

Staff Report



**Zoning and
Land Regulation
Committee**

Public Hearing: **May 26, 2020**

Zoning Amendment Requested:

RM-16 (Rural Mixed-Use, 16 acres and up) District TO RM-8 (Rural Mixed-Use, 8 to 16 acres) District, RM-16 (Rural Mixed-Use, 16 acres and up) District TO FP-35 (General Farmland Preservation) District, FP-1 (Small Lot Farmland Preservation) District TO FP

Size: **10.52,11.65,32.15 Acres**

Survey Required. **Yes**

Reason for the request:

selling 11.6 acres to an adjacent landowner

Petition 11545

Town/Section:

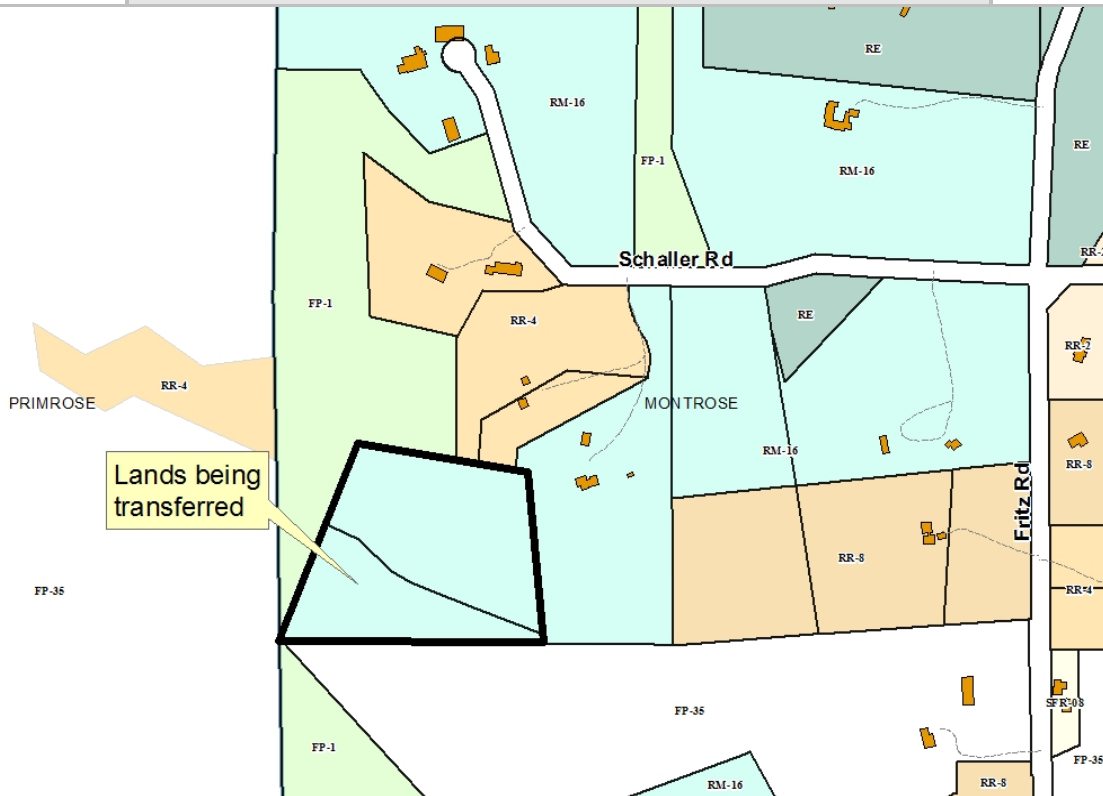
MONTROSE, Section 6

Applicant

**DOWNS LIVING TR,
JOSEPH & ELIZABETH**

Address:

7857 SCHALLER ROAD



DESCRIPTION: Downs Living Trust wishes to sell two RM-16-zoned metes and bounds parcels, totaling 11.6 acres, to the neighboring landowner to the west, Hiddendale Trust. This transaction will reduce the Downs Living Trust property to 10.45 acres, requiring a rezone to the RM-8 zoning district. At the same time, Hiddendale Trust wishes to consolidate several existing FP-1 parcels, along with the recently acquired lands, into one 44-acre parcel in the FP-35 zoning district.

OBSERVATIONS: All proposed lots and zoning parcels comply with the minimum requirements of the county zoning and land division ordinances. No new building site will be created with this petition. As a condition on a prior rezone on this property (Petition 8275), a deed restriction was recorded on portions of this property prohibiting further residential development. The terms of the original recorded document (ROD# 3439987) state that a rezone would effectively remove the restriction.

TOWN PLAN: The property is within a Farmland Preservation Area in the *Town of Montrose / Dane County Comprehensive Plan* and the *Dane County Farmland Preservation Plan*. Both plans include policies that identify agriculture as a preferred use and seek to maximize area in Farmland Preservation zoning. Residential development is capped at one unit per 35 acres. There are no additional homesites available on this property.

RESOURCE PROTECTION: Some small resource protection corridors associated with steep slopes and productive farm soils lie within the boundaries of the proposed FP-35 zoning parcel. No conflicts anticipated.

STAFF: Recommend approval with a condition that a deed restriction document prohibiting further residential development is recorded on the following parcels:

- 0508-063-8620-0
- 0508-063-8720-0
- 0508-063-9220-0
- 0508-062-9210-0

TOWN: At their May 6, 2020 meeting, the Town of Montrose Board voted to recommend approval with the following condition:

The applicant and all owners must record a deed restriction prohibiting additional non-farm development with respect to parcels 0508-063-8620-0; 0508-063-8720-0; and 08-062-9210-0.

Questions? Contact Brian Standing, standing@countyofdane.com, 608-267-4115

