



Staff Report

Public Hearing: **August 23, 2016**

Petition: **Rezone 11020**

Zoning Amendment:

RH-3 Rural Homes District to RH-2 Rural Homes District and RH-4 Rural Homes District

Town/sect:

Cottage Grove Section 29

Acres: **11**

Survey Req. **Yes**

Applicant

Jeffrey R Natvig

Reason:

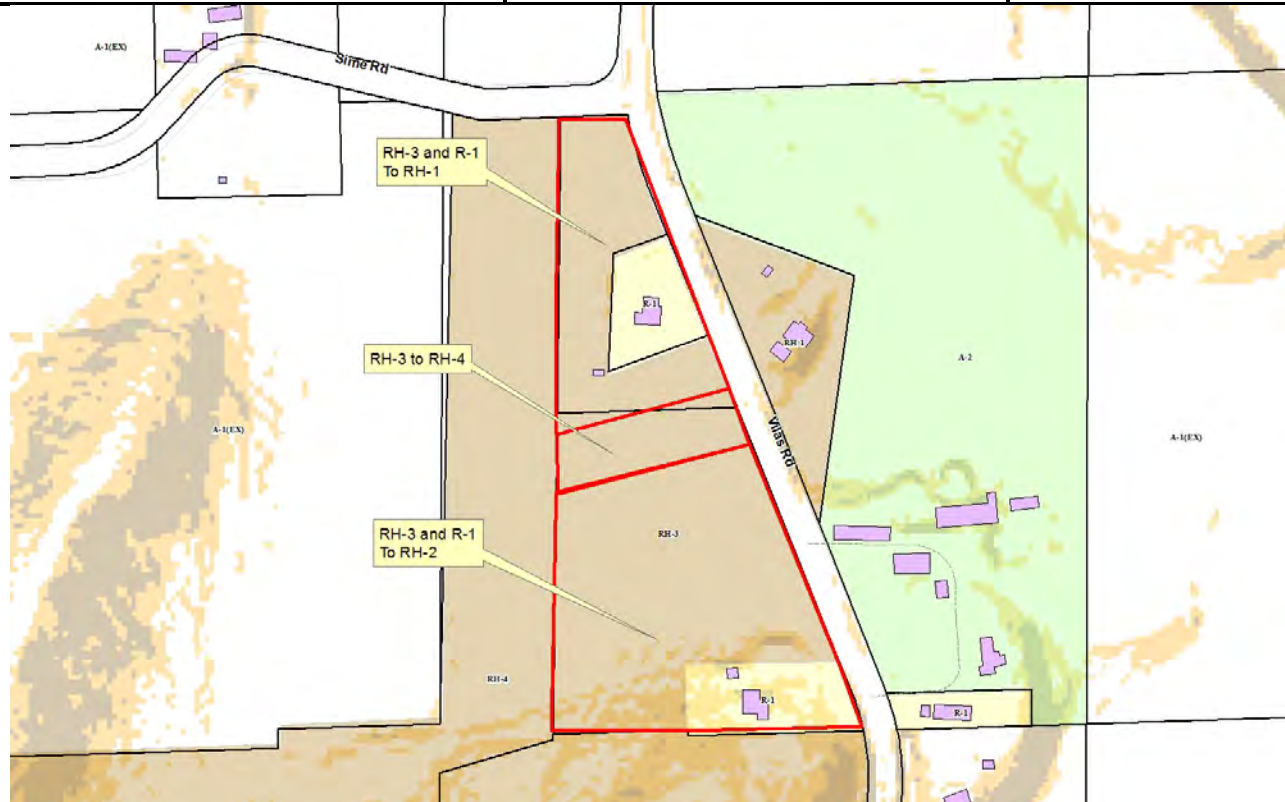
Shifting of property lines between adjacent land owners

Location:

3505 Vilas Road

Zoning and Land Regulation Committee

NOTE: Petition revised. Rezoning RH-3 to RH-1, RH-2, and RH-4; Rezoning R-1 to RH-1 and RH-2



DESCRIPTION: Mr. Hulburt would like to acquire a 66-foot strip of land from adjacent neighbors in order to construct a driveway to access his property. Mr. Hulburt is finding it difficult to access his property along Vilas Road due to the steep topography. The plan is to acquire additional lands to the north from two different landowners to allow a path to his lot.

OBSERVATIONS: The 17-acre Hulburt property was created as part of Zoning Petition 7856 in 2000. A 9-acre lot, north of Hulburt, was also created to consolidate existing parcels. In the fall of 2000, this 9-acre lot was divided in half using a warrant deed document rather than creating a new Certified Survey Map. The northerly portion was sold to the Wards (house on R-1 lot) and the southerly portion was retained by the Natvigs. Due to these transactions, the area proposed to be rezoned currently is in violation of Dane County land division regulations and zoning district requirements.

The 66-foot strip of land proposed to be acquired is currently being cropped and contains Class II soils. The grade is between 2 to 8%. No other sensitive environmental features observed.

TOWN PLAN: The area is located in the Agricultural Preservation Area. The remaining housing density rights in the area belong to Skaar Scattered Acres, LLC. No additional lots are being created as part of this petition.

RESOURCE PROTECTION: The property is located outside the resource protection area.

STAFF: Staff recommends that the violations occurring on the property be corrected as part of this petition. This would entail creating a four-lot certified survey map of all affected parcels. Appropriate zoning would be assigned to each parcel. See attached correction map.

