
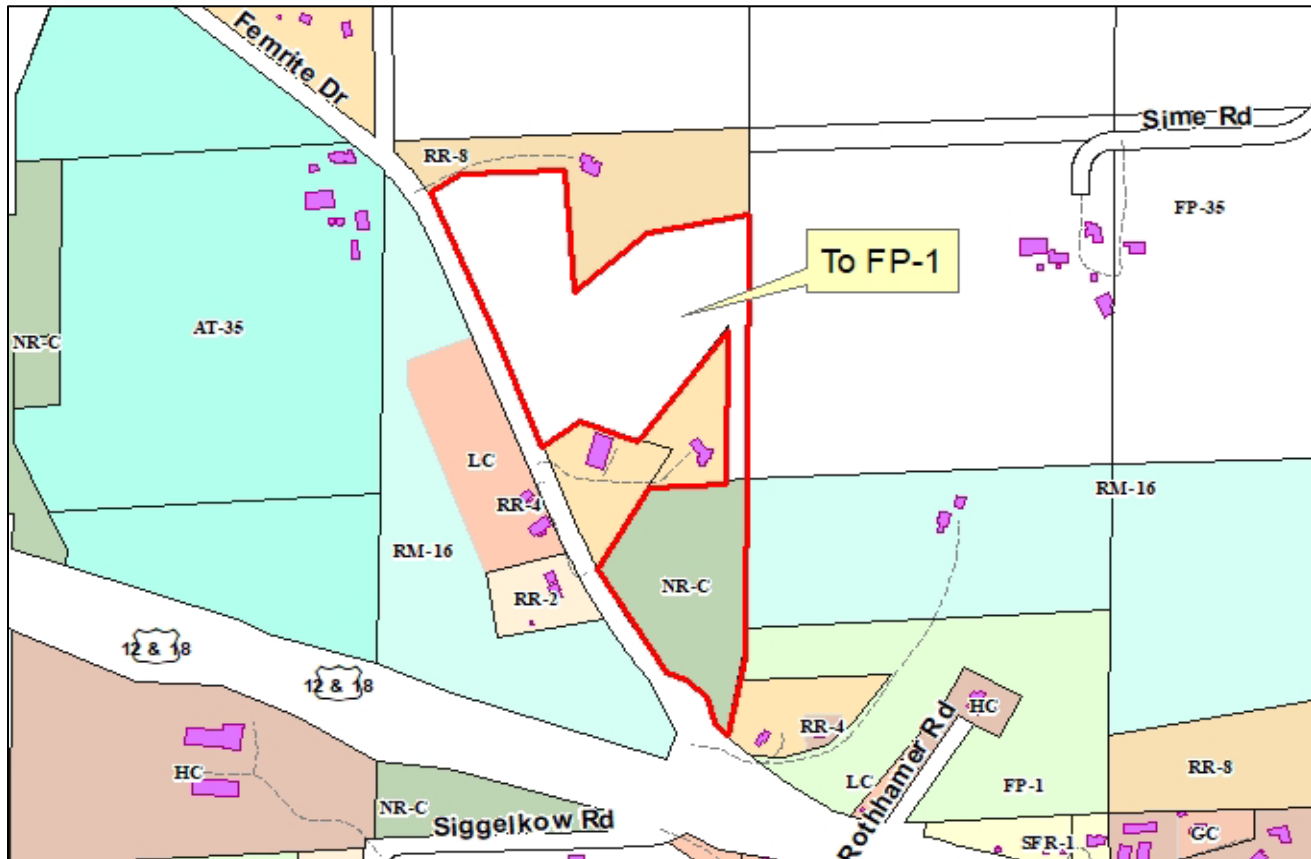


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> January 28, 2025		Petition 12128
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District and NR-C Natural Resource Conservation District TO FP-1 Farmland Preservation District		<u>Town, Section:</u> COTTAGE GROVE, Section 29
	<u>Size:</u> 16.7,7.4 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> ROGER AND LYNN KORFMACHER
	<u>Reason for the request:</u> Create two agricultural lots		<u>Address:</u> SOUTH OF 2896 FEMRITE DR



DESCRIPTION: Brian Korfmacher, on behalf of his parents Roger and Lynn Korfmacher, request to rezone agricultural lands northeast of Femrite Drive to FP-1 to facilitate a family land transfer and a zoning map correction. Brian Korfmacher intends to acquire 5 acres from his parents from parcel 0711-293-8660-0, which is currently zoned FP-35 although it is part of a contiguous farm tract less than 35 acres in size. The 5-acre parcel would become a CSM lot with FP-1 zoning; it would not be combined with Brian’s existing RR-8 lot because Town of Cottage Grove policies do not allow residential lots over 8 acres in size.

The remaining 19.1 acres (currently in FP-35 and NR-C zoning) would be another FP-1 CSM lot, which might be further divided among the family. That land was zoned from agricultural to conservancy zoning as part of a town blanket rezone for farmland preservation in 2014 (rezone petition #10691). Information from that petition suggests that only land to the south of Highway 12 & 18 was meant to be zoned for conservancy and it may have been anticipated as future highway right-of-way at the time.

OBSERVATIONS: The proposed lots conform to county ordinance requirements. There is a one-acre minimum lot size in the FP-1 zoning district. This rezone will also address the mismatched zoning in this area and better reflect the existing land use.

The applicants and town staff have confirmed with the City of Madison staff that the city will not need to review the land division pursuant to the intergovernmental agreement between the town and the city.

COMPREHENSIVE PLAN: The property is located in a designated agricultural preservation area. As indicated on the attached density study report, the property is not eligible for any additional “residential density units” (RDUs) under applicable plan policies. No new development is proposed. [Comprehensive plan policies](#) allow for rezonings to the FP-1 district without counting towards the density limitation. The proposal appears reasonably consistent with the comprehensive plan. Pending any concerns identified by the town during the course of its review, or at the ZLR public hearing, staff recommends approval. For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or Allan.Majid@danecounty.gov.

RESOURCE PROTECTION: There are no sensitive environmental features on the subject property, and no development is proposed.

TOWN ACTION: On January 6th, the Town Board recommended approval of the rezone noting: “They did not specify to create two agricultural lots as the petition states since the petitioners indicated they may want 3 lots. They seemed to think they would need to come back to split off 5 acres for Brian Korfmacher to purchase from his parents, but we thought there would be no reason not to do that with this rezone (and a CSM). It should also be noted that based on survey work they have already done, acreages on Access Dane do not seem to be correct.”

STAFF RECOMMENDATION: Zoning Staff has discussed the town’s comments with the applicant and with town staff following the Town Board recommendation, to clarify some questions. There is a discrepancy between the assessed and actual acreage of one of the parcels; however, such discrepancies are not uncommon. Whatever the reason, this petition correctly lists the acreage involved, a total of 24.1 acres consisting of 16.7 acres currently zoned FP-35 and 7.4 acres zoned NR-C.

The applicant has indicated that the family may wish to divide the subject property into three (3) lots with FP-1 zoning, to facilitate the transfer of some of the acreage to the brother who owns RR-4 zoned land in the middle of this tract. There is a one-acre minimum lot size requirement for the FP-1 zoning district, and the additional agricultural lot would not appear to significantly change the proposal, nor would it require City of Madison review.

Pending any comments at the public hearing, Staff recommends approval subject to the applicant recording the CSM for the new lot configuration and the following condition:

1. The FP-1 lands may be divided into either two or three agricultural lots via certified survey map, subject to approval by the Town of Cottage Grove.
2. The certified survey map shall be recorded within 180 days, an extended delayed effective date to allow additional time for the land surveying.

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