
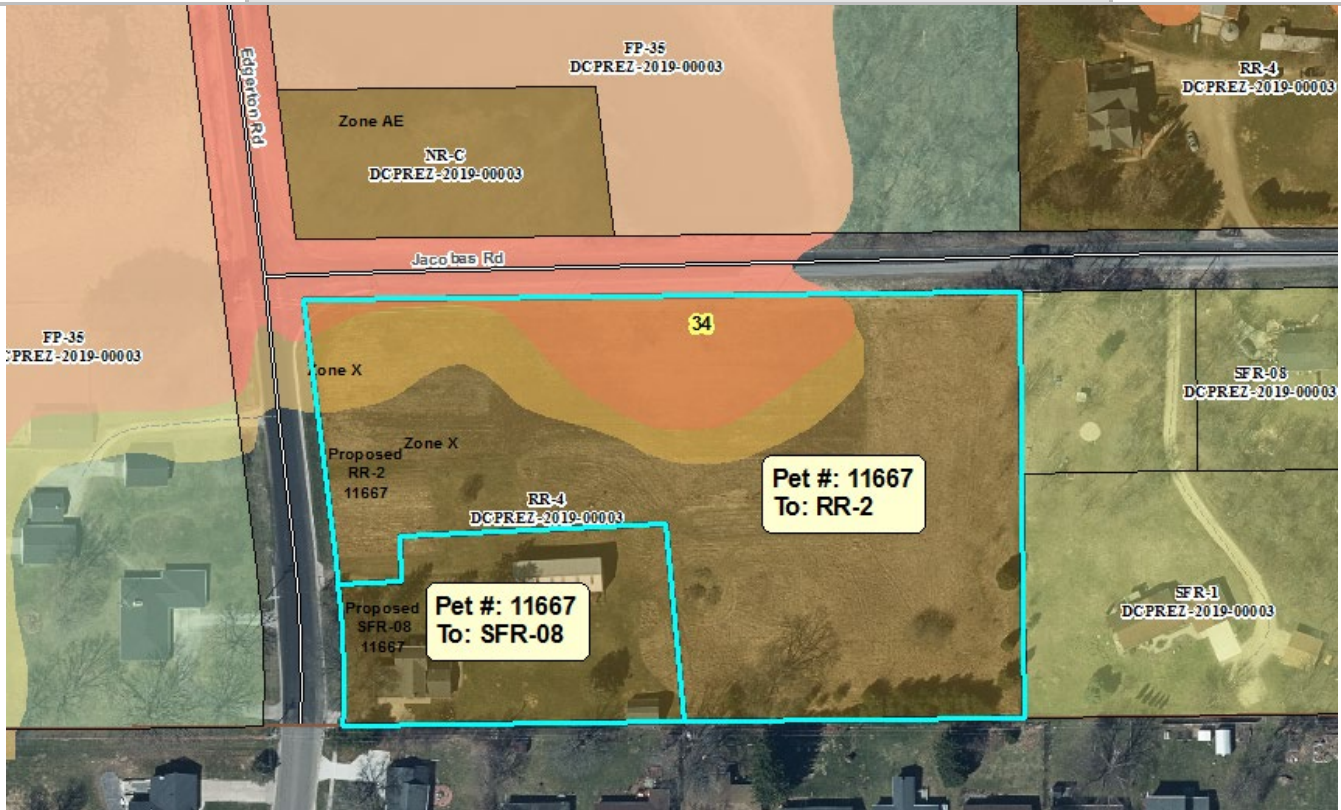


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> March 23, 2021	Petition 11667	
	<i>Zoning Amendment Requested:</i> RR-4 Rural Residential District TO SFR-08 Single Family Residential District, RR-4 Rural Residential District TO RR-2 Rural Residential District, RR-4 Rural Residential District TO TDR-R Transfer of Development Rights Receiving Area Overlay District Recei		
	<i>Size:</i> 0.94,3.71,3.71 Acres	<i>Survey Required:</i> Yes	<i>Town/Section:</i> ALBION, Section 34
	<i>Reason for the request:</i> Dividing an existing residential lot into two lots - Transfer of Development Right		<i>Applicant:</i> DARRELL and LINDA ELLIFSON
		<i>Address:</i> 12 EDGERTON ROAD	



DESCRIPTION: Applicant proposes to divide the existing ~5 acre RR-4 zoned parcel to create a new ~3.7 acre RR-2 zoned residential lot by transferring a development right from the ~160 acre Spike farm in section 9. The existing residence at 12 Edgerton Road would be separated onto a .95 acre SFR-08 zoned parcel. TDR-R (Transfer of Development Rights – Receiving) overlay zoning is proposed for the RR-2 zoned parcel to partially document the transfer.

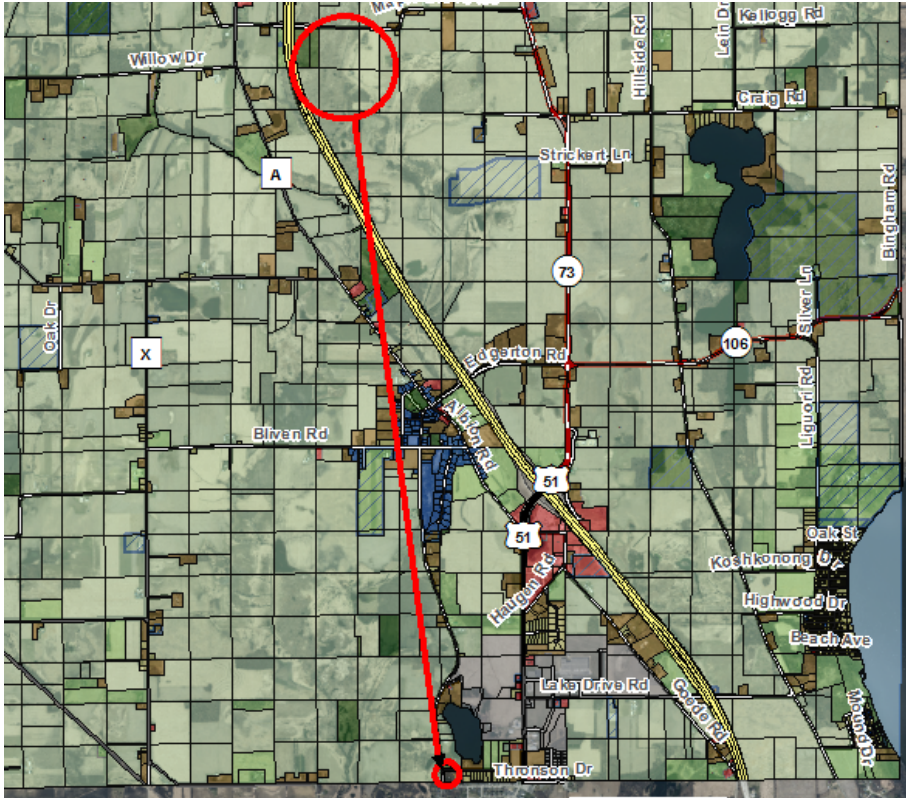
OBSERVATIONS: The subject property is located on the Dane / Rock county line. Existing use of the 5 acre property is residential and ag/open space. Surrounding land uses are residential and ag/open space. An area of floodplain associated with an unnamed nearby pond encroaches on the north-central portion of the proposed RR-2 parcel. There appear to be suitable areas of upland on which to site a new residence.

TOWN PLAN: The property is located in the town’s agricultural preservation area.

RESOURCE PROTECTION: An area of resource protection corridor associated with 100 year floodplain is located on a portion of the RR-2 parcel.

STAFF: The proposal is to transfer a density unit from a ~160 acre farm owned by Thomas & Douglas Spike located in section 9 of the town just east of I-39/90 and south of Maple Grove Road. As indicated on the attached density study report, the Spikes’ sending property is eligible for four density units. If the petition is approved, three possible density units will remain.

The proposed transfer appears reasonably consistent with the town's TDR policies which seek to preserve large, contiguous tracts of farmland and to allow for clustering of new lots in areas of existing development.



Proposed TDR Sending/Receiving Area

The SFR-08 district limits the square footage of accessory buildings to no more than 100% the square footage of the footprint of the principal residence. It appears that the total square footage of the existing accessory structures on the proposed SFR-08 lot may exceed that limitation. To resolve the issue, staff recommends the petition be amended slightly to increase the size of the proposed SFR-08 parcel from .95 acres to over 1 net acres and that the parcel be assigned the RR-1 (Rural Residential, 1-2 acres) district. The RR-1 district utilizes a more generous lot coverage limitation (up to 35% of the lot area).

STAFF UPDATE: This petition was postponed at the March 23rd ZLR hearing due to no town action. The town board approved the petition at a meeting on June 1 with conditions and an amendment to increase the size of proposed lot 2 to over 1 net acre with a zoning classification of RR-1 (Rural Residential).

Staff recommends that the petition be approved with the following amendment and conditions (note these recommendations reflect the town action):

1. Proposed lot 2 shall be increased from .95 acres to over 1 net acre and assigned the RR-1 zoning district.
2. A notice document shall be recorded on the RR-2 zoned property (proposed lot 1 on CSM) indicating that the lot was created as a result of a transfer of development rights.
3. The TDR-S Sending area overlay zoning district shall be applied to the ~160 acre Spike farm in section 9 (tax parcels: 0512-161-8000-5, 0512-094-9560-8, 0512-094-9000-5, 0512-094-8500-2, and 0512-094-8060-5).
4. The owner of the sending property shall record a deed restriction on a minimum of 35 acres of the property prohibiting non-farm development in accordance with town plan policies (tax parcel #0512-094-8500-2).

Questions about this staff report? Contact Majid Allan: allan@countyofdane.com / 608-267-2536.

TOWN: Approved with conditions documenting the transfer and an amendment to proposed lot 2 (see attached action report).