
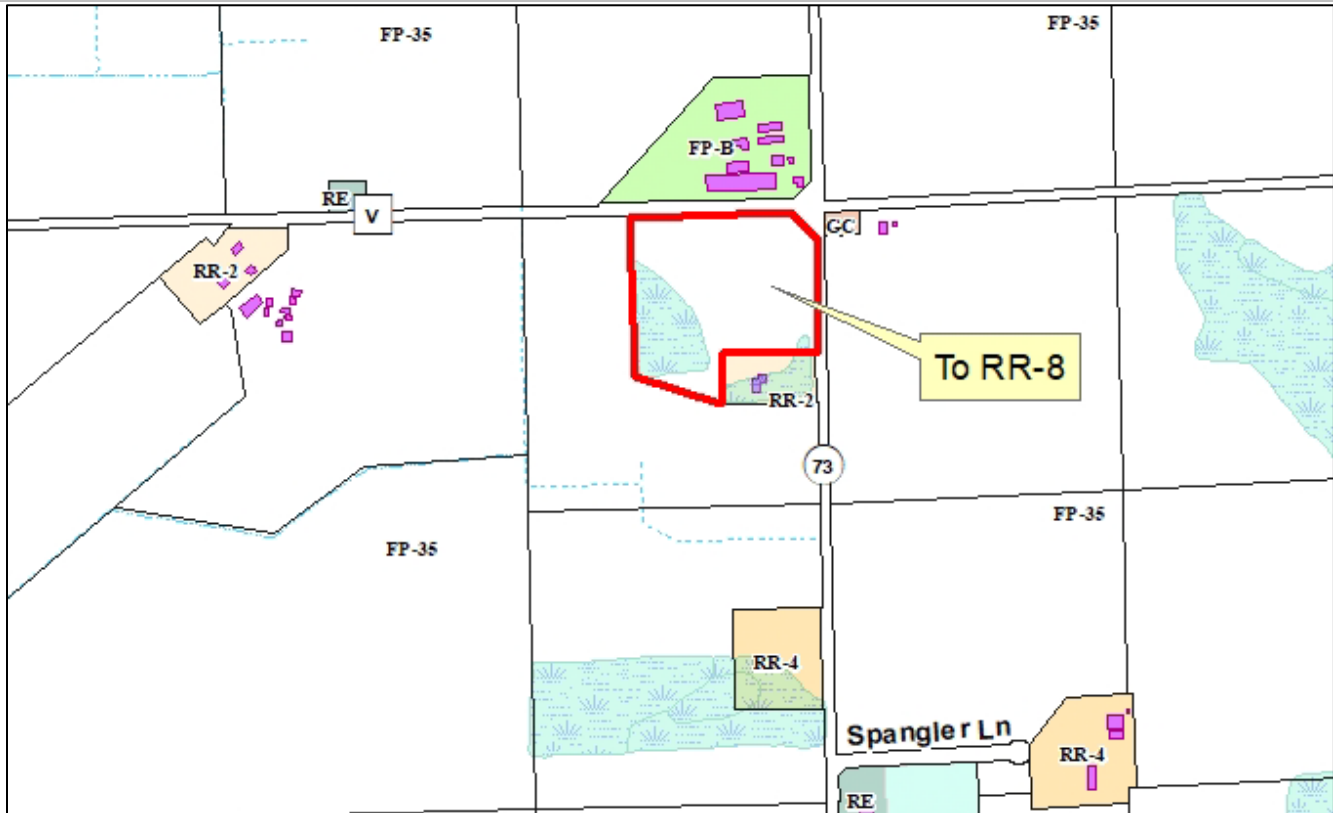


Staff Report  Zoning & Land Regulation Committee	Public Hearing: January 28, 2025		Petition 12136
	Zoning Amendment Requested: FP-35 Farmland Preservation District TO RR-8 Rural Residential District		Town, Section: YORK, Section 9
	Size: 12.7 Acres	Survey Required: Yes	Applicant: STEVEN M AND PAUL C WOLFE
	Reason for the request: Creating one residential lot		Address: CTH V WEST OF STH 73



DESCRIPTION: Steve and Paul Wolfe request a rezone in order to create a 13-acre residential lot with RR-8 zoning. The petition will result in a 1-lot certified survey map (CSM). The proposed lot is being created with a transfer of one development right from the adjoining Wolfe property (tax parcel #091209190020).

OBSERVATIONS: The proposed lot meets county ordinance requirements including lot size and public road frontage.

DANE COUNTY HIGHWAY: CTH V is not a controlled access highway. Permit to Access 23A015 allows for a Residential Single Family Access. This serves one residence and the surrounding agricultural lands. Any change of use, reconstruction, or modifications of the existing accesses requires a permit from the Highway Department. No new additional access will be permitted on CTH V due to reconfiguration of lots. Estimate increase of traffic to be 10 trips per day due to rezone. NOTE: Preliminary CSM comments are not included in this review. CSM comments may include showing “no access” areas and existing access locations, etc. For access questions applicants are advised to contact Kevin Eslick at 608-283-1486 / eslick.kevin@danecounty.gov.

COMPREHENSIVE PLAN: The future land use map designates this property as agricultural preservation. Policies for such areas allow for a limited amount of non-farm residential development, in keeping with the town’s goals and objectives to preserve agriculture and rural character. The rezone would not take agricultural lands out of production, as the land is wooded. As indicated on the attached density study report for the proposed TDR “sending property”, two density units remain available. Under applicable town plan policies, the Wolfe property is eligible for one of the two remaining density units (other unit goes to Michael Hughes based on ownership of >80 acres). This proposal would exhaust the one remaining density unit available to the applicant. Staff recommends a deed restriction prohibiting nonfarm residential

development on the 145-acre FP-35 zoned TDR sending property (tax parcel #0912-091-9002-0). For questions about the town plan, contact Senior Planner Bridgit Van Belleghem at 608.225.2043 or vanbelleghem.bridgit@danecounty.gov.

RESOURCE PROTECTION: There are no sensitive environmental features on site. Applicants provided wetland delineation that confirmed the site is clear of wetlands.

TOWN ACTION: The Town Board has recommended approval with no conditions.

STAFF RECOMMENDATION: Pending any concerns expressed at the ZLR public hearing, staff recommends approval with the following conditions:

1. The TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be assigned to the proposed residential lot.
2. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (parcel 0912-091-9002-0).
3. A deed notice shall be recorded on CSM Lot 1 that indicates it was created by a transfer of development rights.
4. A deed restriction shall be recorded on tax parcel #0912-091-9002-0 stating the following:
 - a. Further residential/nonfarm development is prohibited. The housing density rights on this portion of the original O.W. Hughes farm have been exhausted per the Town Comprehensive Plan density policies.

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