
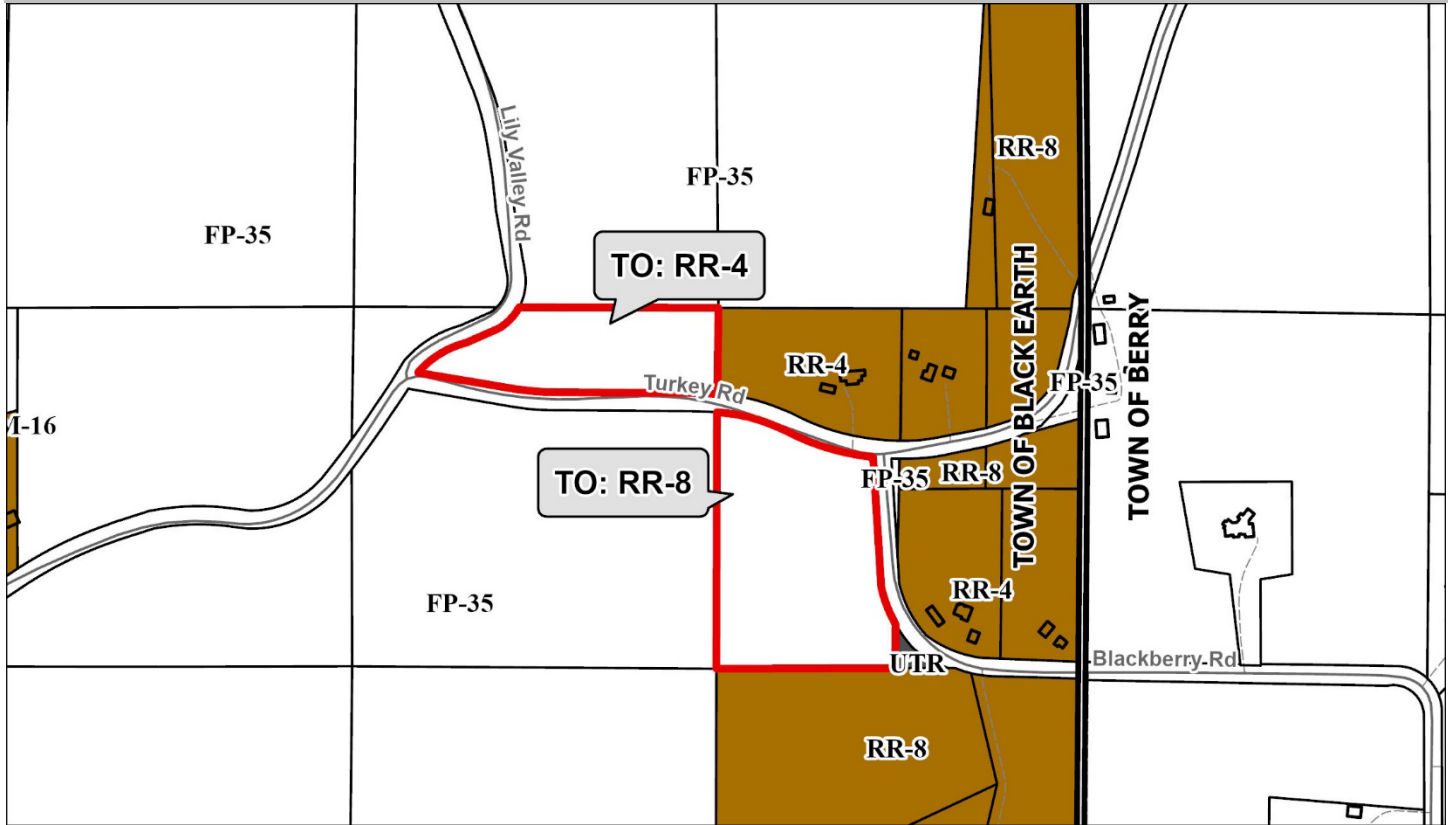


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> June 23, 2026		Petition 12283
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO RR-4 Rural Residential District and RR-8 Rural Residential District		<u>Town, Section:</u> BLACK EARTH, Section 25
	<u>Size:</u> 6.22,11.8 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> GV BLACKBERRY LLC
	<u>Reason for the request:</u> Creating two residential lots		<u>Address:</u> WEST AND SOUTH OF 9554 TURKEY RD



DESCRIPTION: Applicant proposes to create two residential lots, 6.2 acres and 11.8 acres in size, with RR-4 and RR-8 zoning respectively. A two-lot certified survey map (CSM) would be recorded.

OBSERVATIONS: The proposed lots meet county ordinance requirements for lot size and public road frontage. Town slope limitations may reduce the building envelope. RR zoning districts limit livestock use to one animal unit per acre. To exceed this limit would require approval of a conditional use permit. The eastern lot could have access onto either Turkey Road or Blackberry Road, subject to the Town’s approval as these are town roads.

There is a small remnant of land across Blackberry Road, roughly a ~5400 square foot part of tax parcel 080625181600, that must be dealt with because after the CSM is recorded this remnant will be a separate property under 35 acres and thus cannot remain zoned FP-35. It is at the far east end of the applicant’s ownership. Staff advised the options are to dedicate it as town road right-of-way, or rezone it to UTR. The applicant does not wish to dedicate it as ROW so it will be left unplatted and described with a plat of survey so that it could potentially be acquired by neighbors in the future.

The property is subject to the Village of Black Earth’s extraterritorial jurisdiction for the land division review.

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. This proposal is consistent with the goals, objectives of policies related to residential development. The Town of Black Earth has a 1 home per 35 acres density policy, the proposal is consistent with the density policy (see Density Study). Splits would remain available on the original farm. For questions about the town plan, contact Senior Planner Curt Kodl at (608) 266-4183 or Kodl.Curt@danecounty.gov.

RESOURCE PROTECTION: There are no sensitive environmental resources on the subject property. An intermittent stream to the west was deemed non-navigable, so no shoreland zoning applies to the proposed lots. Steep slopes and the apparent drainage pattern/gully should be a consideration of planning and development on the southern lot.

TOWN ACTION: The Plan Commission and Town Board approved the petition, amending the zoning district to RR-8 for the 11.8-acre lot, rather than RM-8 as initially proposed.

STAFF RECOMMENDATION: Staff notes that the petition, as amended with RR-4 and RR-8 zoning, should only be recommended for approval with the following condition:

1. The remnant piece of tax parcel 080625181600 across Blackberry Road shall be rezoned to the UTR zoning district, to reflect the size and use of the property.

Due to public comment received in opposition, **staff recommends postponement** of the petition.

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