
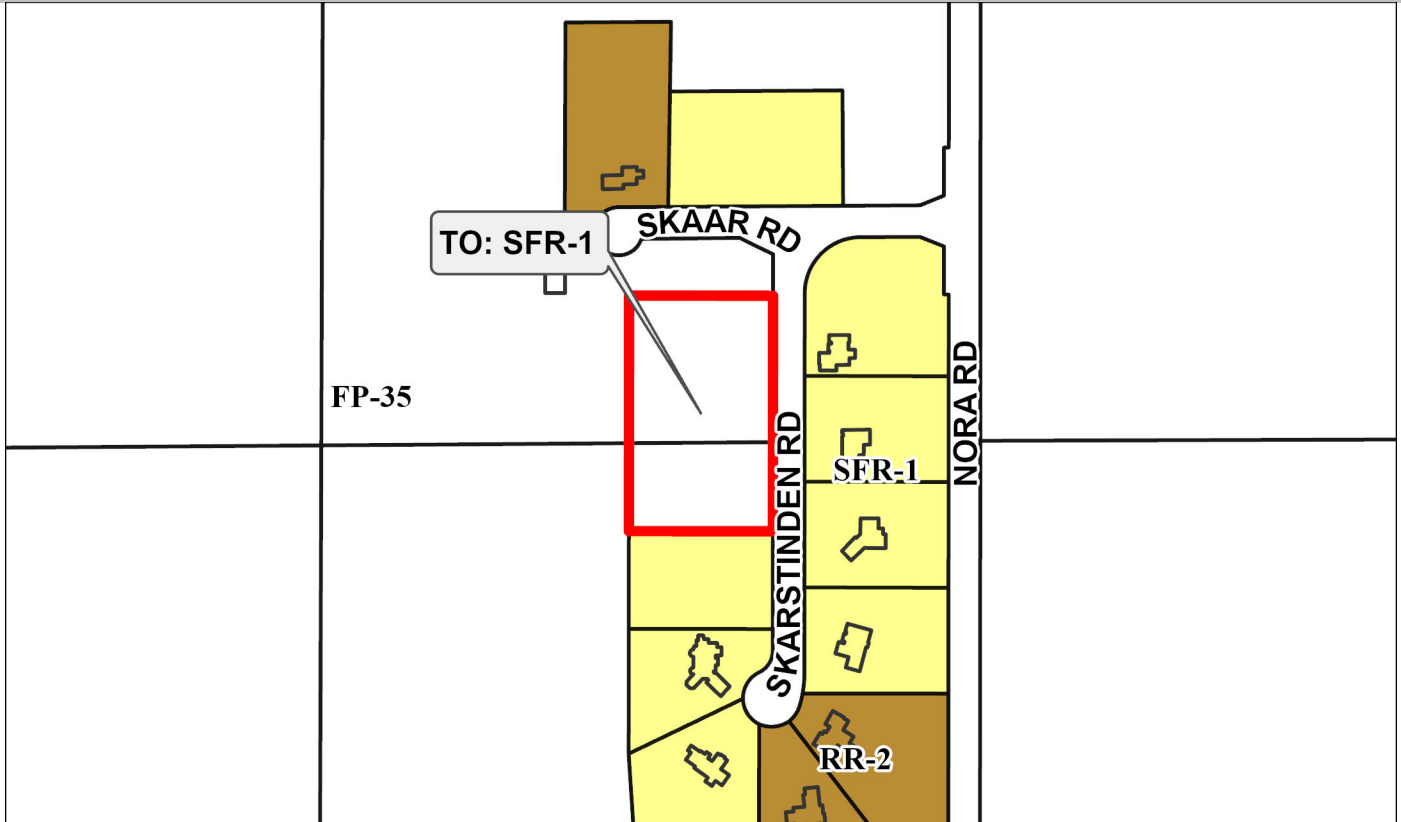


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> January 23, 2024		Petition 12003
	<i>Zoning Amendment Requested:</i> FP-35 Farmland Preservation District TO SFR-1 Single Family Residential District		<i>Town/Section:</i> COTTAGE GROVE, Section 26
	<i>Size:</i> 3.37 Acres	<i>Survey Required:</i> Yes	
	<i>Reason for the request:</i> CREATE TWO RESIDENTIAL LOTS VIA TRANSFER OF DEVELOPMENT RIGHTS (TDR) FROM OWNER'S OTHER PROPERTY		<i>Applicant:</i> SCREAMIN' NORWEGIAN FARMS LLC (PUNKY SKAAR)
			<i>Address:</i> 1885 SKAAR RD

