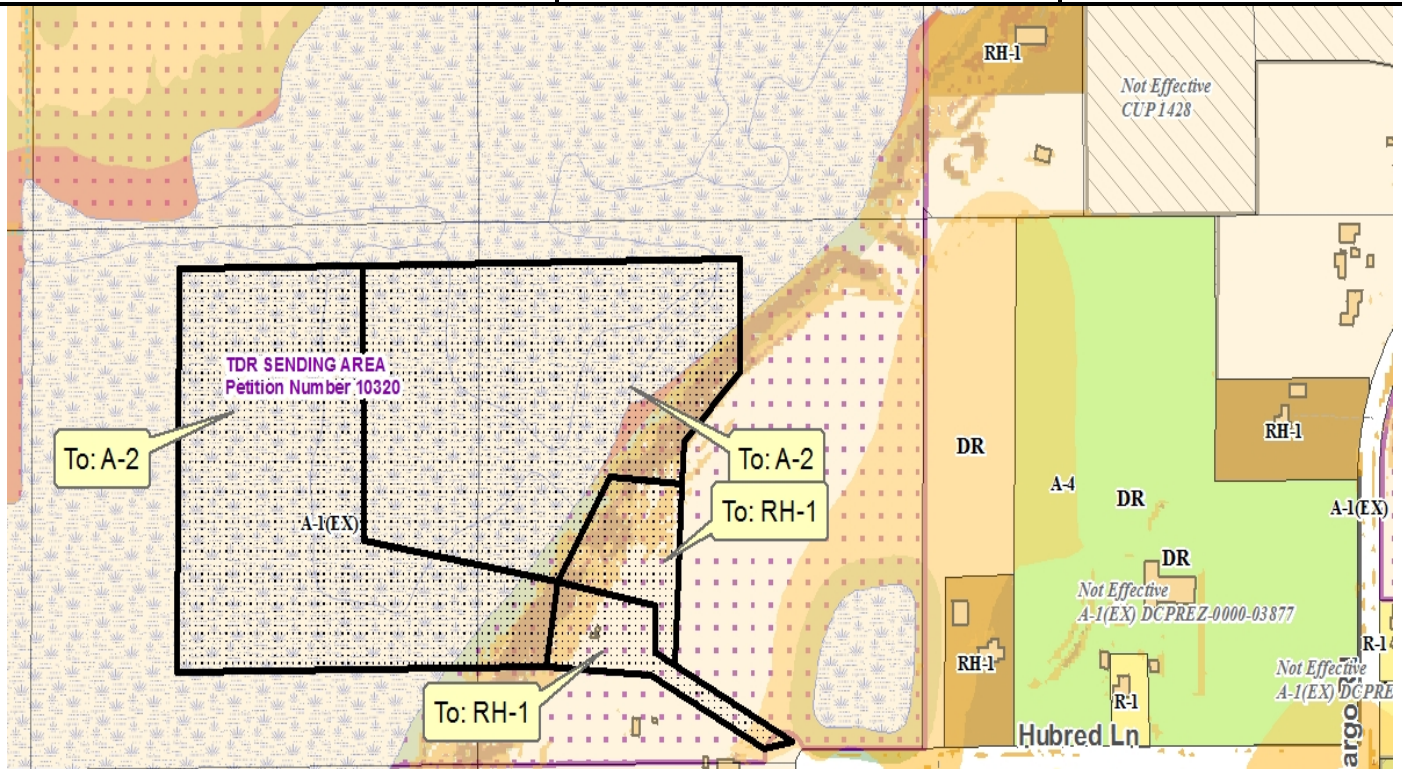




Staff Report

<i>Public Hearing:</i> April 25, 2017	<i>Petition:</i> Rezone 11123
<i>Zoning Amendment:</i> A-1EX Exclusive Agriculture District to RH-1 Rural Homes District and A-2 Agricultures District	<i>Town/sect:</i> Cottage Grove Section 23
<i>Acres:</i> 4.0, 32.0 <i>Survey Req.</i> Yes	<i>Applicant</i> Kyle O Klawitter
<i>Reason:</i> Creating two residential lots	<i>Location:</i> North of 1939 Hubred Lane

Zoning and Land Regulation Committee



DESCRIPTION: The applicant wishes to create two residential lots.

OBSERVATIONS: The subject property is surrounded with residential uses and open space resulting from the extensive wetlands.

TOWN PLAN: The subject property is in the Agricultural Preservation and Resource Protection Corridor future land use categories. Development is allowed at a 1/35 density in the agricultural preservation area. The maximum lot size for residential uses in the agricultural preservation area is 2 acres except in cases where a larger size may be approved "due to unusual land configuration ...and/or to enhance rural or scenic character".

RESOURCE PROTECTION: There are hydric soils within portions of the proposed RH-1 parcels and the A-2 parcels are entirely within wetlands.

STAFF: It is unclear why there are four parcels proposed. Two residential parcels would be more appropriate. The density study for this property shows 2 RDUs (development rights) remaining. The agent for the applicant requested that action be postponed to allow time to reconfigure the parcels.

TOWN: The town approved with conditions – deed restrict the 2 A-2 parcels; file a deed notice saying that all development rights have been exhausted; and a cul-de-sac must be building within 90 days of development of the first residential lot.

4/25 ZLR: The petition was postponed to allow time for the petitioner to address staff concerns.

STAFF UPDATE: The proposal has been revised by reconfiguring the agricultural lots. The proposed A-2 lots have been removed. The existing residence will remain on a 35-acre portion of land. The proposed two residential lots will stay the same. An A-4 lot will be created on the east side of the property to be sold in conjunction with Lot 2. One of the residential lots will have no lot frontage would be required to record an access easement pursuant to 75.19(8).

TOWN ACTION REVISED: The Town reviewed the revisions and approved it with conditions.

If approved, staff suggests the following conditions/amendments:

1. Lots 1 and 2 shall be assigned the zoning district classification of RH-1.
2. A 23-acre parcel described as Lot 3 shall be assigned the zoning district classification of A-4.
3. The remaining A-1Ex Exclusive Agricultural zoned lands shall be deed restricted to prohibit residential development. The housing density rights have been exhausted on the original farm.
4. The final CSM will need to show an access agreement for the 35.1 acres and since the cud-de-sac is offset from the current right-of-way, a vacation/dedication will need to be recorded.
5. A shared driveway easement agreement shall be recorded on Lots 1 and 2 pursuant to Dane County Code of Ordinances Section 75.19(8).