
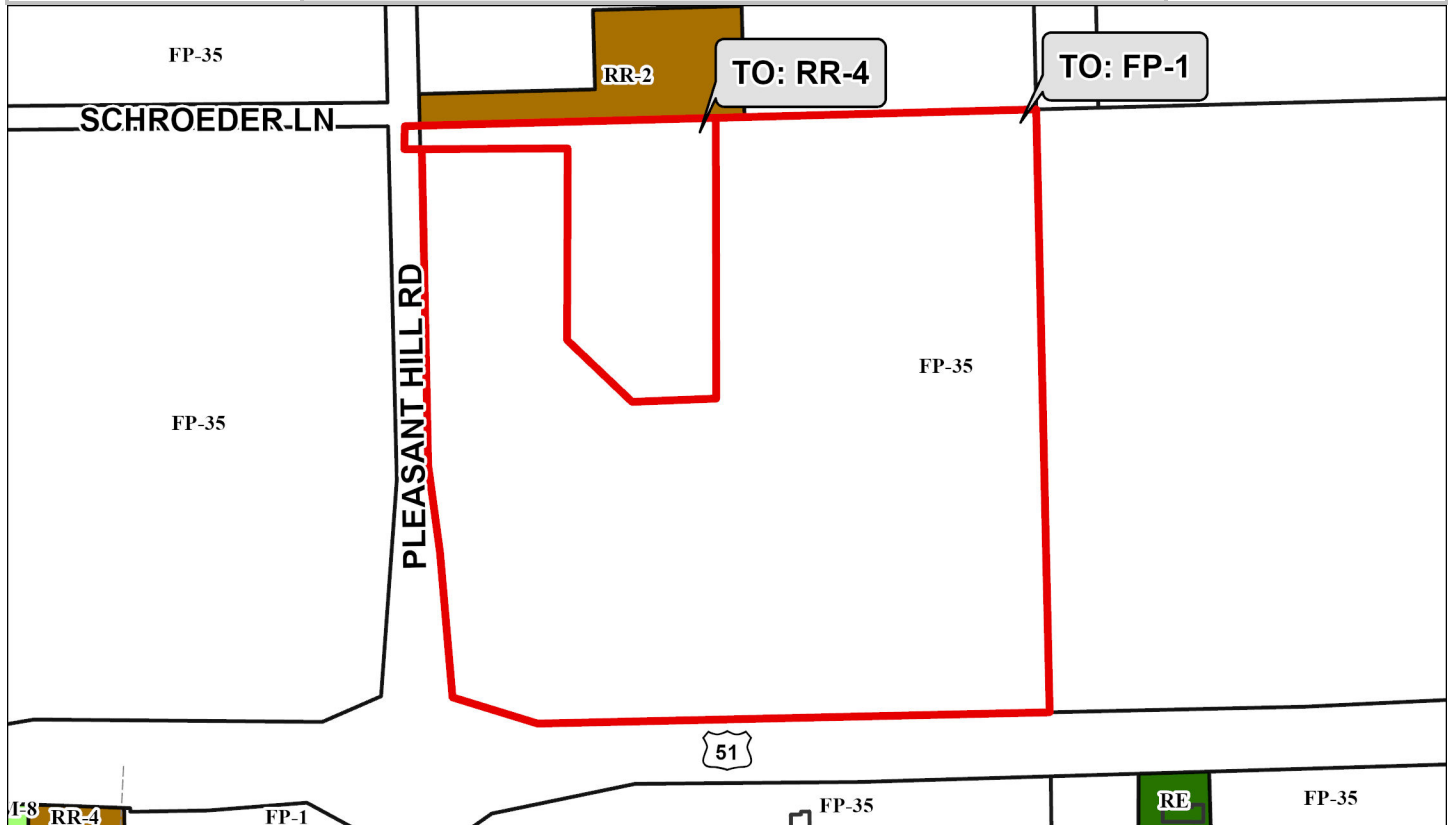


<b>Staff Report</b>    <b>Zoning &amp; Land Regulation Committee</b>	<b>Public Hearing: June 24, 2025</b> <b>Report updated for the July 8<sup>th</sup> ZLR meeting</b>		<b>Petition 12169</b>
	<b>Zoning Amendment Requested:</b> <b>FP-35 Farmland Preservation District TO RR-4 Rural Residential District and FP-1 Farmland Preservation District</b>		<b>Town, Section:</b> <b>DUNKIRK, Section 2</b>
	<b>Size: 4.6,32.4 Acres</b>	<b>Survey Required: Yes</b>	<b>Applicant:</b> <b>DONALD P SQUIRE JR</b>
	<b>Reason for the request:</b> <b>Creating one residential lot</b>		<b>Address:</b> <b>706 US HWY 51</b>



**DESCRIPTION:** Applicant Donald Squire would like to create a 4.6-acre residential lot with RR-4 zoning, on a 37-acre farm property. The remaining lands would be placed in a 32.4-acre agricultural lot with FP-1 zoning due to the property being reduced to less than 35 acres in size.

**OBSERVATIONS:** The proposed lot meets the requirements of the RR-4 zoning district, including lot size and public road frontage. The larger property already contains a monopole communication tower (see [CUP #2356](#) from 2016).

Property is subject to the City of Stoughton’s extraterritorial jurisdiction for review of the CSM.

**COMPREHENSIVE PLAN:** The property is located in the town’s agricultural preservation area. As indicated on the attached density study report, the property remains eligible for one density unit (a.k.a “split”). As noted below, there is an area of mapped wetlands that will require a formal delineation, and which could impact development of the property. If access is to be through the “flagpole” portion of the proposed RR-4 lot, it would result in a driveway exceeding 150’ in length. Driveways over that length, or which cross agricultural land, [require review and approval](#) by the town Plan Commission and Board.

If the petition is ultimately approved, the density units will be exhausted. If the other issues identified in this report are resolved, and the petition recommended for approval by the Town of Dunkirk, staff would recommend approval be conditioned on a deed restriction being recorded on the proposed FP-1 parcel (proposed lot 2) prohibiting further nonfarm development.

