
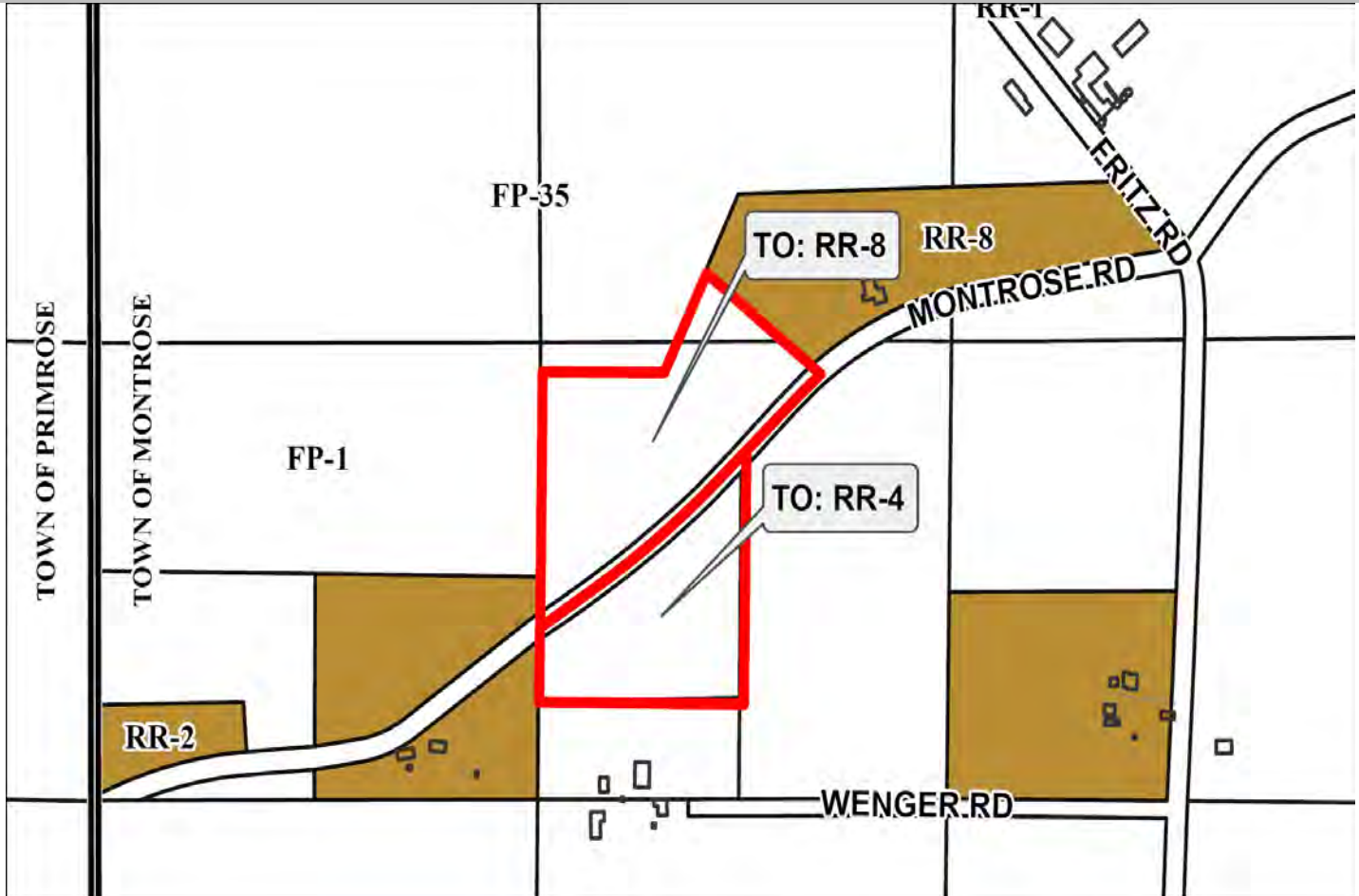


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| Staff Report  Zoning and Land Regulation Committee | <i>Public Hearing:</i> May 28, 2024 | Petition 12036 | |
| | <i>Zoning Amendment Requested:</i> FP-35 Farmland Preservation District TO RR-8 Rural Residential District and RR-4 Rural Residential District | | |
| | <i>Size:</i> 8.9,6.4 Acres | <i>Survey Required:</i> Yes | <i>Town/Section:</i> MONTROSE, Section 30 |
| | <i>Reason for the request:</i> Creating two residential lots | | <i>Applicant:</i> DENNIS & LISA NOLDEN |
| | | <i>Address:</i> SOUTHWEST OF 7796 MONTROSE ROAD | |



DESCRIPTION: Dennis and Lisa Nolden proposed a rezoning to create two residential lots with RR-8 and RR-4 zoning. A certified survey map (CSM) would separate the new lots from the larger farm.

OBSERVATIONS: The proposed lots meet the requirements of the proposed zoning districts, including lot size and public road frontage.

COMPREHENSIVE PLAN: The property is within a Farmland Preservation Area under the [Town of Montrose / Dane County Comprehensive Plan](#) and the *Dane County Farmland Preservation Plan*. Residential development is capped at a maximum density of one unit per 35 acres owned as of September 11, 1978. As of that date, this property was part of a 206.48-acre farm owned by Robert L. Murphy. Note that the Town of Montrose does not allow for rounding up of fractional homesites. If approved as submitted, Petition 12036 would **exhaust** the development potential on the property. The balance of the 1978 Murphy farm remaining in Farmland Preservation zoning should be deed restricted to prohibit further nonfarm development. (For questions about the town plan, contact Senior Planner Brian Standing at (608) 267-4115 or standing.brian@danecounty.gov)

RESOURCE PROTECTION: There are no sensitive environmental features on or within 300 feet of the subject property. An erosion control permit is required from Dane County Land and Water Resources if a driveway is over 125 feet long or there is more than 4,000 square feet of land disturbance, and a stormwater management permit is required if more than 20,000 square feet of impervious surface is created during the development of the lots.

TOWN ACTION: On April 4, 2024 the Town Board recommended approval of the rezone noting it is contingent on two splits being available.

STAFF RECOMMENDATION: As noted above, the splits are available to create the lots. Pending any comments at the public hearing, staff recommends approval of the petition subject to the applicants recording the CSM for the new lots and the following conditions:

1. A deed restriction shall be recorded on the remaining FP-35 land (current tax parcels 0508-303-8041-3, 0508-302-9521-1, 0508-302-8500-8, 0508-302-8002-0, 0508-301-9001-1, 0508-301-8500-9) stating the following:
 - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the 1978 Robert L. Murphy farm have been exhausted per the Town Comprehensive Plan density policies.

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