
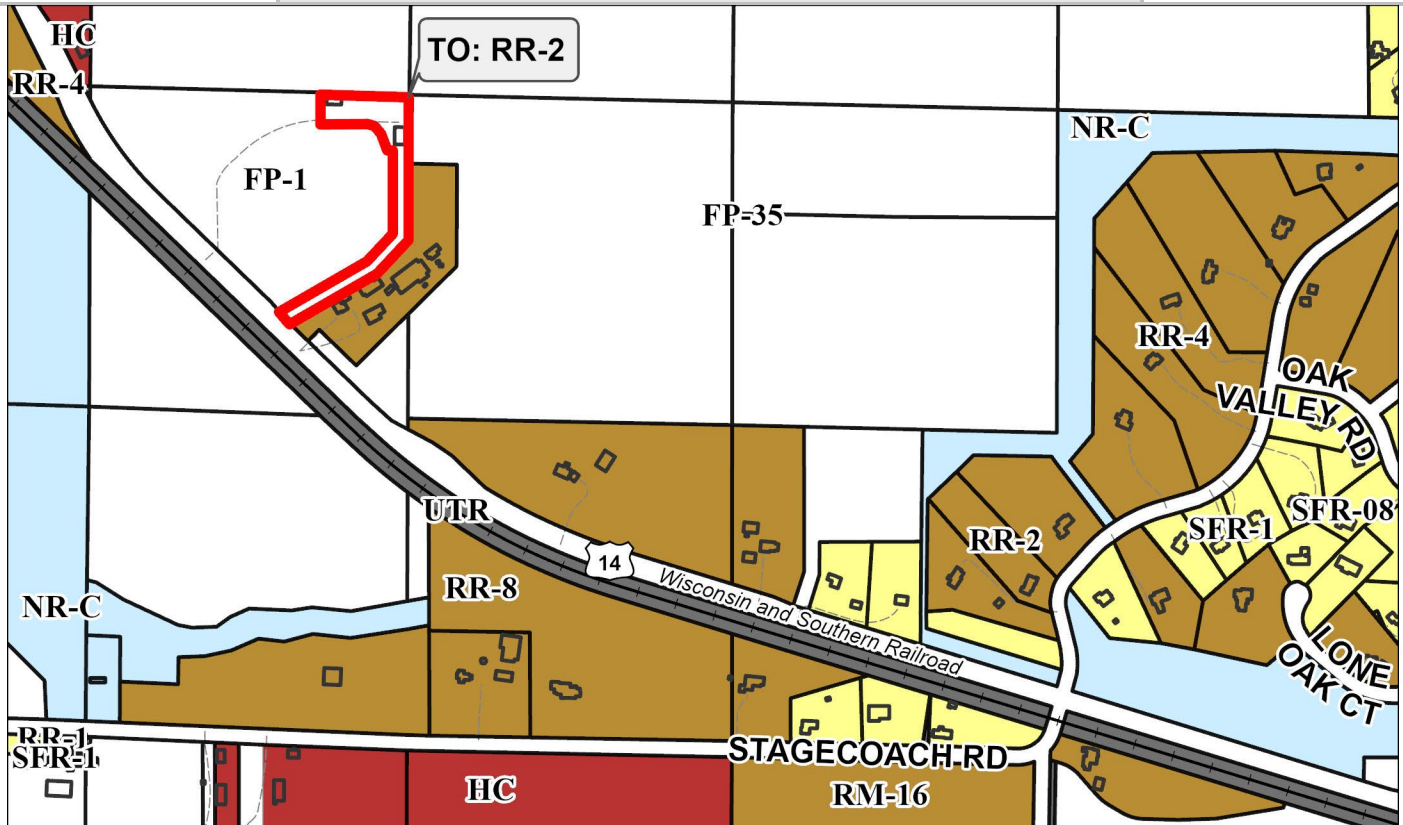


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	Public Hearing: <b>January 23, 2024</b>		<b>Petition 11998</b>
	<u>Zoning Amendment Requested:</u> <b>FP-1 Farmland Preservation District TO RR-2 Rural Residential District</b>		<u>Town/Section:</u> <b>CROSS PLAINS, Section 11</b>
	<u>Size:</u> <b>2.72 Acres</b>	<u>Survey Required:</u> <b>Yes</b>	<u>Applicant</u> <b>VALCON LLC (JEFF VALENTINE)</b>
	<u>Reason for the request:</u> <b>CREATE RESIDENTIAL LOT TO CORRECT LAND USE VIOLATION</b>		<u>Address:</u> <b>8330 US HWY 14</b>



**DESCRIPTION:** Applicant Jeff Valentine would like to separate an existing residence from an agricultural parcel, as a certified survey map lot with RR-2 zoning. The existing residence was constructed by the former owner without the necessary permits; approval of this petition would bring the residence into compliance with the zoning ordinance.

**OBSERVATIONS:** In May, Zoning staff issued a violation letter for the illegal structure; the owner has been working on it since then. Since that time the town has confirmed it would support allowing the home to remain on site versus tearing it down (see Town Action below).

An access drive already exists from Highway 14 to the home. The applicant was asked to provide evidence of Wisconsin DOT approval for a residential access prior to the public hearing. DOT confirmation is still pending.

The proposed lot meets the requirements of the proposed RR-2 zoning, including lot size, public road frontage, and building setbacks. The “flag pole” part of the lot provides the minimum 66 feet of lot width from the road to the rear of the lot. However, the proposed lot does not contain most of the existing driveway, which means that an access easement will be required across the FP-1 land.

**COMPREHENSIVE PLAN:** The Town of Cross Plains Comprehensive Plan includes special provisions for parcels that were legally created prior to the town’s adoption of Farmland Preservation Zoning in 1981. The town plan allows legal,

nonconforming parcels between 4 and 35 acres to be divided and rezoned to create a total of no more than two residential lots. (For questions about the town plan, contact Senior Planner Brian Standing at (608) 267-4115 or [standing@countyofdane.com](mailto:standing@countyofdane.com))

**RESOURCE PROTECTION:** There are no sensitive environmental features on the subject property. No new development is proposed.

**TOWN ACTION:** On December 14, 2023 the Town Board recommended approval with the following condition:

1. That if there is a sale or transfer of the property or an upgrade on the house or full-time use of the house as a residence would force compliance with the Town driveway ordinance.

**STAFF RECOMMENDATION:** Staff recommends postponement at this time, until WisDOT approval is confirmed for the residential access.

Pending the access approval by WisDOT, and any comments at the public hearing, staff would recommend approval of the petition subject to the recording of the CSM for the new lot and the following conditions.

1. A deed restriction shall be recorded on the new CSM lot, and the remaining lands on tax parcel 0707-112-8000-1, stating the following:

Any sale or transfer of the property, any upgrade to the house, or full-time use of the house as a residence would force compliance with the Town driveway ordinance.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@countyofdane.com](mailto:holloway.rachel@countyofdane.com)