



Staff Report

Zoning and Land Regulation Committee

REVISION: The petition has been revised to use a development right from another farm.

Public Hearing: **August 28, 2018**

Zoning Amendment:
A-1EX Agriculture District to A-2 (4) Agriculture District, and A-1EX Agriculture District to A-4 Agriculture District including TDR-R & TDR-S overlay

Acres: 5,30
Survey Req. Yes

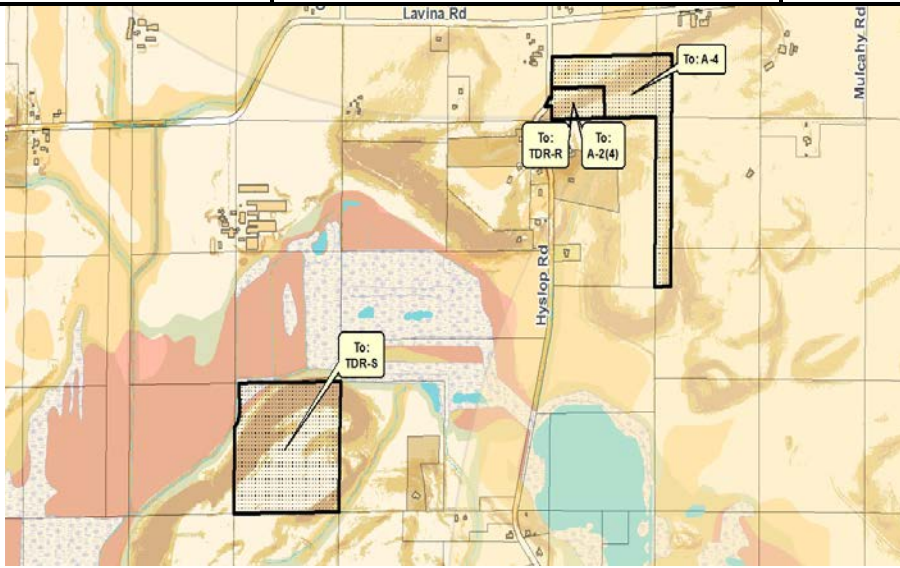
Reason:
Creating one residential lot and one agricultural lot

Petition: **Petition 11323**

Town/sect:
Dane, Section 26

Applicant
**Mulcahy Family Trust,
James S. Brad Madigan**

Location:
North of 6632 Hyslop Road



DESCRIPTION: The petitioner would like to create one 5-acre buildable lot and one 30-acre agricultural lot from 35 acres purchased from the neighbor. The buildable lot is intended for the petitioner's son and the housing density right is to be transferred from another farm the petitioner currently owns. (see map above)

OBSERVATIONS: Part of the buildable property has designated steep slope topography; any new construction should avoid slopes greater than 12 percent.

TOWN PLAN: The property is in the Agricultural Preservation Area of the *Town of Dane/Dane County Comprehensive Plan*. The proposal is in compliance with the Town's density policy of one dwelling unit per 35 acres and the Town's TDR policies as well.

RESOURCE PROTECTION: The Town Plan designates terrain exceeding 12 percent slopes as prohibited from development, and driveways are limited to a maximum slope of 12 percent.

STAFF: The original proposal was to use a development right from the Mulcahy Farm to create the residential lot. Since that time, Brad Madigan has purchased the 35 acres of land prior to rezoning. Mr. Madigan has requested that a housing right from a different farm (E.M. Swigen) be used to create the lot. Although the Town of Dane has approved six lots to be created on the Mulcahy Farm, they have not reviewed the transfer of development rights. Staff suggests that the petition be postponed until the Town Board has an opportunity to review the transfer of development rights.

8/28 ZLR Meeting: The petition was postponed to allow time for the Town of Dane to review the transfer of development rights.

Town: The Town Board has approved the Transfer of Development right from the Madigan farm to the Mulcahy farm to create the residential lot.

STAFF UPDATE: If approved, Staff suggest that the approval be conditioned upon the appropriate paperwork be recorded with the Register of Deeds to document the transfer of development rights.