
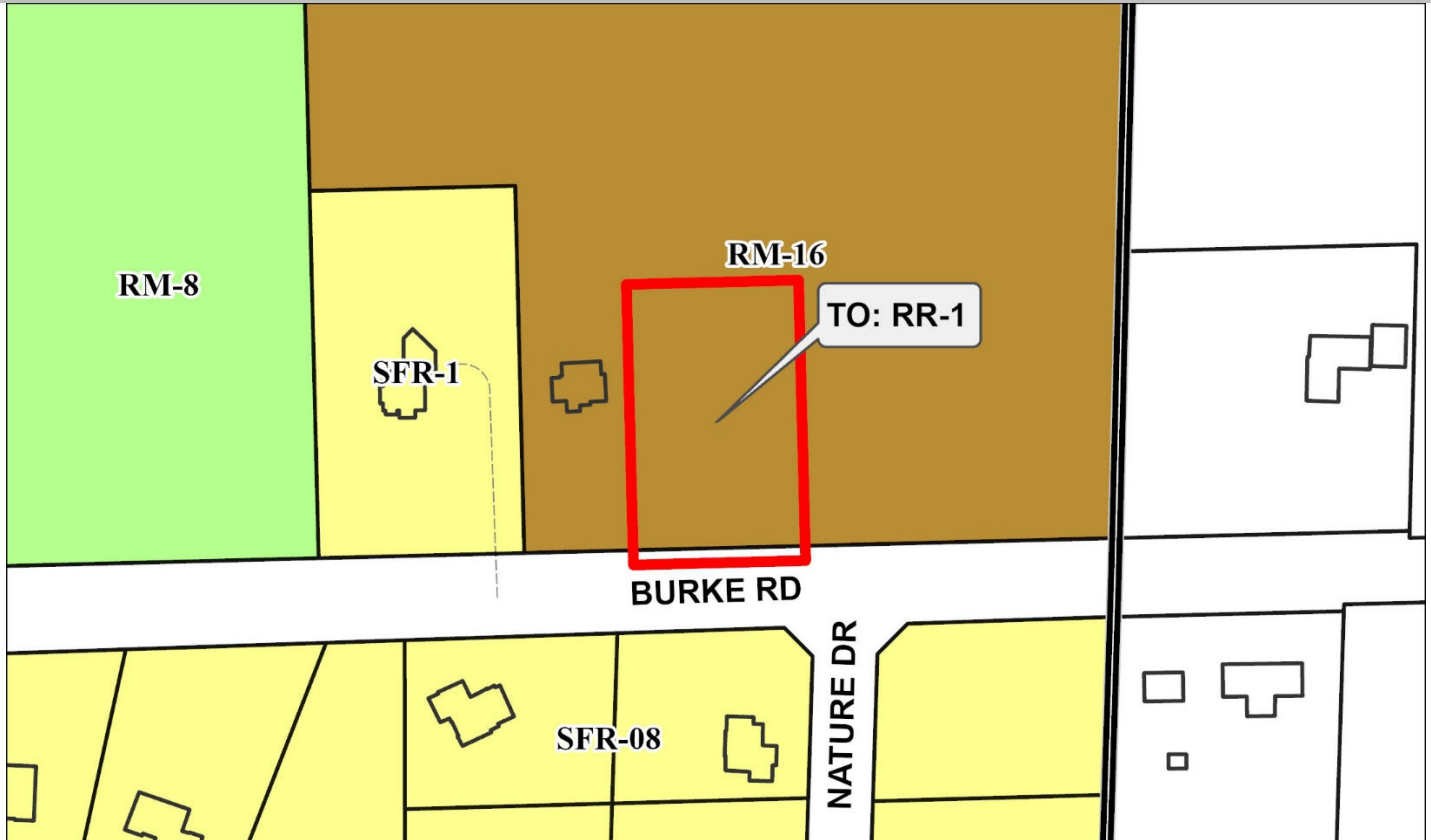


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>December 19, 2023</b>		<b>Petition 11990</b>
	<i>Zoning Amendment Requested:</i> <b>RM-16 Rural Mixed-Use District TO RR-1 Rural Residential District</b>		<i>Town/Section:</i> <b>BURKE, Section 24</b>
	<i>Size:</i> <b>1.157 Acres</b>	<i>Survey Required:</i> <b>Yes</b>	<i>Applicant</i> <b>SANDRA L JENSEN</b>
	<i>Reason for the request:</i> <b>Creating one residential lot</b>		<i>Address:</i> <b>3180 BURKE RD</b>



**DESCRIPTION:** Applicant Stacey Jensen proposes to create one 1.2-acre residential lot from the 19-acre property owned by her mother Sandra Jensen. A 2-lot certified survey map (CSM) would divide the property to create the new lot with RR-1 zoning and leave the remaining lands in RM-16 zoning.

**OBSERVATIONS:** No environmental features are present on site that would restrict development. The proposed lot is roughly ½ mile from an active quarry site to the northwest. The proposed lot location would enable the northward extension of Nature Drive in the future.

The land division is subject to the City of Madison’s extraterritorial jurisdiction (ETJ), and development in this area is subject to the intergovernmental *Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan*.

**COMPREHENSIVE PLAN:** The property is located in the town’s “low density residential” planning area. The property is in an area that will transition to the City of Madison pursuant to the [cooperative planning agreement](#) noted above between the town of Burke and the City of Madison, City of Sun Prairie, and Village of DeForest. That cooperative plan lays out the process by which the town of Burke will eventually be dissolved and town lands attached to the respective municipalities. Unless an early attachment is initiated under the terms of the cooperative plan, the subject and surrounding properties will be transitioned to city of Madison on October 27, 2036.

The property is within the City of Madison's [Reiner Neighborhood Development Plan](#), which was adopted in June of 2023 and shows the area planned for future residential use (at 12-20 dwelling units per acre) and also suggests future road alignments and the potential for a future school site (see image at right).

The City's Reiner Neighborhood Development plan includes the following policy with regard to zoning map amendments on town of Burke lands slated for eventual attachment to the city:

*"It is recommended that future zoning of land within the planning area conform to the land use recommendations within this Plan. Land should only be rezoned to another zoning district in conjunction with consideration of a specific subdivision or a specific development proposal sufficiently detailed to ensure that development within the district will be consistent with this Plan."*

The cooperative plan requires that all "development" be subject to review and approval in accordance with the respective city/village development requirements. Development is defined as:

*"Develop" or "development" refers to division of land, or construction of more than one principal structure on a parcel of land, or rezoning a parcel from a residential or agricultural classification to a non-residential classification. Use or division of land by the Town or Madison, Sun Prairie or DeForest for governmental purposes does not constitute development.*

However, the cooperative plan also includes an exemption from city review for division of a 5+ acre parcel to create one additional residential building site. Staff have reached out to city planning staff for confirmation as to whether or not the current proposal falls under that exemption. If the exemption is confirmed by city staff, county staff would find the proposal consistent with comprehensive plan policies.

(For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or [allan@countyofdane.com](mailto:allan@countyofdane.com))

**RESOURCE PROTECTION:** There are no resource protection areas on site.

**TOWN ACTION:** On September 20, 2023 the Town Board recommended approval of the petition subject to the applicants getting the CSM approved by Dane County and the City of Madison.

**STAFF RECOMMENDATION:** Pending any comments at the public hearing, staff recommends approval of the petition subject to the applicant recording a CSM for the new lot and the following condition:

1. The applicants shall obtain approval of the CSM from the City of Madison.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@countyofdane.com](mailto:holloway.rachel@countyofdane.com)

