
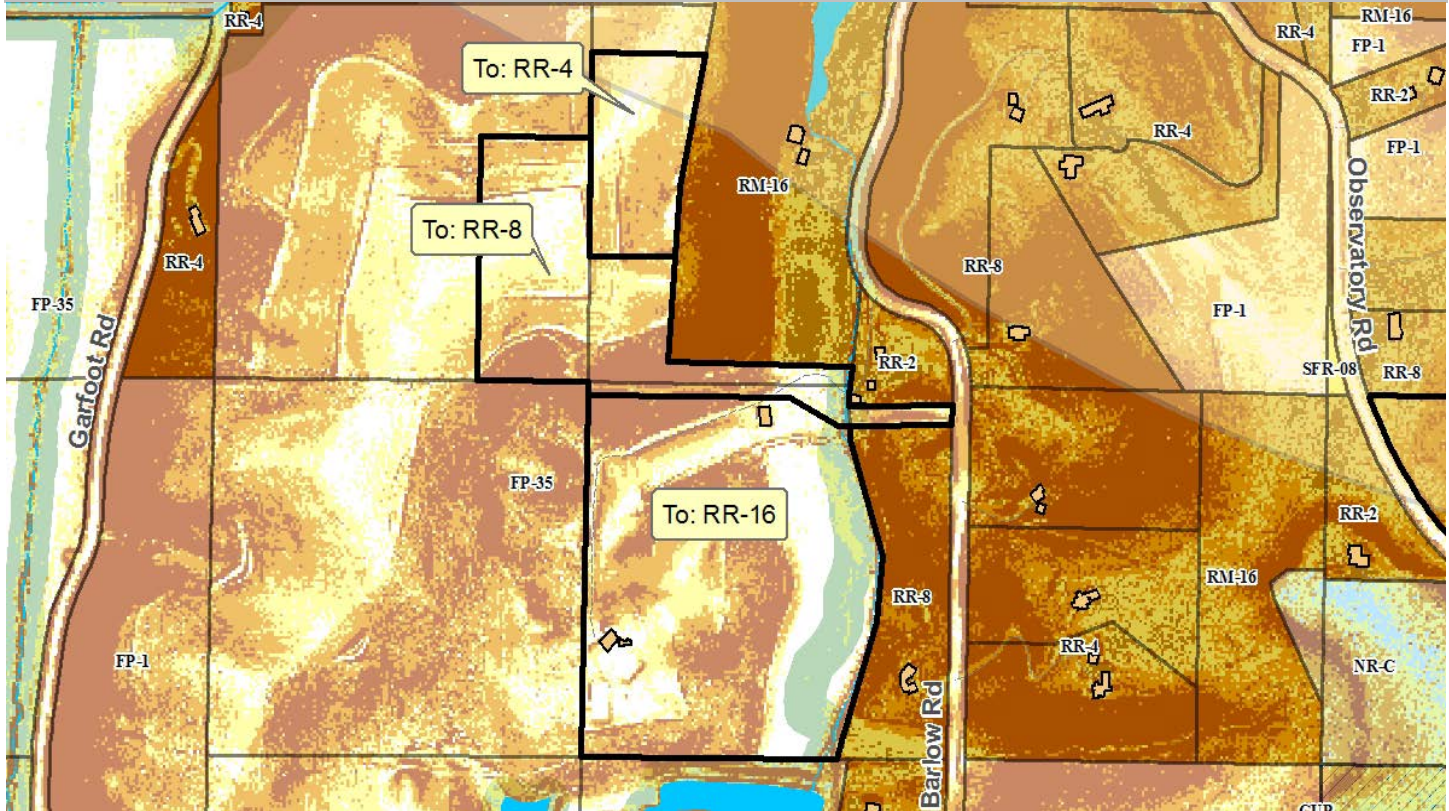


<p><b>Staff Report</b></p>  <p><b>Zoning and Land Regulation Committee</b></p>	<i>Public Hearing:</i> <b>January 26, 2021</b>		<b>Petition 11646</b>	
	<i>Zoning Amendment Requested:</i> <b>FP-35 Farmland Preservation District TO RR-16 Rural Residential District, FP-35 Farmland Preservation District TO RR-4 Rural Residential District, FP-35 Farmland Preservation District TO RR-8 Rural Residential District</b>		<i>Town/Section:</i> <b>CROSS PLAINS, Section 17</b>	
	<i>Size:</i> <b>29,5.9,14 Acres</b>	<i>Survey Required:</i> <b>Yes</b>		<i>Applicant:</i> <b>CAVILL 2012 IRREVOCABLE TR, MICHAEL J</b>
	<i>Reason for the request:</i> <b>creating three residential lots</b>		<i>Address:</i> <b>4161 BARLOW ROAD</b>	



**DESCRIPTION:** Landowner seeks to rezone lands to create 3 rural residential lots. These include: 29.5 acres from the FP-35 zoning district to the RR-16 zoning district to bring an existing residence into zoning compliance; 14 acres from the FP-35 zoning district to the RR-8 zoning district to create a new residential lot, and; 5.9 acres from the FP-35 zoning district to the RR-4 zoning district to create a new residential lot.

**OBSERVATIONS:** Of the three proposed lots, only the proposed 14-acre RR-8 Lot 2 would have the 66 feet of road frontage required by Chapter 75, Dane County Code. Lots 1 and 3 will require ZLR approval of a waiver from the road frontage requirement, including provisions for appropriate shared driveway easements and maintenance agreements.

**TOWN PLAN:** The property is within a Farmland Preservation Area in the *Town of Cross Plains / Dane County Comprehensive Plan*. Residential development is capped at one unit per thirty-five acres owned as of December 26, 1981. In 1981, this property consisted of two farms (see two density studies in meeting attachments). If Petition 11646 is approved, this will **exhaust** the development potential of both farms. The town plan also includes language to maximize the land available for agricultural use. The Town of Cross Plains has adopted an amendment to their comprehensive plan that would allow for the use of easements and shared-driveway agreements in lieu of the road frontage required under Chapter 75. The corresponding amendment ([2020-OA-48](#)) to adopt the town's amendment as part of the *Dane County Comprehensive Plan* is scheduled for consideration at the ZLR's March 23, 2021 Public Hearing.

**RESOURCE PROTECTION:** An intermittent stream and associated shoreland zones flows north to south along the eastern edge of proposed RR-16 Lot 1. The existing residence on this lot lies more than 300 feet from this stream, so is not within the shoreland zone. Construction or improvement associated with the existing driveway, however, will be subject to shoreland erosion control standards.

**STAFF:** Recommend approval with the following conditions:

1. The ZLR approves a waiver from road frontage requirements under s. 75.19(8), Dane County Code.
2. The proposed RR-16 lot be revised to the RM-16 zoning district to allow for continued agricultural use in the future and for compatibility with the surrounding area.
3. Within 90 days of the approval date of this petition, the landowner records:
  - a. Deed restrictions prohibiting further residential development on the following parcels:
    - 070717480418
    - 070717196002
    - 070717195923
    - 070717190008
    - 070717180019
  - b. Shared driveway easements and maintenance agreements, as required under s. 75.19(8), Dane County Code.
  - c. An approved Certified Survey Map meeting all requirements, except those specifically waived, of Chapter 75, Dane County Code.

**TOWN:** The Town Board approved the petition with no conditions.

*Questions? Contact Brian Standing at [standing@countyofdane.com](mailto:standing@countyofdane.com)*