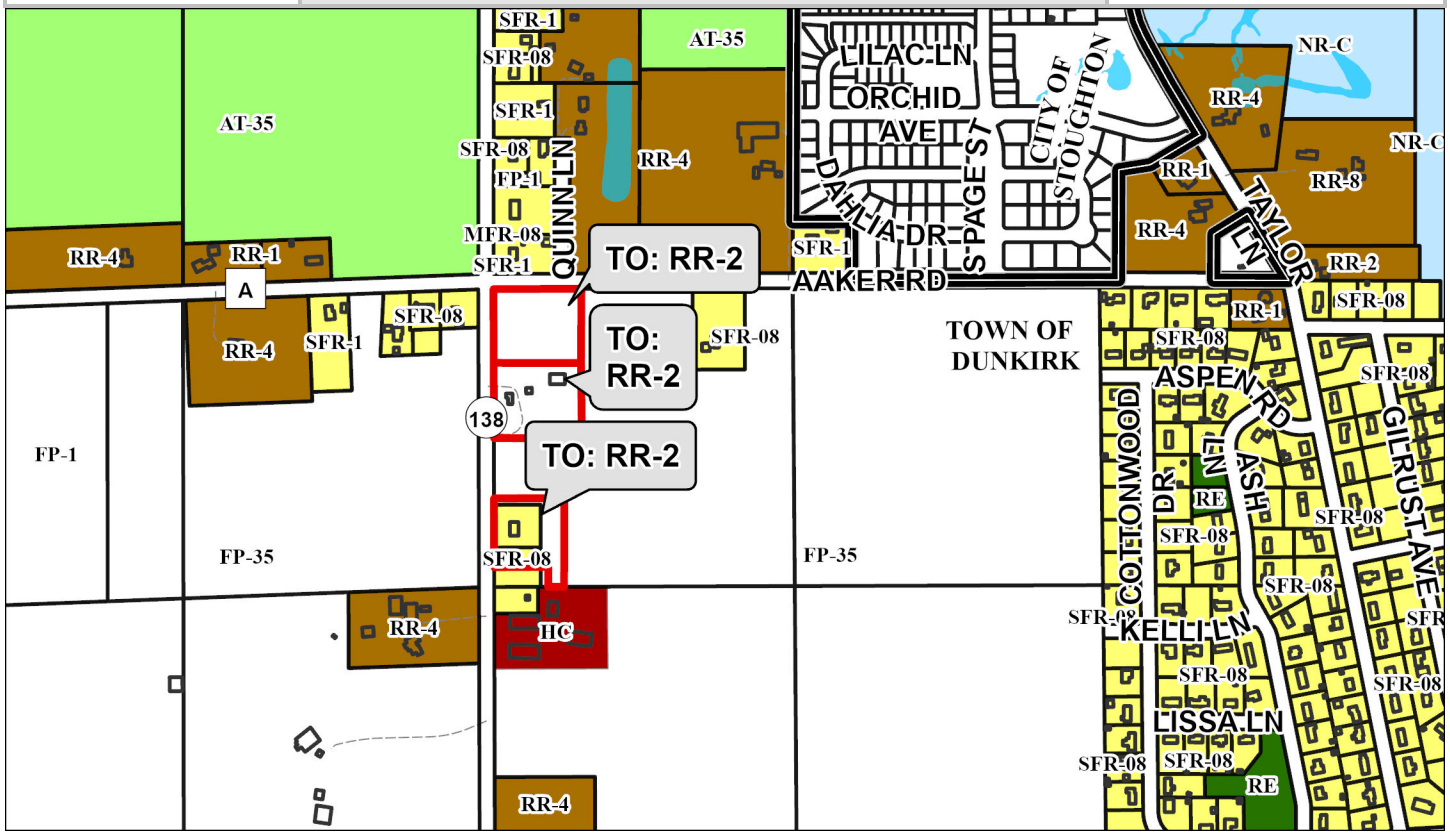
Staff Report	*Public Hearing:* **May 26, 2026**	**Petition 12262**
Zoning & Land Regulation Committee	*Zoning Amendment Requested:* **FP-35 Farmland Preservation District and SFR-1 Single Family Residential District TO RR-2 Rural Residential District**	*Town, Section:* **DUNKIRK, Section 17**
	Size: **7.23,1.46 Acres** — *Survey Required:* ***Yes***	*Applicant:* ***MARLITA DEVELOPMENT LLC (John Smet)***
	Reason for the request: **Creating one residential lot; creating lot for existing residence; expanding existing residential lot**	*Address:* **1038 STATE HIGHWAY 138**



DESCRIPTION: The applicant proposes to expand the size of an existing SFR-08 zoned residential lot, separate an existing residence from the surrounding farmland, and create a new rural residential lot for future development at the southeast corner of Aaker Road and State Highway 138. RR-2 zoning is requested for each of the lots which will range in size from 2 to 3 acres. A total of one new homesite is being created. The remaining FP-35 zoned land is slated for preservation under the town of Dunkirk's Rural Preservation Program.

OBSERVATIONS: The roughly 75-acre subject property consists primarily of cropland and adjoins other cropland to the south, and scattered rural residences and higher density residential development to the east/north/west. Driveway access to the proposed new residential lot would be to Aaker Road; no change is proposed for the access drives serving the existing homes. The proposed land division is subject to City of Stoughton's extraterritorial plat review jurisdiction.

The proposed lot configurations meet county ordinance requirements, including lot size, public road frontage, building setbacks, and lot coverage by buildings.

COMPREHENSIVE PLAN: This petition is in the town's agricultural preservation planning area and is subject to the land use policies related to that designation. As indicated on the attached density study report, the property remains eligible for one density unit (a.k.a "split"). Because the property is slated to be covered by a conservation easement under the town's Rural Preservation Program, staff does not feel the typical deed restriction prohibiting further residential development on the balance of FP-35 zoned land is necessary. The proposal is consistent with the applicable comprehensive plan policies related to nonfarm development. For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or *Allan.Majid@danecounty.gov.*

RESOURCE PROTECTION: No resource protection areas located on the property and no sensitive environmental resources within 300 feet of the subject property.

TOWN ACTION: The Town Board recommends approval with no conditions.

STAFF RECOMMENDATION: Pending any concerns expressed at the ZLR public hearing, staff recommends approval of the petition with no conditions.

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