

Staff Report



**Zoning and
Land Regulation
Committee**

Public Hearing: **November 15, 2022**

Petition 11905

Zoning Amendment Requested:

**AT-35 Agriculture Transition to SFR-2 Single Family Residence District;
RM-8 Rural Mixed-Use and AT-35 Agriculture Transition to RR-4 Rural
Residential and SFR-2 Single Family Residence Districts; and SFR-08
Single Family Residential and NR-C Natural Resource Conservation
District to SFR-1 Single Family Residential District**

Town/Section:

OREGON, Section 10

Size: **3.5, 0.5, 7.5, 0.1, 0.9 Acres**

Survey Required: **Yes**

Applicant

**OREGON FARM LTD
PARTNERSHIP**

Reason for the request:

**CREATE TWO NEW RESIDENTIAL LOTS AND MODIFY OTHER LOT
BOUNDARIES**

Address:

**1264, 1275, 1276
LATHERS ROAD AND
LANDS TO SOUTH**



DESCRIPTION: Applicant Philip Peterson wants to create 2 new residential lots and reconfigure other existing lot lines at the south end of Lathers Road, with a 4-lot certified survey map. He proposes to rezone the lots to SFR-1, SFR-2, and RR-4 based on the proposed lot sizes and their residential use.

OBSERVATIONS: A portion of the subject property is subject to shoreland zoning – the west/rear portion of the Petersons’ existing residential lot (proposed Lot 3) and the westernmost corner of proposed Lot 2. Prime soils are present on most of the proposed new lots. The property is adjacent to the Bergamont subdivision in the Village of Oregon directly to the south. The property is subject to the Village of Oregon’s extraterritorial jurisdiction for land division reviews.

HIGHWAY DEPARTMENT: Any additional lots will require CTH CC intersection improvements. Staff confirmed that the roadway improvements are not required at this time, but additional development of lots along Lathers Road in the future will likely require this.

TOWN PLAN: The property is within an Agriculture Transition area under the *Town of Oregon/Dane County Comprehensive Plan*. Residential development is limited to one unit per 35 acres owned as of December 15, 1994. The proposed RR-4 lot and the two SFR-2 lots fall within the boundaries of what was a 316-acre farm owned by Philip and Carol Peterson in 1994 (see density study report in packet). If Petition 11905 is approved, 6 potential homesites will remain on the 1994 Peterson farm. The proposed SFR-1 lot would combine two parcels legally created prior to 1994, and so are exempt from the town's density policy. All proposed lots comply with the plan's siting and design criteria. (For questions about the town plan, contact Senior Planner Brian Standing at (608) 267-4115 or standing@countyofdane.com)

RESOURCE PROTECTION: The only resource protection corridors mapped on site are within existing developed lots. Certain areas will be required to comply with shoreland zoning and a 75' wetland setback from the wetland to the south of the subject property. The Town of Oregon generally seeks to direct development onto non-prime soils; however the location of these lots appears appropriate because they are on the end of the existing cul-de-sac, away from the center of the farm field, and the land is currently zoned for ag transition rather than farmland preservation.

TOWN ACTION: On November 1, 2022 the Town Board recommended approval of the petition, with no special conditions.

STAFF RECOMMENDATION: Pending any comments at the public hearing, staff recommends approval subject to the applicant recording a CSM for the new lots.

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