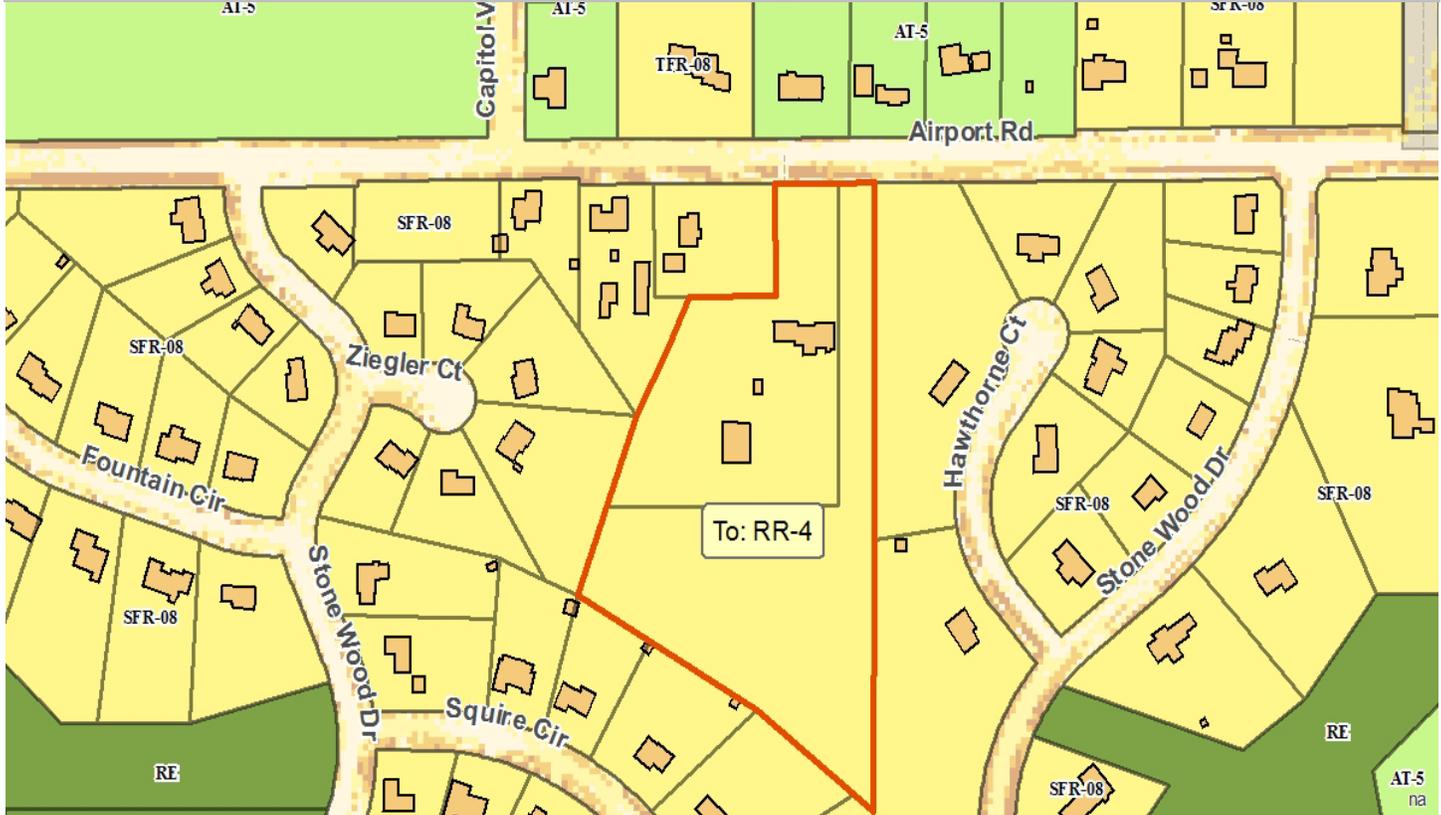


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> September 28, 2021		Petition 11735
	<i>Zoning Amendment Requested:</i> SFR-08 Single Family Residential District TO RR-4 Rural Residential District		<i>Town/Section:</i> MIDDLETON, Section 4
	<i>Size:</i> 7.64 Acres	<i>Survey Required:</i> Yes	
	<i>Reason for the request:</i> consolidating existing residential lots		<i>Applicant:</i> RICHARD and JILL SUREK
			<i>Address:</i> 8449 AIRPORT ROAD



DESCRIPTION: The applicant would like to consolidate 2 existing lots in to 1 larger residential lot to facilitate the keeping of limited livestock on the property.

OBSERVATIONS: SFR-08 allows for no large livestock. RR-4 limits the livestock to 1 large animal per acre, this site could potentially hold up to 7 large animals.

TOWN PLAN: The proposal appears to be consistent with the Town of Middleton Comprehensive Plan.

RESOURCE PROTECTION: There are no resource protection areas onsite.

STAFF: The proposal appears to be consistent with Town and County Comprehensive Plans. Any questions about this petition or staff report please contact Curt Kodl at (608) 266-4183 or kodl@countyofdane.com

STAFF UPDATE: This petition was postponed at the September 28th ZLR Committee public hearing due to public opposition. A neighboring property owner expressed concerns about allowing agricultural uses and the keeping of livestock in a suburban residential setting. Staff reached out to the applicant and learned that their interest is in the *possibility* of having a horse(s) at some point in the future – there are no immediate plans for any horses. The property was previously a single ~7 acre parcel zoned A-1 Agriculture and the prior owner had horses. There is an existing barn on

the property that could house a horse or horses in the future. Note that the barn meets the minimum setback requirements of the zoning code for accessory buildings housing livestock.

In order to address the concern raised by the neighboring property owner, staff recommends approval of the petition with the following condition limiting livestock to horses and “backyard” bees or chickens (allowed on *any* residential lot). Staff discussed this with the applicant who is in agreement with the condition.

1. Owner shall record a deed restriction on the property limiting the keeping of livestock exclusively to horses. Keeping of bees, chickens or other domestic fowl shall be limited and conducted as specified under section [10.103\(10\)](#) of the zoning code.

TOWN: The Town approved with 1 condition. Note that a CSM is an automatic condition of approval.

1. Subject to the applicants submitting a CSM for Town approval and recording of the same.