
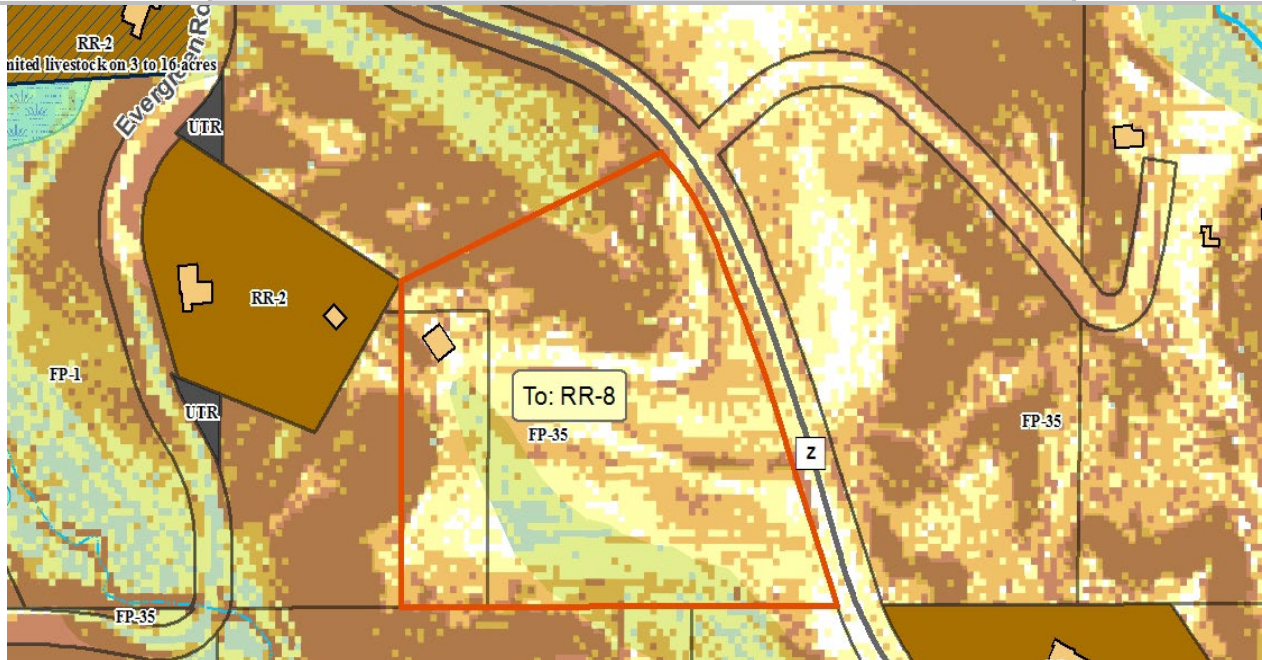


Staff Report  Zoning and Land Regulation Committee	Public Hearing: October 26, 2021	Petition 11748	
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO RR-8 Rural Residential District		
	<u>Size:</u> 8.2 Acres	<u>Survey Required:</u> Yes	<u>Town/Section:</u> PERRY, Section 6
	<u>Reason for the request:</u> Creating one residential lot		<u>Applicant:</u> RANDY J BOLLIG
		<u>Address:</u> 1535 COUNTY HIGHWAY Z	



DESCRIPTION: Applicant proposes to create a new ~8 acre RR-8 (Rural Residential) zoned parcel to be used as a home site for the son of the owner.

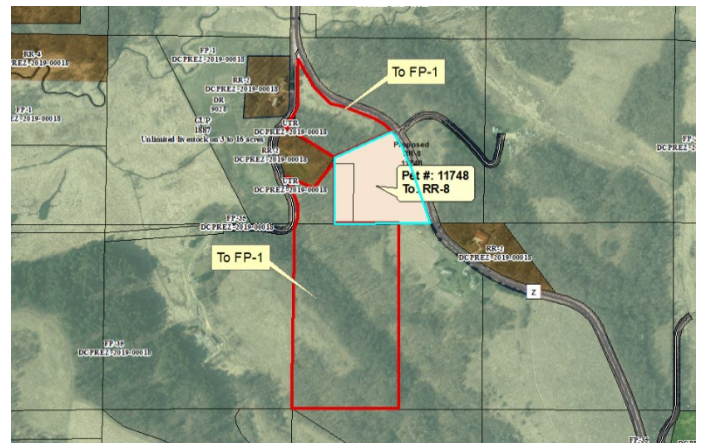
OBSERVATIONS: Current use of the property is agriculture and open space. Surrounding land uses are agriculture, open space, and scattered rural residences. There are areas of steep slope topography present on portions of the property. An existing field road connecting to County Highway Z will serve as the driveway to the property.

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

RESOURCE PROTECTION: Areas of resource protection corridor associated with slopes over 20% grade are present on portions of the property. There are suitable building locations outside of the steep slopes.

STAFF: The owner is utilizing a density unit associated with a ~4 acre “substandard / nonconforming” parcel that was existing as of 8/22/1979, the determination date specified in the town plan. The town is requiring that the new home be constructed on the westerly portion of the 8 acre parcel that encompasses a portion of the historic 4 acre parcel.

The proposed land division will result in the creation of 2 “remnant” parcels of land that will each be less than 35 acres in size. As a result, those remnant parcels will need to be rezoned out of the FP-35 district and shown as lots 2 and 3 of the Certified Survey Map (CSM). The applicant has been informed of the need to address the remnant lands



and has instructed the surveyor to draft legal descriptions of the remaining lands and to include the lands as lots 2 and 3 of the proposed CSM.

Barring any concerns raised by the town at their October 12th meeting, staff recommends approval of the petition with the following conditions:

1. The petition shall be amended to rezone the owner's remaining lands lying north and south of the proposed new 8 acre parcel to the FP-1 zoning district. The remnant parcels shall be shown on the proposed Certified Survey Map.

STAFF UPDATE (3/31/22): This petition was postponed at the October 26, 2021 ZLR public hearing due to a property boundary issue that was discovered by the applicant's surveyor. The boundary discrepancy between the two adjoining neighbors has now been resolved to the satisfaction of the parties.

Staff had noted that the applicant's remaining lands would fall below 35 acres and need to be rezoned out of FP-35 and shown on the proposed Certified Survey Map (CSM). The applicant has submitted appropriate legal descriptions of the remaining lands and a draft CSM that would fulfill the recommended requirement.

Staff recommends approval with the following condition:

1. The petition shall be amended to rezone the owner's remaining lands lying north and south of the proposed new 8 acre RR-8 parcel to the FP-1 zoning district. Proposed Lots 1 and 3 of the CSM shall be zoned to the FP-1 district, and Lot 2 to the RR-8 district.

TOWN: The town approved with the amendment recommended by staff to address the remnant lands.

Any questions about this petition or staff report, please contact Majid Allan at (608) 720-0167 or allan@countyofdane.com.