

MEMORANDUM

Business Item E

From: Administrator/Staff
To: Plan Commission
Re: Plan Commission review & recommendation on a Preliminary Plat Review
Application submitted by Davel Engineering on behalf of Jacobs Design Homes LLC
for a Condominium Plat affecting Tax ID #006-1802 (2601 and 2603 St Thomas Ln).

Please find the below comments from Code Administrator Greenberg:

1. The applicant is proposing to create a two-unit condominium on Lot 7 of Scholar Ridge.
2. Pursuant to the Town’s Zoning Ordinance (“Ordinance”) the lots are zoned R-3 Two-Family which allows for a two-family residence as a permitted use, provided that all Ordinance standards are met.
3. No additional right-of-way dedication is required. **This is correctly shown.**
4. The units will be under separate ownership, but the areas outside of the units will be owned in common and are designated on the plat as both “common elements” and “limited common elements”.
5. The lot provides 104.6 ft. of width. **This complies with the 85 ft. lot width requirement for two-family residences on sewer R-3 lots.**
6. The lot provides 104.6 ft. of road frontage. **This complies with the 33 ft. road frontage requirement.**
7. The proposed two-family residence provides 30.5 ft. of street yard. **This complies with the 30ft. street yard requirement.**
8. The proposed two-family residence will provide 1,530 sq. ft. of floor area in each unit, not including the garage or basement. **This complies with the 1,000 sq. ft. minimum floor area requirement.**
9. The proposed two-family residence complies with the side yard and rear yard requirements of the R-3 District as follows:

	Required (min.)	Proposed
Side yard (Side #1)	7 ft.	9.66 ft.
Side yard (Side #2)	10 ft.	20.5 ft.
Rear yard	25 ft.	62.5 ft.
10. The Ordinance requires that each unit of a two-family residence must provide at minimum two off-street parking spaces. **Each unit will provide 542 sq. ft. of garage space as well as ample driveway parking.**
11. Per Wis Stat. §703.11(2)(c): The Condo Plat must show each building and each unit therein; location of each unit within each building; common elements shown graphically and identified. **This is not being correctly shown on the plat and shall be revised as noted in items #1 and #2 below.**

Staff Recommendation:

The following items should be addressed prior to final approval/Town signatures:

1. The specific references to the areas being identified as “unit” and “limited common element” are unclear and shall be revised/clarified. Unit labels should be placed on top of the respective features so that it is clear what is being referenced.
2. The purpose of the north/south line bisecting the plat is unclear and shall be removed or clarified. A condo plat cannot be utilized to divide lands.
3. Per the Town’s Subdivision Ordinance, the right to farm note shall be added to the plat: *“The Lot(s) created in this subdivision plat are adjacent to property that, as of the date of this document, are being used for agricultural purposes. Some individuals believe that the activities associated with the agricultural use constitute a nuisance or conflict with their quiet enjoyment of their property. This statement is intended to provide third parties with notice that agricultural activities may exist on the adjacent property.”*

SUGGESTED MOTION

Motion to recommend approval of the Preliminary Plat Review Application submitted by Davel Engineering on behalf of Jacobs Design Homes LLC with the three (3) listed Staff Recommendations.

Respectfully Submitted,
Kelsey