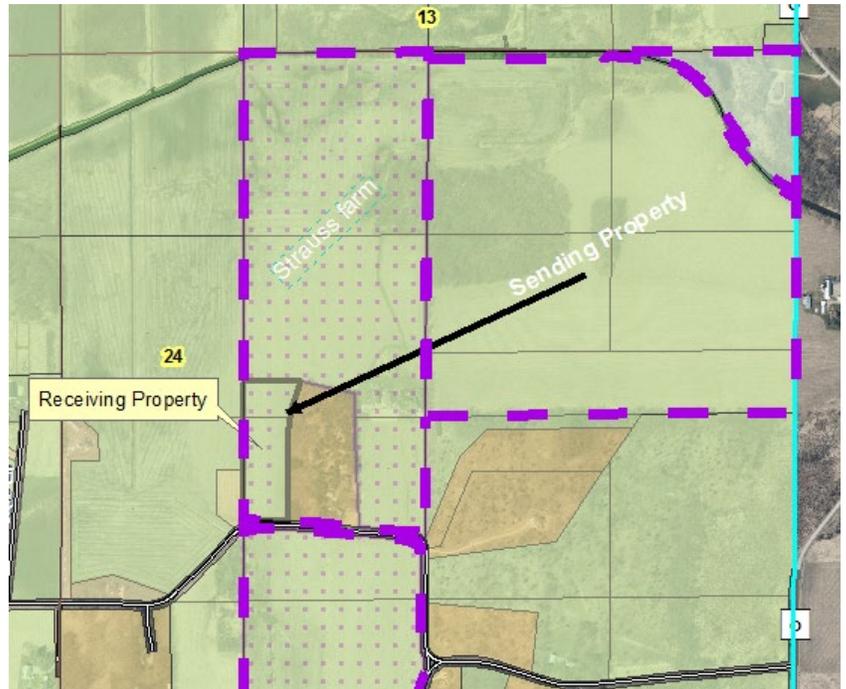
the proposed 4 residential lots, one density unit from the subject property would be used, and all three from the adjoining farm would be used. If the petition is approved, one possible density unit would remain available to the owner's remaining land (Strauss farm).

The proposed transfer appears reasonably consistent with the town's TDR policies which seek to preserve large, contiguous tracts of farmland and to allow for clustering of new lots in areas of existing development. If approved, the proposal would result in the preservation of 155 acres, including approximately 100 acres of tillable farmland.

The image at right depicts the proposed transfer of three density units from the applicant's adjoining farm.

Pending any concerns raised at the ZLR public hearing, staff recommends approval of the petition subject to the following conditions:

1. Owner shall record a deed restriction on the FP-35 zoned sending property prohibiting nonfarm development in accordance with town plan policies (tax parcels 071224486750; 071224195010; 071224190010; 071224185009; 071224181400).
2. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (tax parcels 071224486750; 071224195010; 071224190010; 071224185009; 071224181400).
3. A deed notice shall be recorded on the four proposed residential lots indicating that they were created as part of a Transfer of Development Rights.
4. The TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be assigned to the four proposed residential lots.
5. The petition shall be amended to zone proposed lot 1 to the RR-2 zoning district.



Any questions about this petition or staff report please contact Majid Allan at (608) 267-2536 or allan@countyofdane.com

TOWN: Approved.