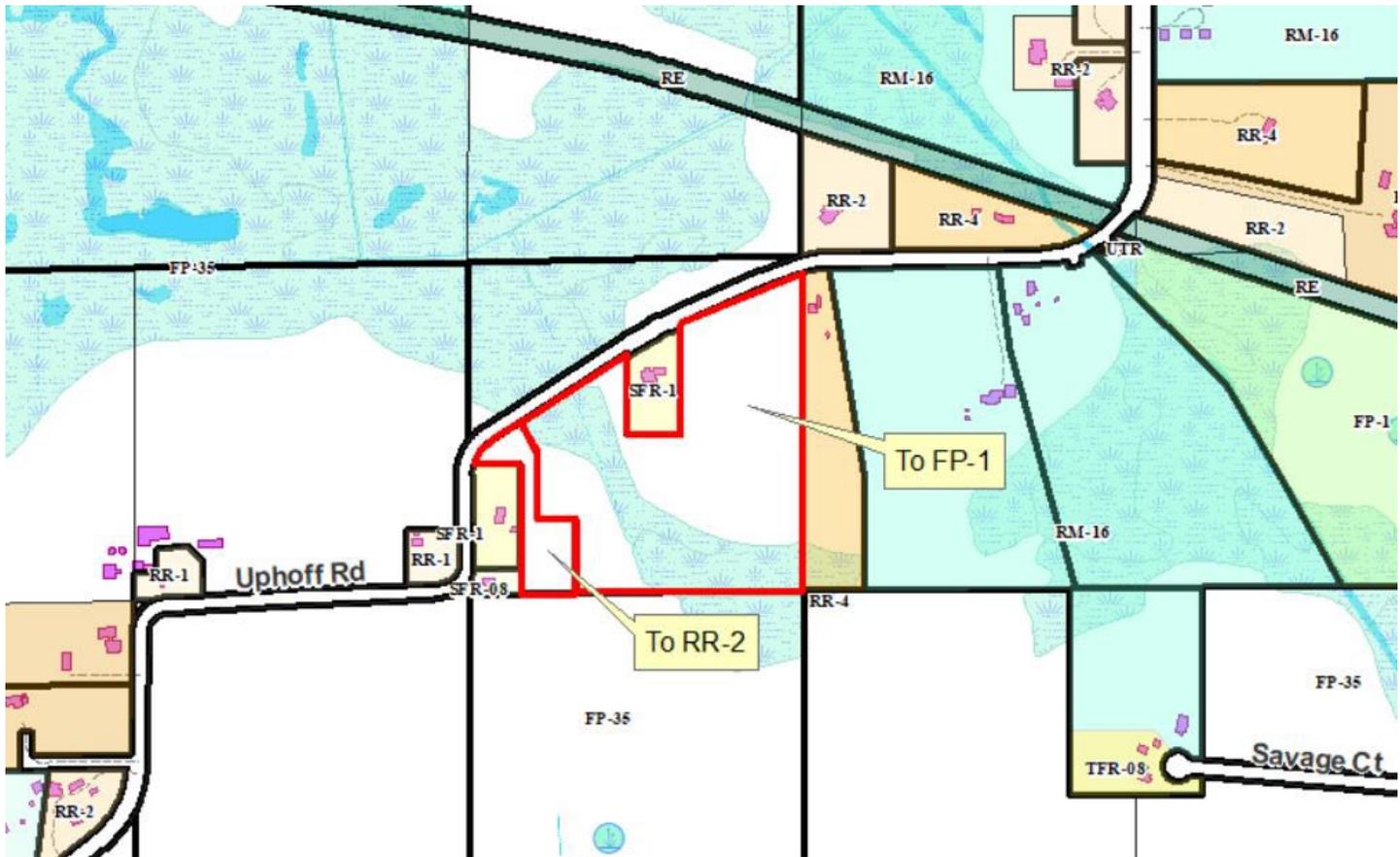


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> April 22, 2025		Petition 12152
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO RR-2 Rural Residential District, FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District		<u>Town, Section:</u> COTTAGE GROVE, Section 15
	<u>Size:</u> 2.22,22.47 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> WILMER LARSON
	<u>Reason for the request:</u> creating one residential lot and an agricultural lot		<u>Address:</u> EAST OF 2177 UPHOFF ROAD



DESCRIPTION: The applicant would like to create a residential lot on his property along Uphoff Road.

OBSERVATIONS: The property is bisected by a constructed drainageway. Development has been located on the west side of the drainageway due to the productive agricultural field on the east side. The lot configuration is controlled by the access difficulties onto Uphoff Road and close proximity to sensitive environmental features.

COMPREHENSIVE PLAN: The property is located in the Agricultural Preservation Area. The Town Land Use Map depicts a Resource Protection area at the center of the property due to the drainageway. The development has been located on the west side of the property to avoid the Resource Protection Corridor.

In 2013, a residential lot was previously created on the property under Rezone Petition 10615. The density study at the time reflected that the proposal exhausted the last remaining residential development unit (RDU) on the property. As a result, a deed restriction was placed on the property prohibiting further residential development.

The Planning Division conducted further review of the original farm and found that previous density study was in error. The new study revealed that one additional RDU remains on the property. If the proposal is approved, the RDUs will now be exhausted on the original farm. The remaining land owned by the applicant is proposed to be rezoned FP-1 which prohibits single-family residences.

RESOURCE PROTECTION: As noted above, the property is bisected by a constructed drainageway. The FEMA FIRM map shows that there is a flood hazard area along the drainageway. The DNR wetland inventory maps depicts that there are wetlands along the drainageway as well.

Development on the property, buildings and driveway, will need to comply with the 75-foot setback from the wetland boundary and stay outside the flood hazard area. The development will not be subject shoreland regulations given that the constructed drainageway is not considered navigable.

TOWN ACTION: On April 7th the Town Board recommended approval of the proposal with the following comments:

1. The Town believes based on the density report dated 08-06-2024 that this is the last RDU for the farm. Parcels on the report are 071115487407, 071115495005, 071115485025, 071115395006, 071115380003, 071115488504
2. The proposed new residential lot is allowed to exceed the Towns 2 acre maximum so as to not leave an odd residual small lot of trees near the road.

STAFF RECOMMENDATION: Pending any comments at the public hearing, staff recommends approval of the petition subject to the recording of the CSM.

Please contact Roger Lane at (608) 266-9078 or lane.roger@danecounty.gov if you have questions about this petition or staff report.