



Notice of Public Hearing

Zoning and Land Regulation Committee

Public Hearing: **July 25, 2017**

Zoning Amendment:
A-1EX Agriculture District TO R-1A Residence District

Acres: 2.54
Survey Req. Yes

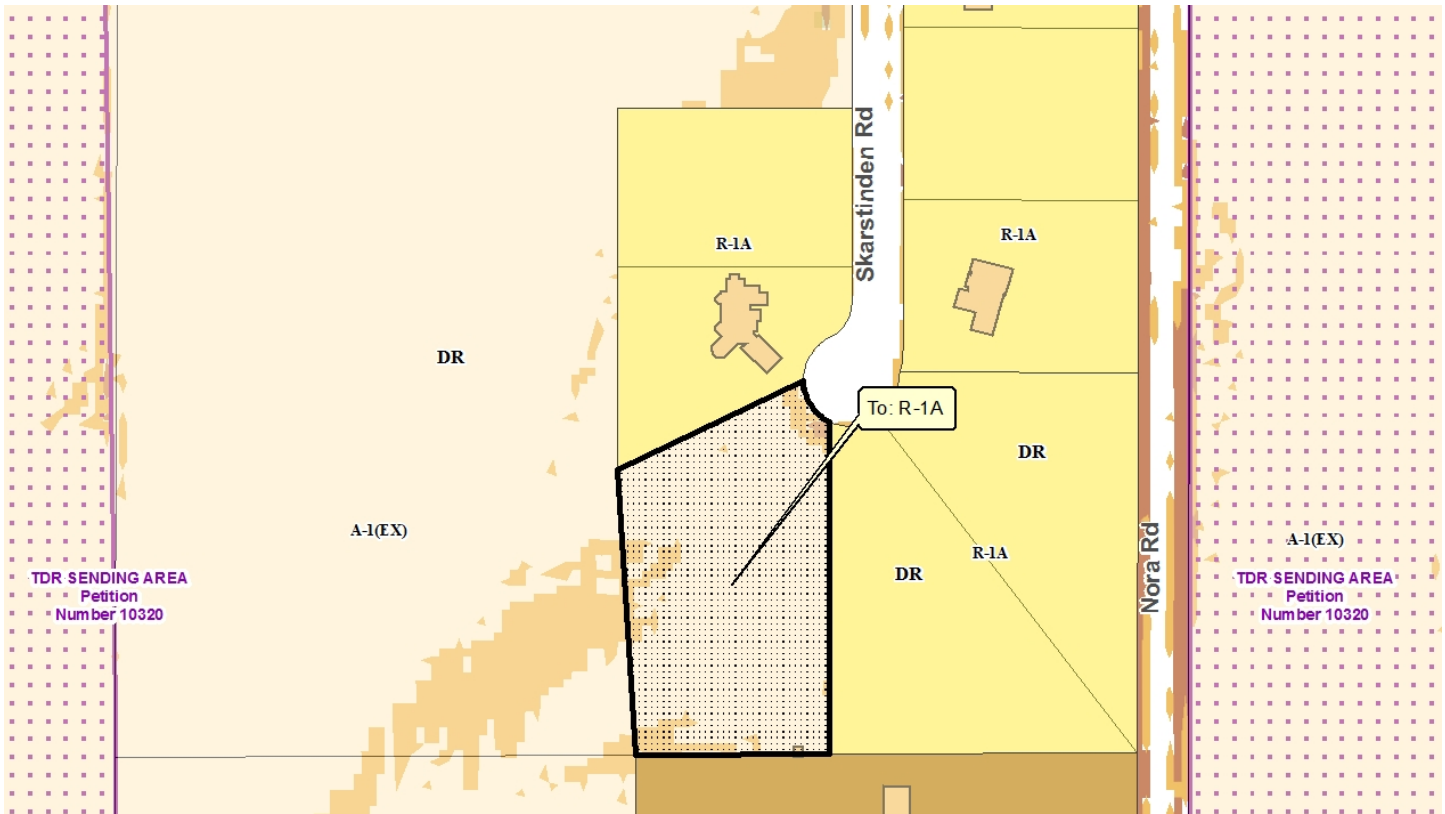
Reason:
Creating one residential lot

Petition: **Petition 11166**

Town/sect:
**COTTAGE GROVE,
Section 26**

Applicant
**SCREAMIN'
NORWEGIAN FARMS
LLC**

Location:
**JUST SOUTH OF 3475
SKARSTINDEN ROAD**



DESCRIPTION: The applicant wishes to create one residential lot and rezone it from A-1EX to R-1A.

OBSERVATIONS: The proposal meets dimensional requirements. The proposal creates a lot that fills in a space between two existing lots within a residential development along Skarstinden Road. More specifically, the new lot will fill the space between lots 2 and 3 of CSM 13349.

TOWN PLAN: The subject property is located in the agricultural preservation land use district. In this district, a density policy of one residential dwelling unit (RDU) is allowed per 35 acres owned as of 5/15/1982. The plan also includes a transfer of development (TDR) policy. In this case, because it is in the agricultural preservation land use district, and there are no RDUs available from the original farm, an RDU would have to be sent from a different farm. The town plan does allow for sending RDUs from one farm to another as long as they are in the same ownership, in this case Screamin' Norwegian Farms, LLC.

RESOURCE PROTECTION: There are no resource protection issues with the subject property.

STAFF: The applicant will have to identify where the RDU is coming from and if necessary, deed restrict the remainder of the farm from which it is being sent. A density study report will have to be conducted for the other farm, in order to determine if there are enough RDUs and whether or not a deed restriction is appropriate.

TOWN: The Town approved this petition with conditions. The Town Action Report states that "A 35 acre parcel of the Skaar's and the County's choice will need to be deed restricted to provide an RDU for this new lot". Approval should also be conditioned on the applicant identifying and providing information on the sending farm to the town and County.

Petition 11166 continued

7/25 ZLR: The petition was postponed to allow time for the applicant to identify the origin of the Residential Density Unit.

STAFF UPDATE: The Residential Density Unit will be sent from the original 39.7-acre Neli Skaar farm located in Section 35. As the attached density study indicates, the transfer of the RDU will exhausts the housing density right of that farm.

If the petition is approved, Staff suggests placing a deed restriction on the sending farm, parcels 0711-351-9501-0 and 0711-351-8270-7, to prohibit further residential development on the A-1 Exclusive Agriculture zoned land. The housing density rights have been exhausted on the original farm due to the transfer of development rights under Petition 11166.