

Staff Report



Zoning & Land Regulation Committee

Public Hearing: **May 27, 2025**

Zoning Amendment Requested:

FP-1 Farmland Preservation District TO RR-4 Rural Residential District

Size: **21.73 Acres**

Survey Required: **Yes**

Reason for the request:

Creating four residential lots

Petition 12156

Town, Section:

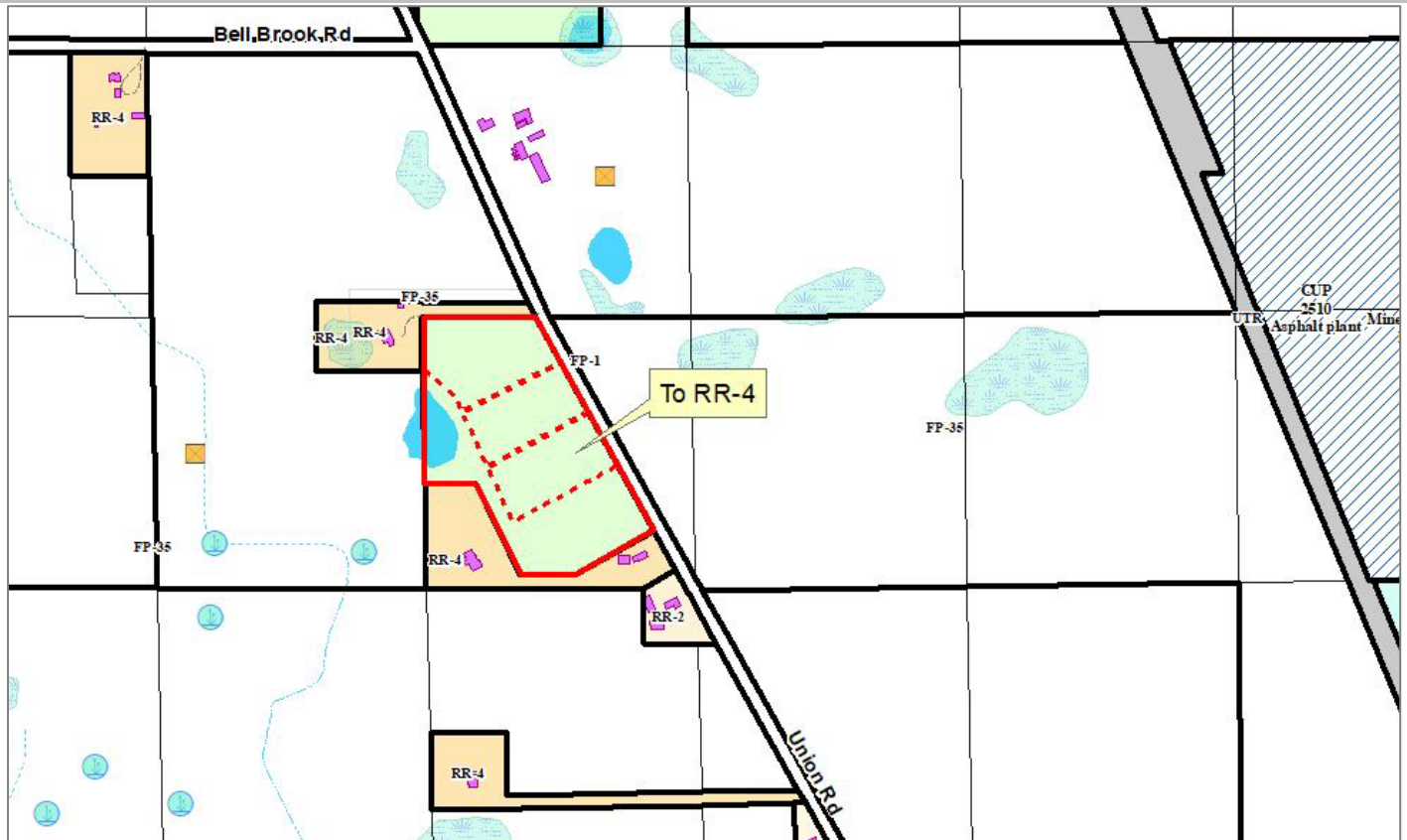
OREGON, Section 35

Applicant:

