
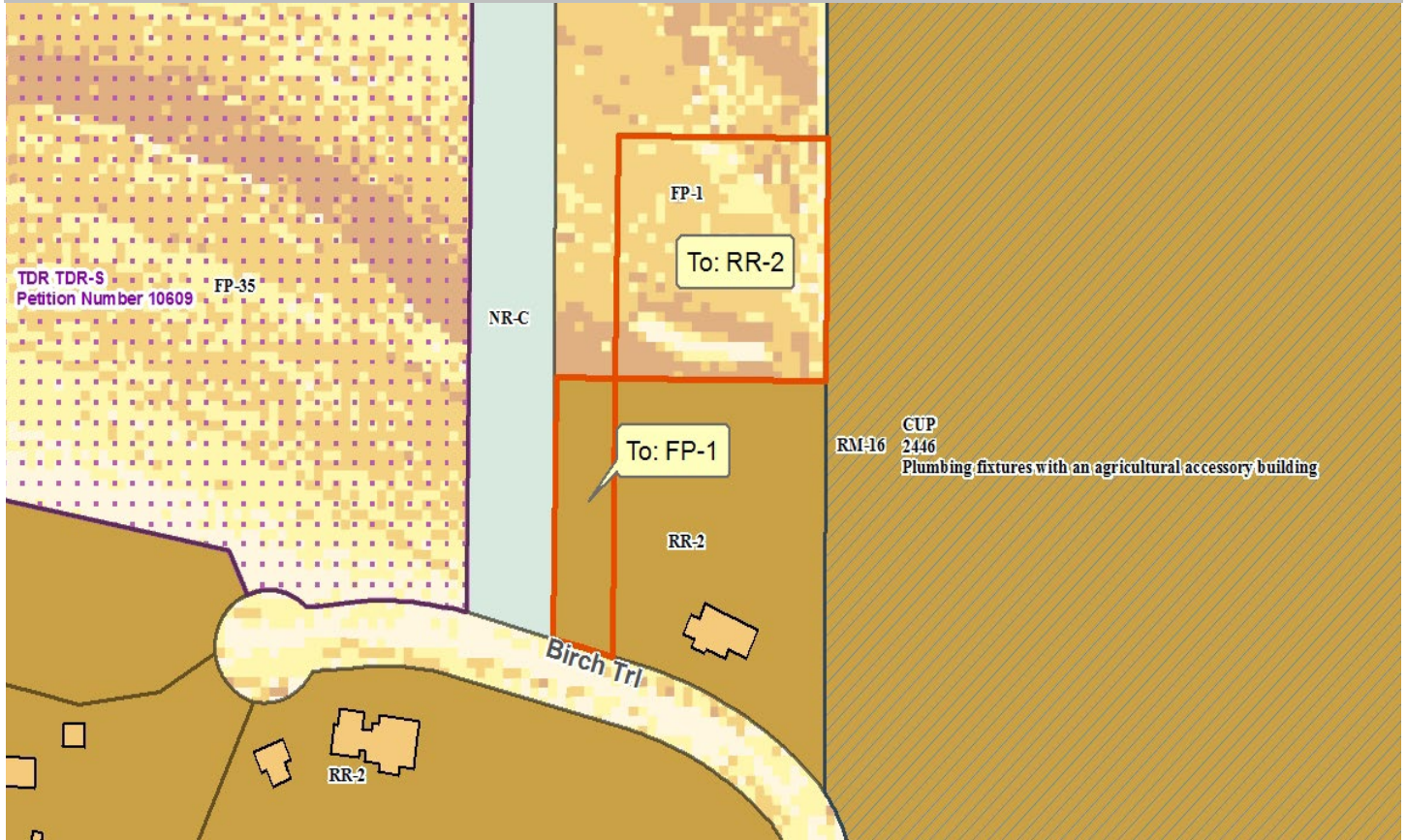


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> September 28, 2021		Petition 11743
	<i>Zoning Amendment Requested:</i> FP-1 Farmland Preservation District TO RR-2 Rural Residential District, RR-2 Rural Residential District TO FP-1 Farmland Preservation District		<i>Town/Section:</i> CROSS PLAINS, Section 23
	<i>Size:</i> 1.32,0.47 Acres	<i>Survey Required:</i> Yes	
	<i>Reason for the request:</i> Expanding an existing residential lot		<i>Applicant:</i> AMY KIRNER & SCOTT FRIEDL
			<i>Address:</i> 3904 BIRCH TRAIL



DESCRIPTION: The applicant wishes to expand an existing RR-2 zoned area to accommodate future construction of an accessory building. A small area of RR-2 zoning would also be changed to FP-1 and a 2 lot Certified Survey Map is proposed creating a second FP-1 parcel.

OBSERVATIONS: The applicant’s parcel currently totals approximately 10 acres, which was assigned two tax parcel numbers at some point in the past. It appears the 10 acre property was previously part of a larger landholding that included the adjoining ~40 acre tract of land to the northeast owned by the [Kirner Trust](#). The 10 acres was sold as a separate parcel of land in 2009 without a Certified Survey Map. The proposed Certified Survey Map will bring the property into compliance with the land division regulations. Current use of the property is rural residential and ag / open space. Surrounding land uses are rural residential and open space / recreation (DNR-owned land).

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

RESOURCE PROTECTION: A small area of resource protection corridor associated with an unnamed intermittent stream bisects the northerly 1/3 of the proposed FP-1 zoned parcel. No new development proposed that would affect the resource protection area.

STAFF: Although the property is currently a single parcel of land (a/k/a “lot of record”), the proposed division into two separate parcels appears reasonably consistent with town plan policies since the FP-1 zoning category does not allow any form of non-farm development. A formal density analysis was not performed for this petition since no new development is being proposed, so it is unclear as to whether or not the property may be eligible for additional non-farm development under the town of Cross Plains density limitation of 1 “non-farm use” per 35 acres owned as of 12/26/1981.

Pending any concerns expressed by the town or the public at the 9/28 public hearing, staff recommends approval of the petition with town condition.

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

TOWN: The Town Board approved the petition conditioned upon the FP-1 zoned property being prohibited from being used for residential purposes. Staff recommends that a deed restriction being placed on the property to prohibit residential use of the property.