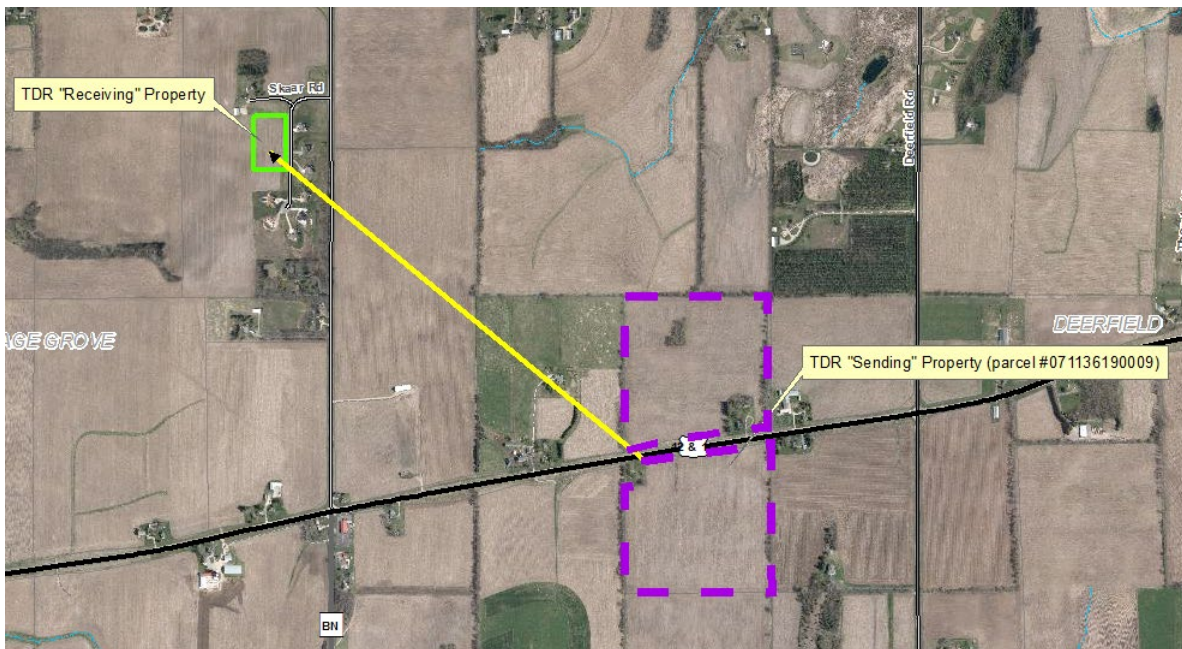


DESCRIPTION: Applicant Punky Skaar would like to create two residential lots, 1.5 and 1.9 acres, both with SFR-1 zoning, from two agricultural parcels located on Skarstinden Road.

OBSERVATIONS: The site is north of the hamlet of Nora which is located at Nora Road and Highway 12/18. The proposed residential lots comply with the requirements of the SFR-1 zoning district, including lot size and public road frontage.

RESOURCE PROTECTION: There are no sensitive environmental features on or within 300 feet of the subject property.

COMPREHENSIVE PLAN: The subject property is located in a designated agricultural preservation area. The applicant proposes a transfer of development rights (TDR) in order to create the two proposed residential lots. Two “Residential Density Units” (RDU, a/k/a “splits”) would be transferred from another property owned by the applicant about ¾ of a mile to the southeast in section 36. As indicated on the attached density study report, currently the TDR “sending” property remains eligible for 2 RDUs/splits.



Comprehensive plan policies allow for the transfer of RDUs at a one-to-one ratio within the agricultural preservation area, provided such transfers are consistent with the town's farmland preservation objectives.

The proposed transfer would result in the long term preservation of agricultural land located along US 12/18, and the new residential lots would be located in an area of existing rural residential development along Skaarstinden Road.

Staff finds that the proposal is consistent with comprehensive plan policies. In accordance with the town's approval of the petition, the conditions of approval listed under the staff recommendation section below should be imposed in order to properly track the transfer of development rights.

(For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or allan@countyofdane.com.)

TOWN ACTION: On January 2, 2024 the Town Board recommended approval of the rezone subject to a deed restriction that specifies two RDUs to come from parcel 0711-361-9000-9.

STAFF RECOMMENDATION: Pending any comments at the public hearing, staff recommends approval of the petition subject to the applicant recording the CSM for the new lots, and the following conditions:

1. Owner shall record a deed restriction on the sending property (tax parcel 0711-361-9000-9) stating the following:
 - a. Residential development is prohibited on the remaining FP-35 zoned land (NE 1/4 of the NE 1/4, section 36, Town of Cottage Grove). The housing density rights for the original Steven and Gary Swalheim farm have been exhausted per the Town Comprehensive Plan density policies.
2. The TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be applied to the two SFR-1 lots.
3. A deed notice document shall be recorded on the two SFR-1 lots being created by Certified Survey Map indicating the lots were created by a transfer of development rights.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@countyofdane.com