
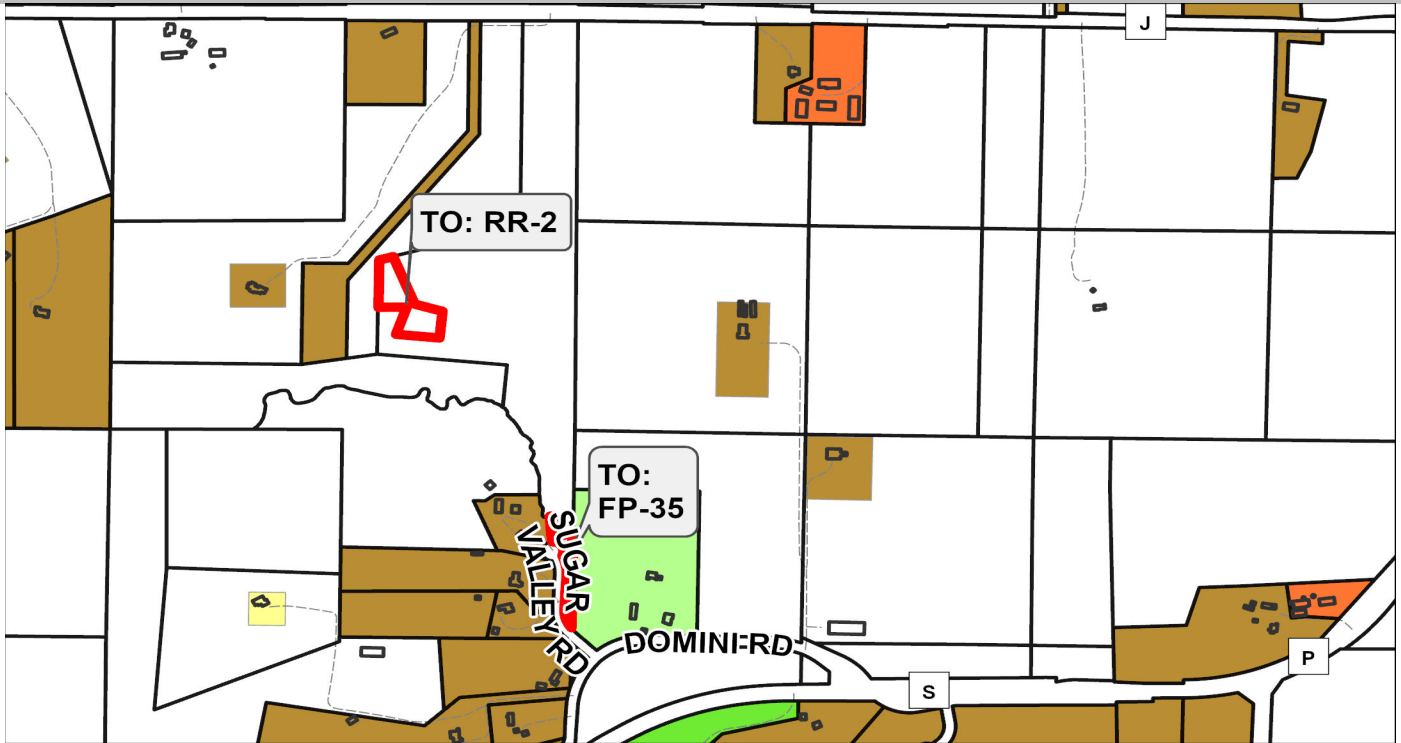


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> May 28, 2024		Petition 12029
	<i>Zoning Amendment Requested:</i> FP-35 Farmland Preservation District TO RR-2 Rural Residential District, NR-C Natural Resource Conservation District TO FP-35 Farmland Preservation District		<i>Town/Section:</i> CROSS PLAINS, Section 32
	<i>Size:</i> 2.01,1.16 Acres	<i>Survey Required:</i> No	<i>Applicant</i> LAUFENBERG IRREV TR (DAVID LAUFENBERG)
	<i>Reason for the request:</i> CREATE ONE RESIDENTIAL SPOT ZONE		<i>Address:</i> 4543 CTH J



DESCRIPTION: Dave Laufenberg requests a “spot” rezone in order to use the existing housing right density allocated to his property. They proposed this in order to preserve as much farmland and nature as possible, and satisfy the 2 acre minimum required in Cross Plains for RR zoning.

OBSERVATIONS: The proposed zoning areas meet the requirements of the respective zoning districts. The applicant indicates there will be 2.01 acres zoned RR-2 and 35.06 acres in FP-35 zoning, thus satisfying the minimum acreage.

The subject property was deed restricted in 2004 as part of Rezone Petition 8952, to restrict further residential building sites. Multiple documents were recorded at that time, to clarify that this lot/home site was envisioned at that time. A “Development Rights Agreement” (Recorded Document #3977571) allocated one home site to this parcel (identified as parcel “C”) and Deed Notice Document #3977569 specifies that this parcel and another to the west were eligible for no more than one residential building site each.

The home would use an existing driveway that serves two other residential properties (4541 CTH J and a recently created RR-4 zoned lot) to the west. An access easement is established and shown on the latest certified survey map done for the adjacent lots to the west of this property (CSM #16429 recorded in February of this year).

DANE COUNTY HIGHWAY DEPT COMMENTS: CTH J is not a controlled access highway. Access Permit # 03A-005 allowed a single access point for 2 single family residences and agricultural access. No new access will be permitted on CTH J due to reconfiguration of lots. Any change of use of existing access or additional residence requires a permit. No significant increase of traffic expected due to rezone.

COMPREHENSIVE PLAN: Property is within a Farmland Preservation Area under the [Town of Cross Plains / Dane County Comprehensive Plan](#). Residential development is capped at a density of one unit per 35 acres owned as of December 26, 1981. If Petition 12029 is approved, this would **exhaust** the development potential for this property. Balance of the property remaining in FP zoning should be deed restricted to prohibit further development. (For questions about the town plan, contact Senior Planner Brian Standing at (608) 267-4115 or standing@countyofdane.com)

RESOURCE PROTECTION: There are no sensitive environmental features on the subject property. No development is proposed in the south end.

An erosion control permit is typically required for a new driveway over 125 feet in length, and a stormwater management permit may also be required for any addition of over 20,000 square feet of impervious surface. Contact the Dane County Land and Water Resources Department for more information prior to construction.

TOWN ACTION: On February 15, 2024 the Town Board recommended approval of the rezone with no special conditions.

STAFF RECOMMENDATION: As noted above, the property already has recorded documents to specify how development rights were allocated on the Laufenberg property. These documents are sufficient to document that, with this last residential building site, no additional development rights will remain. Staff recommends approval of the rezone with no conditions.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov