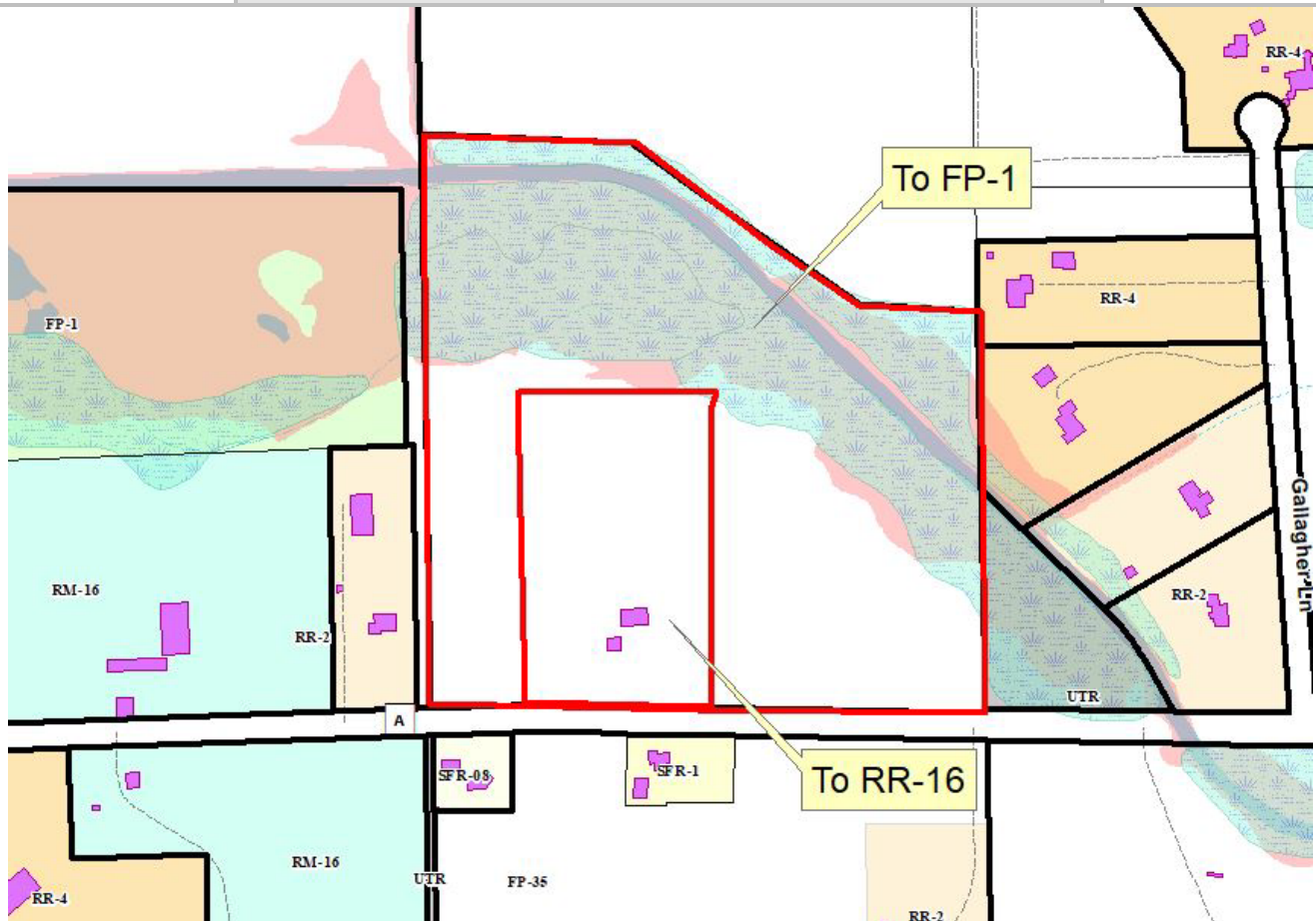


Staff Report
**Zoning & Land
Regulation
Committee**
Public Hearing: **May 27, 2025**
Zoning Amendment Requested:
FP-35 Farmland Preservation District TO RR-8 Rural Residential District and FP-1 Farmland Preservation District
Size: **8.1,28.9 Acres**
Survey Required: **Yes**
Reason for the request:
CREATE ONE RESIDENTIAL LOT AND ONE AGRICULTURAL LOT
NOTE: Application revised to RR-8 on May 13th.
Petition 12158
Town, Section:
RUTLAND, Section 15
Applicant:
**TIM & JORI
PROPERTIES LLC**
Address:
**3864 COUNTY
HIGHWAY A**


DESCRIPTION: Applicant would like to divide their 37-acre FP-35 zoned property to create one 8-acre lot for a residence with RR-8 zoning, and one 29-acre agricultural lot with FP-1 zoning. The land would be divided with a two-lot certified survey map (CSM).

OBSERVATIONS: The property contains an existing building that is used for agricultural purposes. The building will be located on the residential lot. The remaining lands contains sensitive environmental features. Badfish Creek traverses the north side of the property, and there is a Madison Metropolitan Sewerage District Discharge Easement along the creek. See Resource Protection comments below.

HIGHWAY ACCESS: County Highway A, not access restricted but new access or change of use for an access point requires a new permit from Highway Department. Applicants have obtained an access permit for single-family residential use on the proposed development lot. There is an existing field access located on the eastern proposed lot (agricultural lot) that remains in place. The zoning exhibit in the application shows the field access and a 40' wide right-of-way easement that extends from CTH A up to the creek, where there is a concrete bridge crossing over the creek within the easement. For questions, contact Kevin Eslick 608-283-1486 / eslick.kevin@danecounty.gov.

COMPREHENSIVE PLAN: This property is in the town's Agricultural Preservation area. As indicated on the attached density study report, the original farm unit remains eligible for 3 density units or "splits". Staff's understanding is that

the Woodstocks have documentation verifying that they acquired all 3 remaining density units when they purchased the ~36 acre property from the original farm owner. The proposal appears reasonably consistent with comprehensive plan policies.

Pending town action on the proposal, staff recommends approval be conditioned on recording of a notice document on the FP-1 property indicating that 2 density units remain available.

For questions about the town plan, contact Senior Planner Ben Kollenbroich at (608) 266-9108 or Kollenbroich.Benjamin@danecounty.gov.

RESOURCE PROTECTION: Development is restricted along the creek due to FEMA-mapped floodplain (Zone A) and DNR-mapped wetlands. Hydric soils are present, which correspond to wetland and floodplain. A minimum 75-foot setback applies from wetland areas for any new structures including buildings, driveways, and other hardscapes. There is sufficient upland area outside of these sensitive environmental features to locate a new residence.

May 27th ZLR Committee meeting: The petition was postponed at the public hearing due to no town action.

TOWN ACTION: The Town Board recommended approval of the revised petition conditioned upon a deed notice being recorded on the FP-1 lot as noted below.

STAFF RECOMMENDATION: Staff would recommend approval subject to the following condition:

1. A deed notice shall be recorded on proposed Lot 2 (FP-1 lot) of the CSM stating the following:
 - a. Two density units (“splits”) from the original 1978 Hvam farm remain available to the property. This allocation reflects a written agreement between Hvam and Woodstock associated with the 2018 deed recorded under document #5398949 assigning all remaining density units to Woodstock.

Please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov if you have questions about this petition or staff report.