
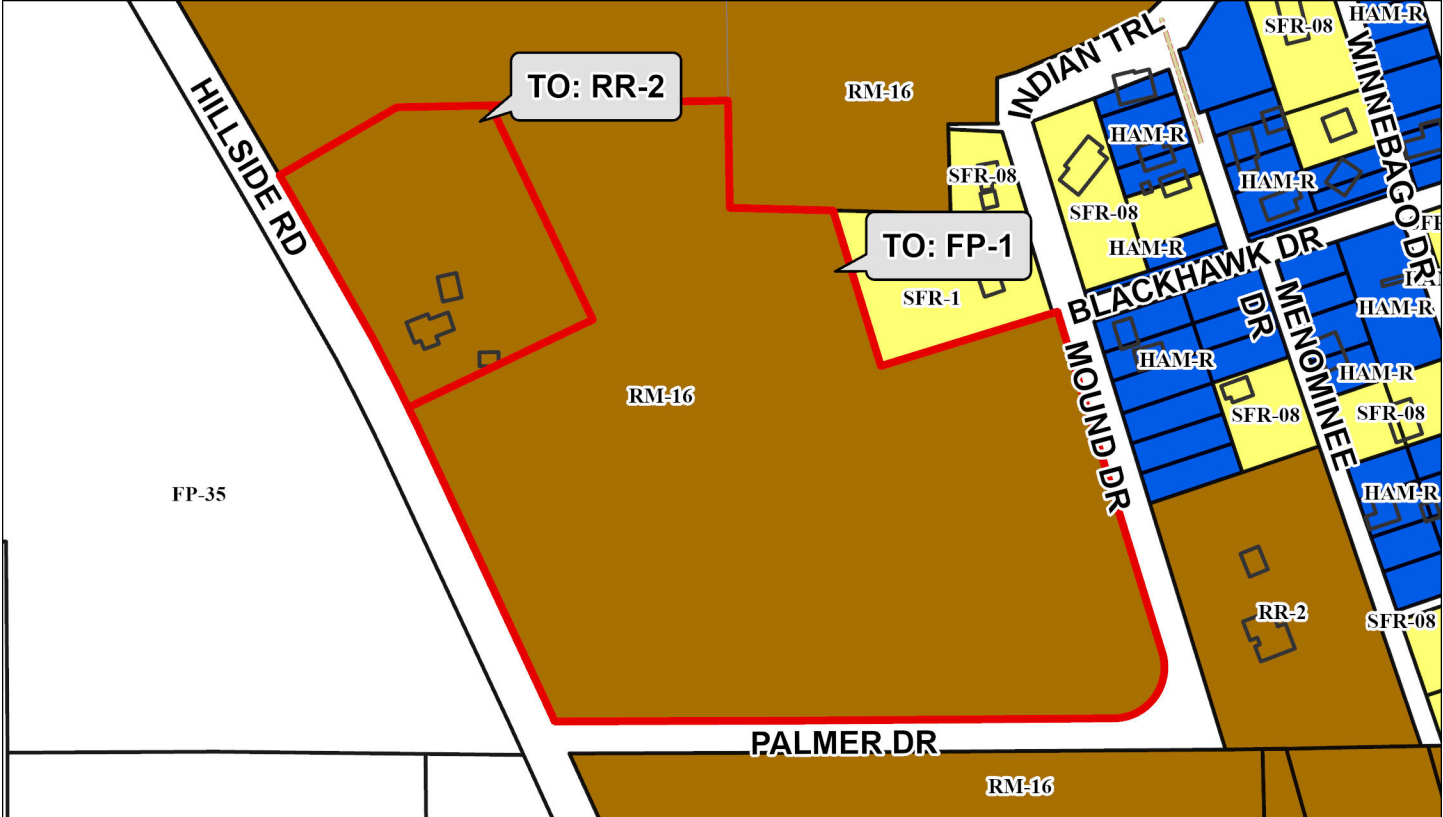


Staff Report  Zoning & Land Regulation Committee	Public Hearing: July 22, 2025		Petition 12179
	Zoning Amendment Requested: RM-16 Rural Mixed-Use District TO RR-2 Rural Residential District, RM-16 Rural Mixed-Use District TO FP-1 Farmland Preservation District		Town, Section: ALBION, Section 36
	Size: 3.23,16.67 Acres	Survey Required: Yes	Applicant: JASON W JASKULA
	Reason for the request: Separating existing residence from farmland		Address: 76 HILLSIDE RD



DESCRIPTION: Applicant would like to separate the existing buildings from the farm land on a 3.2-acre lot with RR-2 zoning. Dividing off the lot from the rest of the 20-acre property that is currently zoned RM-16. The remaining lands would be rezoned to FP-1 since there are no more development rights remaining on the property.

OBSERVATIONS: The proposed lots meet county zoning requirements for lot size and public road frontage. This property was deed restricted in 2022 to reflect there are no more development rights remaining under the Town of Albion's land use plan. At that time, a lot line adjustment with an adjacent land owner prompted this property to be rezoned out of farmland preservation (FP-35) zoning to RM-16. To maintain consistency between the zoning and the town's farmland preservation policies, staff suggested that the applicant rezone the remaining ag land to the FP-1 zoning district.

County Records in Access Dane show there are delinquent taxes on the property. The ZLR Committee may opt not to take action on the petition unless taxes are paid.

The property appears to be subject to the City of Edgerton's extraterritorial jurisdiction for the land division review.

COMPREHENSIVE PLAN: The 19-acre property is located in the town's agricultural preservation area. The comprehensive plan policies for this area focus primarily on limiting nonfarm development to a very low density. As noted elsewhere in this report, the property is deed restricted to prohibit further development or land division as the eligible density units were exhausted under previous [rezone petition #11774](#). The current proposal seeks to separate the

residence onto a smaller parcel of land in order to facilitate [sale of the home](#), as the owner is in the process of moving his family to Montana. Staff is also aware that the owner has also approached the town about designating the remaining ~16 acres of the property for higher density development. The town is in the beginning stages of updating its comprehensive plan.

The current comprehensive plan does not specifically address proposals to create small (<35 acre) FP-1 agricultural lots or “re-separation” of pre-1979 farm homes onto smaller parcels of land. On its face, the proposed separation would not result in any immediate change in land use and may make it easier for the owner to sell the existing home. However, it could also increase pressure on the town to allow higher density development on the vacant 16 acre parcel as it begins work to update the comprehensive plan.

Staff recommends action be postponed until the delinquent taxes have been paid and the town has considered and taken action on the petition. For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or Allan.Majid@danecounty.gov.

RESOURCE PROTECTION: There are no sensitive environmental features on the proposed residential lot. There is some secondary shoreland zoning area in far east end of the larger property, but it does not affect this proposal.

TOWN ACTION: On July 1st the Town Board recommended approval of this rezone conditioned on a deed restriction to prohibit any development or land division on the remaining agricultural property.

STAFF RECOMMENDATION: Pending any comments at the public hearing, staff recommends approval subject to the recording of the CSM and the following condition:

1. A deed restriction shall be recorded on the FP-1 lot (proposed Lot 2) to prohibit any further development or land divisions.

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