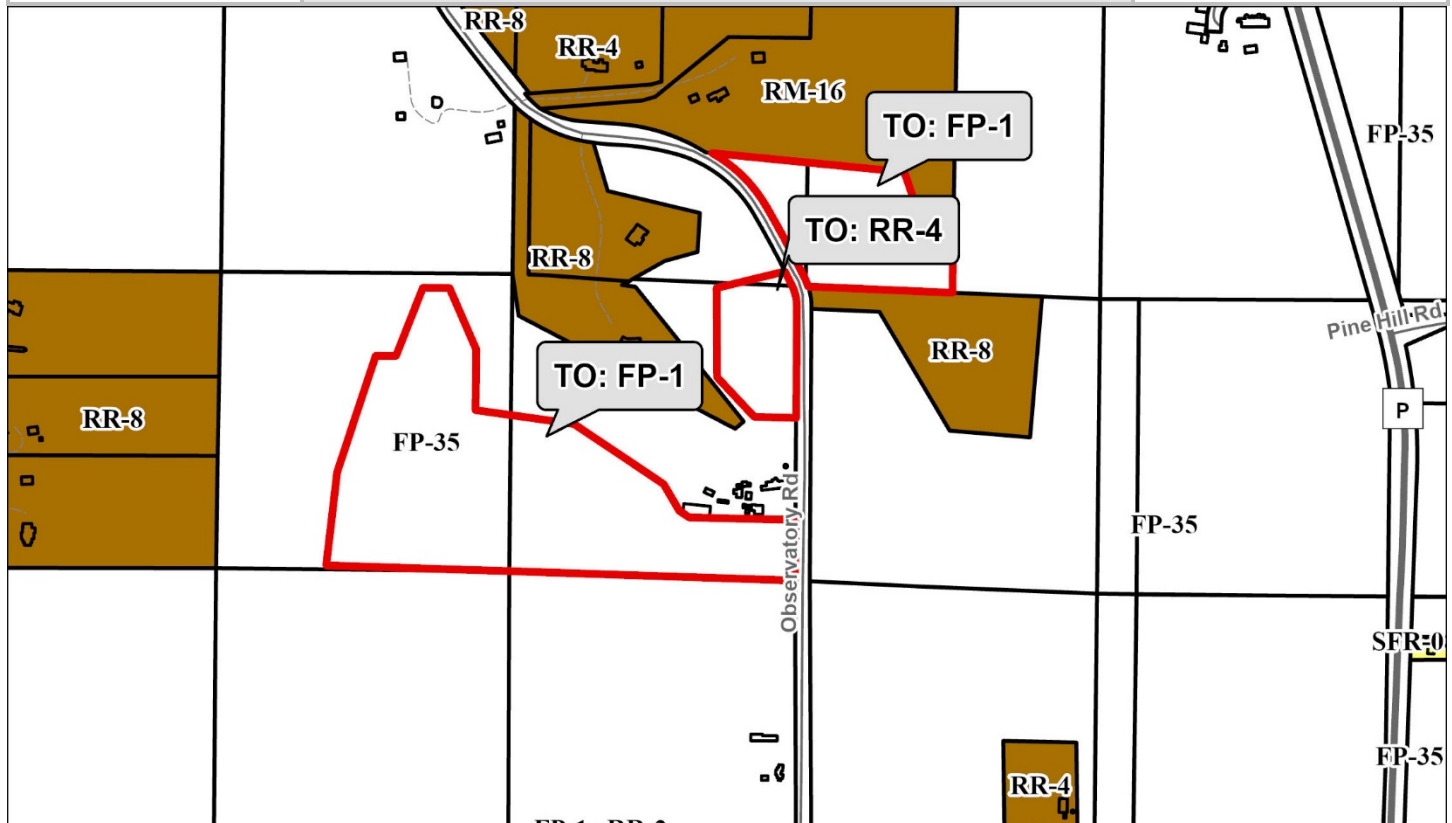


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> June 23, 2026 Report updated for the July 28th ZLR meeting		Petition 12293
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO RR-4 Rural Residential District and FP-1 Farmland Preservation District		<u>Town, Section:</u> CROSS PLAINS, Section 21
	<u>Size:</u> 4.70,39.73 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> MARY R ZIMMERMAN & NATHAN CORNISH
	<u>Reason for the request:</u> CREATE ONE RESIDENTIAL LOT AND TWO AGRICULTURAL LOTS		<u>Address:</u> 3955 OBSERVATORY RD



DESCRIPTION: Mary Zimmerman and Nathan Cornish (landowners) are dividing their farm to convey the tillable land to Daniel Esser who farms it. Another person will get the balance of the FP-35 property along with the buildings. Mr. Esser will continue to farm the FP-1 land and the RR-4 land, but also wants the ability to build on the RR-4 parcel in the future.

OBSERVATIONS: This change enables the contracted farmer to own the land he currently farms and to continue farming it, while maintaining the wooded and improved portions of the property under current ownership. The proposed lot configuration meets county ordinance requirements, including lot size, public road frontage, and building setbacks from lot lines for the existing buildings. (Surveyor confirmed the SE corner of the barn will be 13.4 feet from the property line, which follows the edge of the tilled field.) No new buildings are proposed at this time. Future residential construction will be subject to RR-4 zoning district requirements and the residential access is subject to town approval.

COMPREHENSIVE PLAN: This petition is in the town's Farmland Preservation planning area and is subject to the land use policies related to that designation. This proposal is consistent with the goals, objectives of policies related to non-farm development. Parcel converting to residential will be surrounded by other similarly sized rural residential lots. Original farmstead has 1 remaining density unit. If this petition is approved, all density units will be exhausted so staff recommends a deed restriction on parcels 070721280000, 070716491711, and 070721185015 from further land division and development. For questions about the town plan, contact Senior Planner Bridgit Van Belleghem at (608) 225-2043 or VanBelleghem.Bridgit@danecounty.gov.

RESOURCE PROTECTION: No sensitive environmental resources exist within 300 feet of the subject properties.

TOWN ACTION: Recommended approval with no conditions.

JUNE 23rd ZLR HEARING: In June the ZLR Committee held the public hearing on the rezone request. There was no opposition. The Committee postponed action to allow time for the town to act on the petition.

STAFF RECOMMENDATION: Staff recommends approval with the following conditions:

1. A deed restriction shall be recorded on the remaining farm land (current parcels 070721280000, 070716491711, and 070721185015) that states:
 - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Robert Kelter 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.