This staff report will be updated once the formal wetland delineation is provided by the applicant and the town has considered the proposed driveway access. For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or [Allan.Majid@danecounty.gov](mailto:Allan.Majid@danecounty.gov).

**RESOURCE PROTECTION:** DNR maps show wetlands and soils with hydric inclusions across the western part of the property. Staff requested the owners have a wetland delineation done to verify the presence of wetlands, which if present would trigger specific permit requirements.

(updated) At the time of writing for the public hearing, the results of the wetland study were pending. Prior to the public hearing the applicants provided the wetland delineation report showing no wetlands are present on the subject property at this time (see June 20, 2025 Stantec report).

For any construction involving a driveway more than 125 feet long, or disturbing more than 4,000 square feet of soil, an erosion control permit will be needed from [Dane County Water Resource Engineering Division](#) (608) 224-3730.

**MAY 27<sup>th</sup> ZLR PUBLIC HEARING:** On May 27<sup>th</sup> the ZLR Committee held a public hearing and postponed action on the petition at the applicant's request, to allow more time for town action. There were no comments or registrants opposed to the proposed rezoning.

**TOWN ACTION:** Pending (town meeting scheduled for July 7<sup>th</sup>).

**STAFF RECOMMENDATION:** Pending town action, Staff recommends approval of the rezone subject to the applicant recording the CSM, and the following conditions:

1. A deed restriction shall be recorded on proposed Lot 2 (current tax parcel 0511-023-9001-1) stating the following:
  - a. Further residential/nonfarm development is prohibited on the remaining FP-1 zoned land. The housing density rights for the original Gustave Gilbertson farm have been exhausted per the Town Comprehensive Plan density policies.

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