REZONE 11020 continued

TOWN: Postponed to allow landowners time to revise the zoning request in order to correct the land division violation.

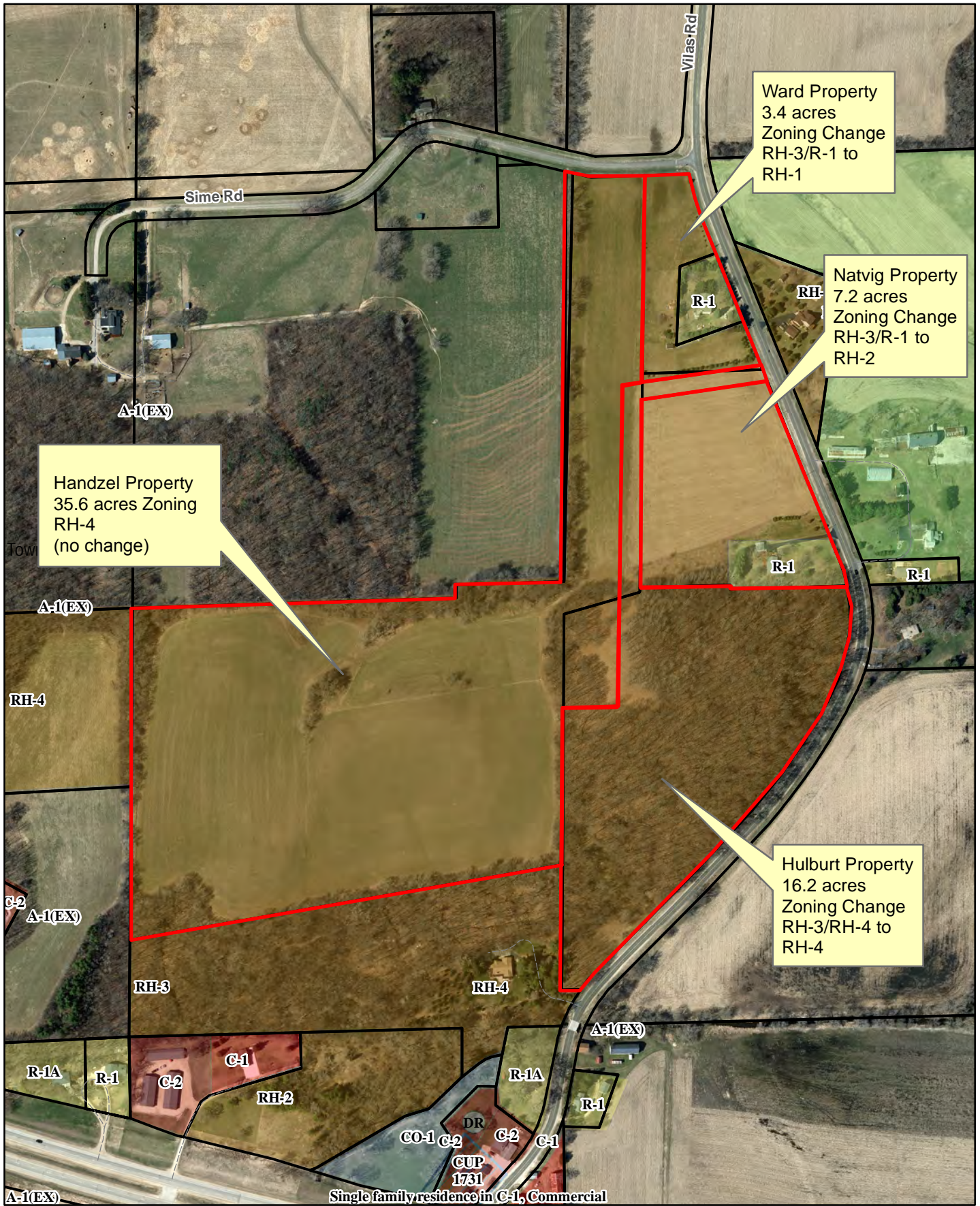
8/23 ZLR: The petition was postponed due to no town action.

STAFF UPDATE: The petition has been revised to rezone all respective properties to the correct zoning district and allow for the exchange of lands between property owners. The two Ward properties will be consolidated into one parcel and the southerly lot line will be shifted to align with the existing tree line. The property will be assigned the appropriate zoning district. The two Natvig properties will be consolidated into a single property and zoned appropriately. A 66-foot strip of land will be created along the north and west side of the Natvig property to allow a new access path to the Hulburt property. See attached map.

TOWN UPDATE: The town approved the petition with amendments.

Staff suggested conditions:

1. The petition shall be amended to assign the zoning district classification of RH-1 to the 3.4-acre Ward property; assign the zoning district classification of RH-2 to the 7.2-acre Natvig property; assign the zoning classification of RH-4 to the newly configured 16.2-acre Hulburt property.



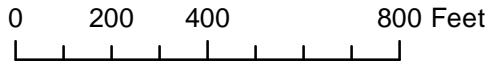
Ward Property
3.4 acres
Zoning Change
RH-3/R-1 to
RH-1

Natvig Property
7.2 acres
Zoning Change
RH-3/R-1 to
RH-2

Handzel Property
35.6 acres Zoning
RH-4
(no change)

Hulburt Property
16.2 acres
Zoning Change
RH-3/RH-4 to
RH-4

Single family residence in C-1, Commercial



Petition 11020
Natvig

Legend