PHR Housing LLC
c/o Nasar Ansari
6545 Doral Circle
Madison, WI 53719

September 3, 2009

Dear Mr. Ansari,

Thank you for following up our discussion of many topics on September 1, 2009 with a written list of specific items I received today by fax. I will address each item below to further clarify your understanding of the Town's policies, Ordinances, requirements, and/or procedures:

1. As we discussed, your 8.0 acre lot located at W7014 State Hwy 39 as recorded as Lot 2 of CSM 1684 that was recorded September 1, 1994 with the Green County Register of Deeds, has one building site available. Currently the property has a mobile home which consumes the available building site. You do have the option of building a permanent home on the site providing that the mobile home is removed beforehand.
2. Another option we discussed was occupancy of the mobile home while the new home is being constructed. We have similar precedents, the most recent being the Deb and Debi Pesch property on County Hwy NN and Gmur Lane. The Pesch's decided to build a new home on their lot that had a single building site. They occupied the existing farm house while the work was taking place and had to file an affidavit with the Town of New Glarus stating that the farm house would be razed within 30 days of being issued an Occupancy Permit by the Building Inspector. Because your mobile home can be moved you have the option of demolishing it or having it moved from the property within a similar time frame. An affidavit would need to be filed with the Town after review and acceptance of your Concept Plan by our Building Inspector (he may decide that some aspect of the Plan requires Planning Commission review).
3. You are correct that the current Code requires a minimum lot size of 2.0 acres for the construction of a home. Because your CSM predates our Ordinance enacted on October 13, 1997 you should not have to record the restriction of the remaining open space (I will ask clarification of this from the Plan Commission), nor do you have to possess 35 acres to accommodate open space requirements of a large lot according to the same code. If you chose to sell up to six acres to a neighbor that would be treated as a Neighbor Exchange if no new lot is created in the process (please refer to the copy of §110-6 B(3) that I provided for you on September 1, 2009). As we discussed previously, Neighbor Exchanges do not require a Public Hearing, but as a courtesy the Town should be notified.

   Because some of the eight acres are wooded it is possible that this portion could be entered into the Managed Forest Land program of the DNR so that the entire eight acres is not assessed at residential rates. Please be aware that not all two acre pieces of land will be suitable for

building and that Green County Zoning laws regarding setbacks will in part dictate the location of a home.

4. Unrelated to your 8.0 acre parcel we discussed the difference between dividing contiguous property into large lots and cluster lots. I used as a hypothetical situation with two 40.0 acre lots in two separate section numbers in the Town. Because they are in separate sections they each have a unique tax ID parcel number. However, for the purposes of calculating the number of potential building sites, the total number of acres of adjacent parcels owned under one person, group, or corporation at the date of Ordinance (October 13, 1997) would be added together. In the example I used the two 40.0 acre lots were added for a total of 80.0 acres. Each large lot division of property requires 35.0 acres (2.0 acres for the building site and 33.0 acres of open space restricted from building) so the 80.0 acres could be divided into two large lots, the building sites for which can be at any location suitable for building on the 80.0 acres. The other possibility we discussed was cluster division of property. A cluster must contain a minimum of three contiguous 2.0 acre lots. A three lot cluster requires 34.0 acres of building space. It is possible then to have two groups of three lots on the same 80.0 acres described above; however, each group of three lots must be adjacent to one another to maximize open space and to economize services (e.g. mail delivery, school bus stops, etc).
5. You are correct in your interpretation of §110-6 B(3) that I discussed in item 3 above in that any lot with the potential for residential building cannot be reduced below 2.0 acres, nor can a building site with an existing home be reduced below that amount when conducting a Neighbor Exchange.

Thank you again for your inquiry and interest in our Ordinances. I will share your fax and my reply to the Town Chair, Keith Seward. Please let us know if we can be of further assistance in this matter.

Respectfully,

John Wright, Deputy Clerk-Plan Administrator
Town of New Glarus
(608) 527-2390