
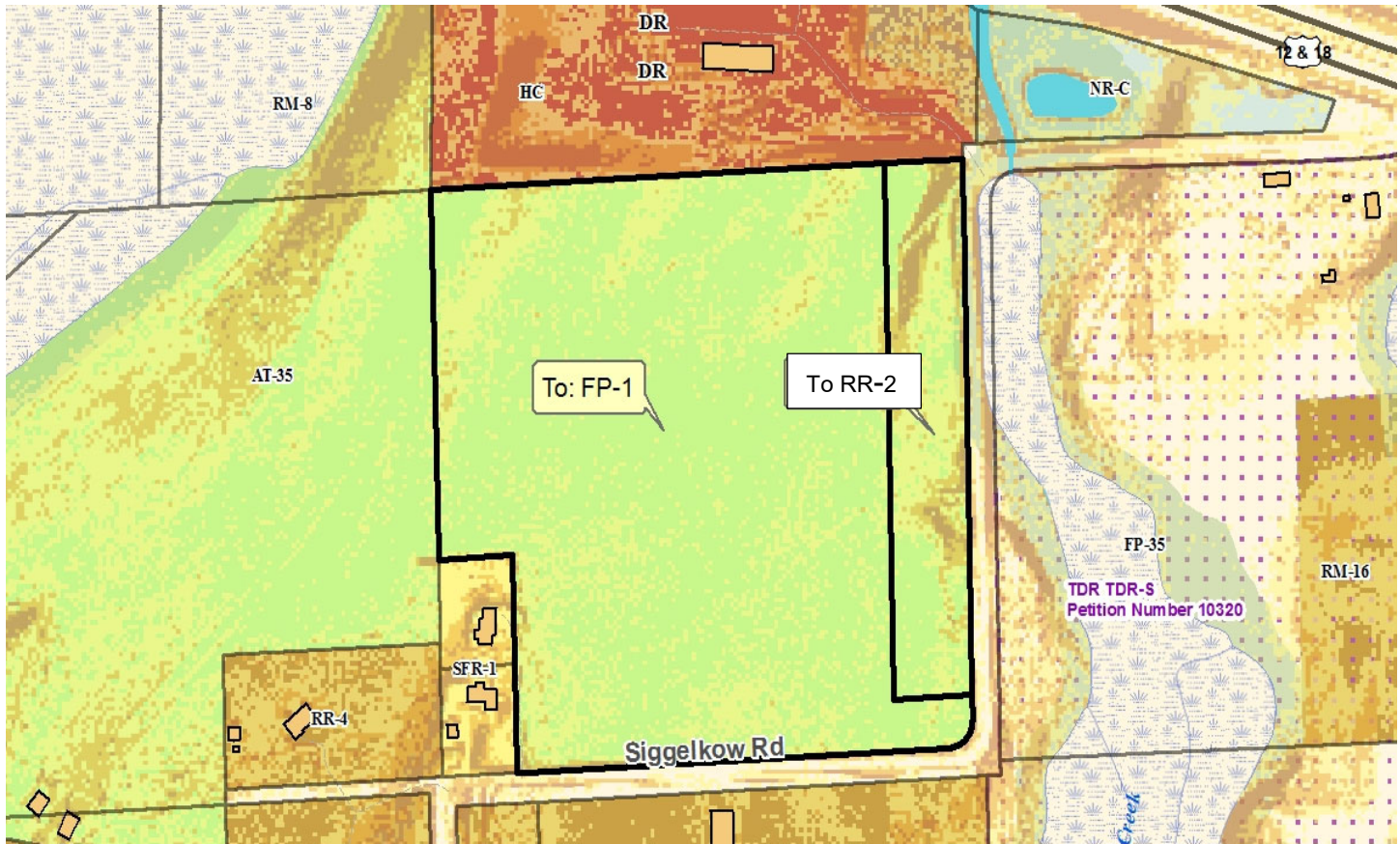


<p><b>Staff Report</b> Pam Andros</p>  <p><b>Zoning and Land Regulation Committee</b></p>	<p><i>Public Hearing:</i> <b>May 12, 2020</b></p>		<p><b>Petition 11538</b></p>	
	<p><i>Zoning Amendment Requested:</i>  <b>AT-35 (Agriculture Transition) District TO RR-2 (Rural Residential, 4 to 8 acres) District, AT-35 (Agriculture Transition) District TO FP-1 (Small Lot Farmland Preservation) District</b></p>		<p><i>Town/Section:</i>  <b>COTTAGE GROVE, Section 31</b></p>	
	<p><i>Size:</i> <b>3.65,32.4 Acres</b></p>	<p><i>Survey Required:</i> <b>Yes</b></p>		<p><i>Applicant:</i>  <b>VINEY ACRES LLC</b></p>
	<p><i>Reason for the request:</i>  <b>Creating one residential lot</b></p>			<p><i>Address:</i>  <b>NORTH OF 2883 SIGGELKOW ROAD</b></p>

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**DESCRIPTION:** The applicant wishes to create one 3.65 acre residential lot. The lot size is smaller than originally proposed (5.14 acres).

**OBSERVATIONS:** The subject property is located south of STH 12/18 just south a property in a commercial use (HC – heavy commercial – zoning), and surrounded by a combination of commercial, residential and agricultural uses, and land zoned in agricultural transitional (AT-35).

**OPPOSITION:** The City of Madison opposes this petition. The subject property falls within the City’s extraterritorial jurisdiction (ETJ) in which the City reviews land division. This proposal is not consistent with the City’s Development Plan for this area. Please see attached letter from the City of Madison Planning Division.

**RESOURCE PROTECTION:** There are environmentally sensitive features in northeast of the property and along the eastern boundary of the requested lot.

**TOWN PLAN:** The subject property is in the *Agricultural Preservation* land use area of the town plan. This is a change from the last time this petition was on the agenda. Prior to the most recent amendment to the town plan, the property was in the *Commercial Development* area of the town plan, where residential development was not allowed. The proposed 5 acre lot does not conform to

the town's maximum lot size of 2 acres, however the town plan does allow for variation from this standard in certain circumstances. In this case the circumstances were cited as "geographical and trees".

**TOWN:** In May of 2020 for the May 26<sup>th</sup> ZLR Public Hearing agenda, the town **approved** the petition with the following note:

"This will require changing the future land use district of parcel #0711-311-8000-1 from Commercial to Ag Preservation, which has been approved by the Plan Commission & Town Board to be part of the 2020 Comp Plan Update. The lot is approved to exceed 2 acres due to geographical features and trees. [The] lot configuration has changed since original application, it is 3.645 acres."

**STAFF:** Staff recommends approval with the following conditions:

A deed restriction against further development must be placed on the balance of the property.

*QUESTIONS? Call Pam Andros at 608-261-9780, or email [andros@countyofdane.com](mailto:andros@countyofdane.com)*