
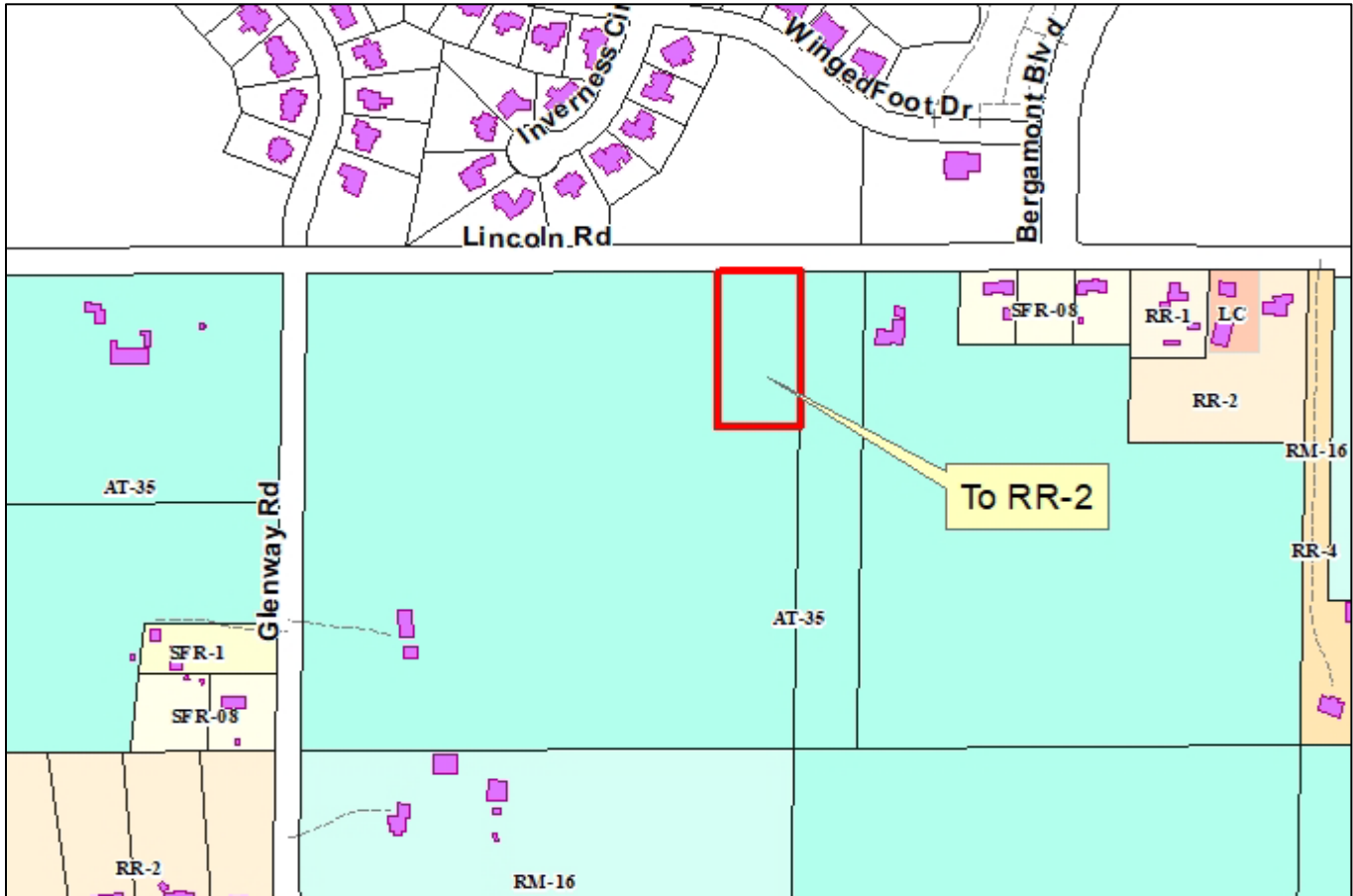


<p><b>Staff Report</b></p>  <p><b>Zoning &amp; Land Regulation Committee</b></p>	<p><u>Public Hearing:</u> <b>January 28, 2025</b></p>	<p><b>Petition 12126</b></p>
	<p><u>Zoning Amendment Requested:</u>  <b>AT-35 Agriculture Transition District TO RR-2 Rural Residential District</b></p>	<p><u>Town, Section:</u>  <b>OREGON, Section 15</b></p>
	<p><u>Size:</u> <b>2 Acres</b></p>	<p><u>Survey Required:</u> <b>Yes</b></p>
	<p><u>Reason for the request:</u>  <b>Creating one residential lot</b></p>	
		<p><u>Address:</u>  <b>170 FEET WEST OF 5337 LINCOLN ROAD</b></p>



**DESCRIPTION:** Applicants would like to create one new residential lot 2.0 acres in size with RR-2 zoning.

**OBSERVATIONS:** The proposed lot meets county ordinance requirements for the RR-2 zoning district, including lot size and public road frontage.

Access onto Lincoln Road will require a permit from either the Town of Oregon or the Village of Oregon. The certified survey map will be subject to the Village of Oregon’s extraterritorial jurisdiction review.

**COMPREHENSIVE PLAN:** The property is within a Transitional area under the *Town of Oregon / Dane County Comprehensive Plan*. Residential development is limited to one density unit for every 35 acres owned (including noncontiguous ownership) as of December 15, 1994. At the time, this property was part of a ~95 acre noncontiguous farm owned by Arden and Ethel Denton, eligible for up to 3 density units/homesites. One prior homesite created per rezone petition #7089 (David & Teresa Denton home at 5472 Lincoln Rd). Note that the Haak residence at 1060 Glenway Rd was built prior to December 15, 1994 and does not count against the density limitation.

As indicated on the attached density study report, 2 density units remain available to the original 95 acre Denton farm. Based on current ownership and relevant town policies, owners Haak and Denton are each eligible for 1 of the 2 remaining density units.

Staff recommends that approval of the petition be conditioned on the owners of the subject property recording a deed restriction on the balance of FP-35 zoned land prohibiting further nonfarm residential development (tax parcel # 050915185010).

For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or [Allan.Majid@danecounty.gov](mailto:Allan.Majid@danecounty.gov).

**RESOURCE PROTECTION:** There are no sensitive environmental features on or within 300 feet of the subject property.

**TOWN ACTION:** On January 14<sup>th</sup> Town Board recommended approval of the rezone subject to a deed restriction on the remaining farm land owned by Tim and Diane Haak (see staff recommendation below). The town action report notes that the town comprehensive plan does allow homes built prior to 12/15/1994, such as 1060 Glenway, to be separated and put into a smaller parcel.

**STAFF RECOMMENDATION:** Pending any comments at the public hearing, Staff recommends approval with the following condition:

1. Applicants shall record a deed restriction on the balance of FP-35 zoned land prohibiting further nonfarm residential development (tax parcel # 0509-151-8501-0), as the development rights on the original Arden & Ethel Denton farm have been exhausted.

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