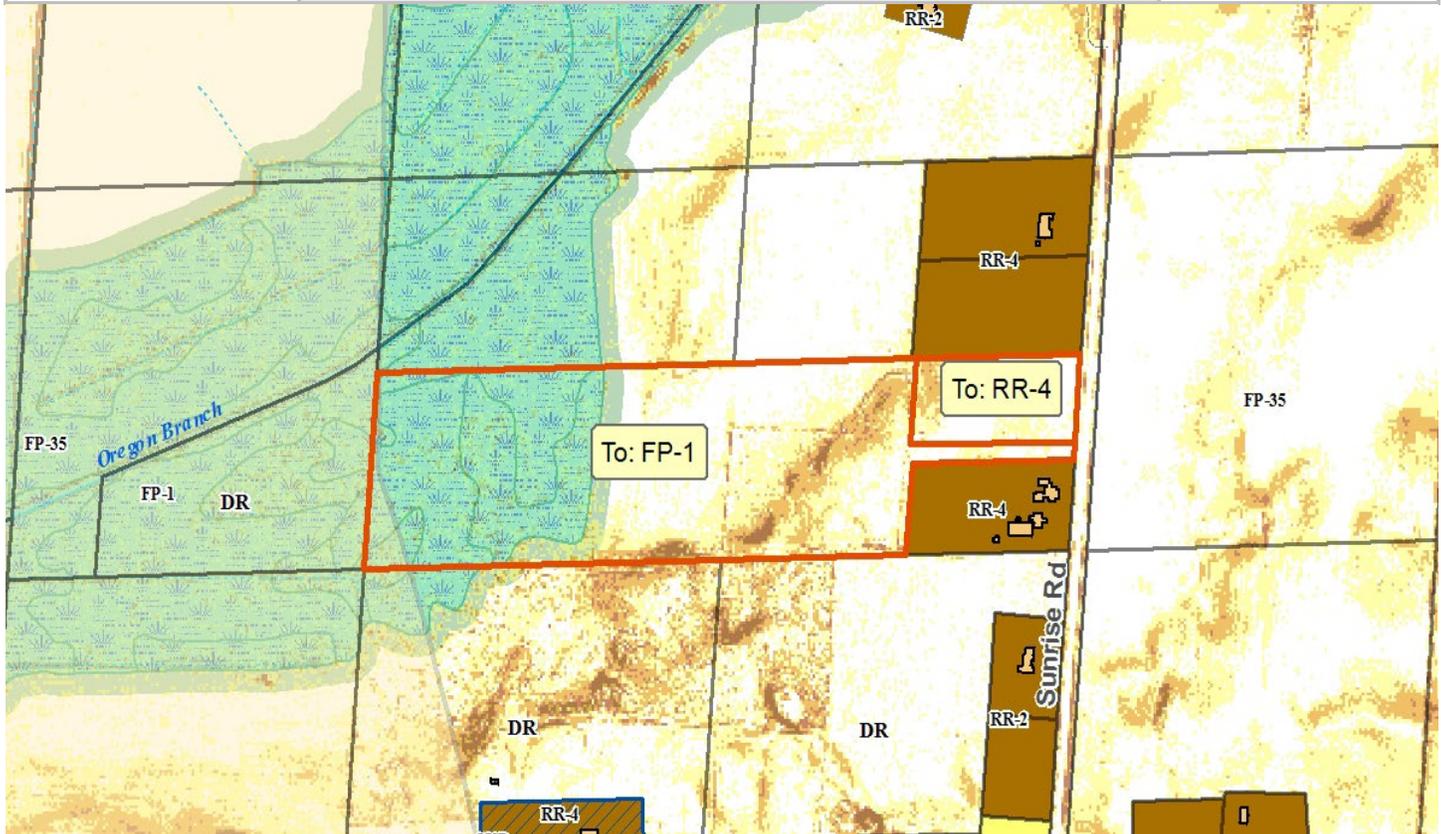


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>July 26, 2022</b>		<b>Petition 11863</b>
	<i>Zoning Amendment Requested:</i> <b>FP-35 Farmland Preservation District TO RR-4 Rural Residential District, FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District</b>		<i>Town/Section:</i> <b>RUTLAND, Section 5</b>
	<i>Size:</i> <b>4.0,31.1 Acres</b>	<i>Survey Required:</i> <b>Yes</b>	<i>Applicant</i> <b>JEFF &amp; CHARITY SWINEHART</b>
	<i>Reason for the request:</i> <b>Creating one residential lot</b>		<i>Address:</i> <b>NORTH OF 1397 SUNRISE ROAD</b>



**DESCRIPTION:** Applicant owns approximately 35 acres and proposes to create a new 4 acre RR-4 zoned parcel for future development. FP-1 zoning is proposed for zoning compliance on the remaining 31 acres of farmland / open space.

**OBSERVATIONS:** Existing land uses are agriculture / open space. Surrounding land uses are rural residential and agriculture / open space. No sensitive environmental features observed.

**TOWN PLAN:** The property is located in the town’s agricultural preservation area.

**RESOURCE PROTECTION:** No resource protection areas located on the property.

**STAFF:** As indicated on the attached density study report, the property remains eligible for one density unit or “split”. The proposed rezoning and land division appear reasonably consistent with town plan policies. The town approved the petition with a condition requiring a deed restriction on the proposed FP-1 parcel.

Pending any concerns raised at the ZLR Committee Public Hearing, staff recommends approval with the following town condition:

1. Owner shall record a deed restriction on the proposed FP-1 parcel prohibiting nonfarm development or land division, as the density units have been exhausted (proposed lot 2 of the Certified Survey Map).

Any questions about this petition or staff report please contact Majid Allan at (608) 267-2536 or [allan@countyofdane.com](mailto:allan@countyofdane.com)

**TOWN:** Approved with conditions (deed restriction on the FP-1 parcel). Note that this condition is reflected above in the staff recommendation.