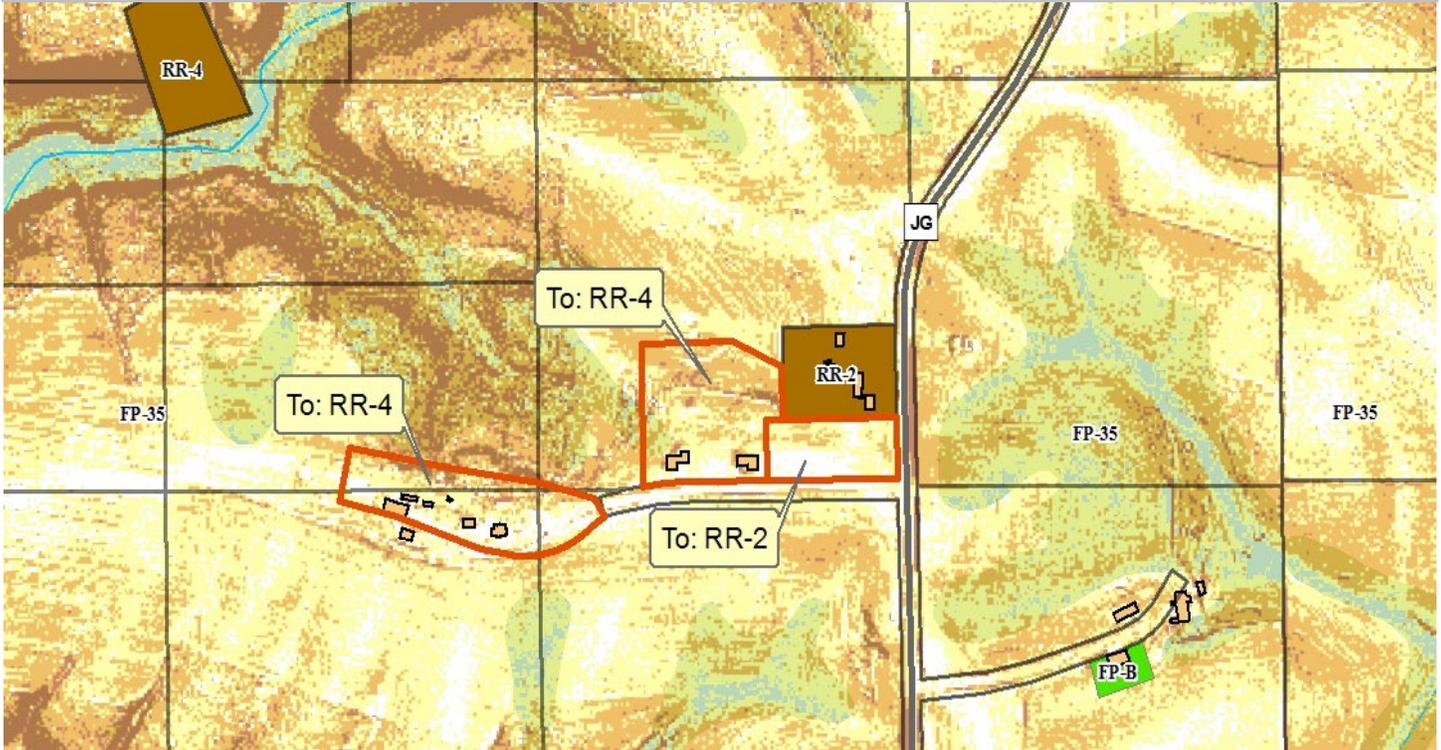


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> March 22, 2022	Petition 11804	
	<i>Zoning Amendment Requested:</i> FP-35 Farmland Preservation District TO RR-2 Rural Residential District, FP-35 Farmland Preservation District TO RR-4 Rural Residential District		<i>Town/Section:</i> PERRY, Section 36
	<i>Size:</i> 2.0,9.0 Acres	<i>Survey Required:</i> Yes	<i>Applicant</i> ORR JT REV TR, DENNIS D & SUSAN E
	<i>Reason for the request:</i> Separating existing residences from the farmland and creating a new residential lot		<i>Address:</i> 195 COUNTY HWY JG



DESCRIPTION: Landowner seeks to rezone a total of 11 acres from the FP-35 Zoning District to create 3 rural residential lots. Two of the proposed lots would separate existing residences, while the third lot would allow for a new home.

OBSERVATIONS: Proposed lots meet all dimensional and road frontage requirements of the Dane County Zoning and Land Division Ordinances. A cul-de-sac may be needed at the end of the existing town road. This can be addressed through the CSM approval process.

TOWN PLAN: The property is within a Farmland Preservation area in the town/county plan. Residential development is permitted up to a density of one unit per 35 acres. If Petition 11804 is approved, there will be four homesites remaining. Proposed lots appear to comply with town siting criteria.

RESOURCE PROTECTION: There are no mapped resource protection corridors within the proposed lot boundaries.

STAFF: Recommend approval with a condition that the landowner provide verification to the Zoning Administrator that no more than one principle residence is located on any CSM lot. (For questions about staff recommendations, contact Brian Standing at standing@countyofdane.com)

TOWN: On February 8, 2022, the Town of Perry Board voted to recommend approval, with no conditions.

March 22nd ZLR Meeting: The Committee postponed action on the petition to allow time for the Zoning Division to conduct an inspection of the accessory building on the property north of the unnamed road to determine if it was a second residence or not.



STAFF UPDATE: An inspection was conducted on the accessory building. It was found that the western portion on the building was remodeled into a living space consisting of a full kitchen, full bathroom, 2 bedrooms, laundry, and a living room. The structure, as remodeled, is considered a second residence. Under the zoning ordinance, only one residence may be permitted per lot. Also, accessory buildings may not be used for living purposes. The landowner was given the option to amend the petition to create a separate lot for this second residence or convert the building back into an accessory building by removing the bathroom fixtures.

The landowner selected the option of converting the second residence back into an accessory building. On April 29th, an inspection was conducted on the property. The inspection verified that the bathroom was removed. The property is currently in compliance with the zoning ordinances.

RECOMMENDATION: The petition appears to meet the standards of the proposed zoning districts and meet the policies found with the Town Comprehensive Plan. Staff is recommending that a deed restriction be placed on proposed Lot 2 to identify that the existing accessory building may not be used for living purposes.

Deed restriction:

- The existing accessory building on the property shall only be used for the purposes of residential and/or agricultural storage. The building shall not be used or remodeled into a space for living purposes or rented out for living purposes.

If you have questions or concerns, please contact Roger Lane, Zoning Administrator, 608-266-9078.