



PLANNING STAFF REPORT

MEMO DATE: February 5, 2020
MTG. DATE: **FEBRUARY 12, 2020**

TO: Village of Cottage Grove Plan Commission

CC: Matt Giese – Village Administrator
Lisa Kalata – Village Clerk
Larry Konopacki – Village Attorney
Kevin Lord – Village Engineer

FROM: [Erin Ruth, AICP – Village Planning Director](#)

RE: **Hacker Zero Lot Line – 760 St. James Street**

BACKGROUND

Property Owner: Nancy Hacker

Location: 760 A & B St. James Street

Area: 15,072 sq. ft. parcel proposed to be split into 7,499 & 7,573 sq. ft. parcels

Agent: Nancy Hacker - owner
Dave Riesop - surveyor

Existing Zoning: TR-8, Two-Family Residential

Proposed Zoning: TR-8, Two-Family Residential

Future Land Use Plan: Two-Family Residential

OVERVIEW

The applicant owns a 15,072 square foot parcel with an existing duplex building. The applicant is seeking approval of a CSM to split the lot and building into two zero lot line parcels.

The parcel is located at 706 St. James Street, just south of E. Parkview Street (see location map on the following page).



LOCATION MAP



STAFF RECOMMENDATION

Staff recommends that the proposed Certified Survey Map be **APPROVED with CONDITIONS**, with the conditions as follows:

1. The applicant shall provide the Village with evidence that the submitted maintenance agreement has been recorded for each parcel.
2. The existing playhouse shall be relocated as needed to be in compliance with the zoning ordinance prior to the recording of the CSM.

COMPREHENSIVE PLAN CONSISTENCY

The subject property is designated as Two-Family Residential on the Comprehensive Plan's Future Land Use Map. The existing land use, a duplex structure, reflects that designation. The proposed change in ownership arrangement does not impact the land use. Therefore, the CSM is consistent with the Comprehensive Plan.



ZONING ORDINANCE CONSISTENCY

The subject property is zoned TR-8, Two-Family Residential. This zoning would remain on each parcel if the current parcel is divided.

The parcels associated with each half of the structure must be at least 5,000 square feet, per the zoning ordinance. The smaller of the proposed lots is 7,499 square feet so the proposed parcels comply with the minimum lot size requirement.

Furthermore, the TR-8 zoning designation requires a minimum lot width of 40' and minimum street frontage of 50' for each unit. The width at the frontage of each lot is 59' and 60'.

There is an existing playhouse located such that it would straddle to new property line between the lots. The playhouse is considered an accessory structure and must be setback at least 3' from any property line. Therefore, creating the lot would put the playhouse in violation of the ordinance, as it not only violates the setback but actually encroaches on the other lot. The playhouse should be relocated as needed to bring it into compliance with the ordinance.

ZERO LOT LINE CONSIDERATIONS

Zero lot line conversions such as this proposed CSM require verification that each unit has its own separate water and sewer lateral. The applicant has submitted a letter from a licensed plumber verifying that the subject structure complies with this requirement.

Furthermore, a maintenance agreement must be recorded for each newly created parcel. Such an agreement has been submitted. The applicant shall provide evidence that the maintenance agreement has been recorded for each parcel.