JOHNSON 2012 TRUST (C/O DONOVAN JOHNSON)

Address:

NORTH OF 185 UNION ROAD

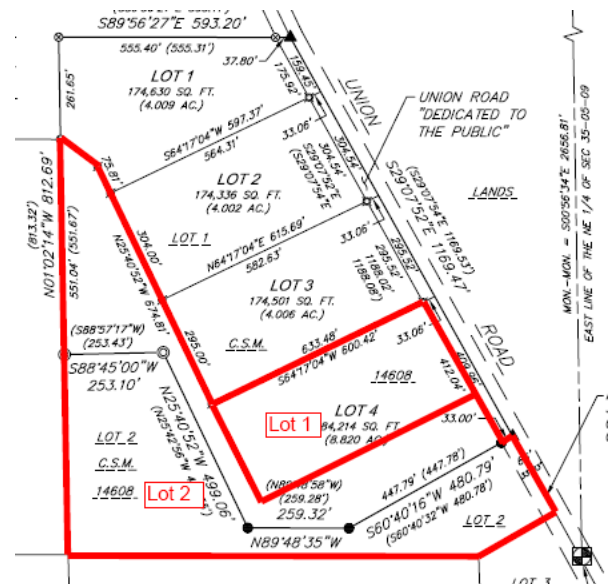


DESCRIPTION: The Johnson 2012 Trust would like to create four lots with RR-4 zoning, by dividing an existing 21-acre lot via certified survey map (CSM). The property is a CSM lot that was created in 2019 and zoned for agricultural use when the residential (RR-4) lot to the south was created.

OBSERVATIONS: The proposed lots meet county ordinance requirements including minimum lot size, minimum lot width, and public road frontage. Driveway access onto Union Road will be subject to town approvals.

Proposed Lot 4 furthest south is oddly configured. The applicant intends to modify this lot in the future, through a lot line adjustment that would reduce the size of Lot 4 and add those lands to the existing RR-4 lot adjacent to the south. This would bring proposed Lot 4 into a more typical configuration (see map at right with future configuration outlined in red).

The proposed lots are roughly half a mile from an active mineral extraction site to the east along County Highway MM. The property is within the Village of Brooklyn's extraterritorial jurisdiction for review of the land division.



COMPREHENSIVE PLAN: The request is in the Farmland Preservation Planning District. The request appears consistent with the Town Density Policy, see the attached Density Study. For questions about the town plan, contact Senior Planner Majid Allan at (608) 267-2536 or Allan.Majid@danecounty.gov.

RESOURCE PROTECTION: The property contains DNR-mapped wetlands, which is not a pond despite how it appears on maps. A wetland delineation is not required for this rezone or proposed CSM, as no development is proposed within the 75-foot wetland setback area. (County staff may require the approximate location of a wetland to be shown on CSMs, when lots are proposed for non-agricultural development.)

TOWN ACTION: Town Board recommends approval of the rezone conditioned on the applicant recording a Notice Document which states all residential development rights (a.k.a. “splits”) have been exhausted on the property, and further residential development is prohibited under Town and County land use plan policies.

STAFF RECOMMENDATION: Pending any comments at the public hearing, Staff recommends approval subject to the applicant recording the CSM and the following conditions (which may be modified after the town has acted on the petition):

1. A deed notice shall be recorded on ~~proposed Lots 1, 2 and 3 of the CSM~~ **the remaining FP-35 land (tax parcels 050935195010, 050936191301, 050936290007, 050936295002, 050936485806, 050936490309)** stating the following:
 - a. Further residential/nonfarm development is prohibited. The housing density rights for the original Doyle Farms, Inc. farm have been exhausted per the Town Comprehensive Plan density policies.

Please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov if you have questions about this petition or staff report.