


<b>Staff Report</b>    <b>Zoning &amp; Land Regulation Committee</b>	<u>Public Hearing:</u> <b>December 16, 2025</b>		<b>Petition 12226</b>
	<u>Zoning Amendment Requested:</u> <b>FP-35 Farmland Preservation District TO RR-2 Rural Residential District, FP-1 Farmland Preservation District TO RR-2 Rural Residential District</b>		<u>Town, Section:</u> <b>VERMONT, Section 6</b>
	<u>Size:</u> <b>2.0,0.13 Acres</b>	<u>Survey Required:</u> <b>Yes</b>	<u>Applicant:</u> <b>JEROME C HELMENSTINE</b>
	<u>Reason for the request:</u> <b>Creating one residential lot</b>		<u>Address:</u> <b>SOUTH OF 4785 COUNTY HWY FF</b>



**DESCRIPTION:** Jerome and Jacquelyn Helmenstine would like to create one residential lot for their son Dustin Helmenstine, roughly 2.2 acres in size with RR-2 zoning.

**OBSERVATIONS:** The farm is located at the far west edge of Dane County and is comprised of 312.5 acres, with roughly 239 acres this side of Highway FF and 73 acres on the other side. The proposed lot would be created with a long “flagpole” area extending from County Highway FF.

The proposed lot meets county ordinance requirements. Staff had one concern with the original proposal, because it would not have placed the existing driveway within the new lot’s road frontage (the “flagpole” part). As proposed, the new home will share the existing driveway that serves the farmstead, with a new driveway extension built off the main drive. Dane County’s Chapter 75 Land Division Ordinance requires that “*Lots shall maintain a minimum frontage of 66 feet connecting directly onto a public street at a location where the driveway shall be constructed in compliance with all other applicable local, state, and federal regulations.*” At staff’s request, the applicants have modified their lot location to place the proposed lot over the existing driveway where it meets the road. An access easement will be needed to ensure future access rights are provided for the farmstead.

Staff also notes that the existing barn would be 20.7 feet from the proposed residential lot. We discussed with the applicants to verify if the building is used for livestock, or is likely to be used for livestock in the future, because buildings housing livestock must be at least 50 feet from Rural Residential zoning districts. The landowners confirmed that the

former dairy barn was converted to storage use many years ago, and would require significant renovations to use it for livestock again. Based on this, staff has no concerns (the building must be at least 10 feet away from the lot in this case).

**HIGHWAY ACCESS:** A new Permit to Access is required from the Highway Department for the change of use on the existing access. No new additional access will be permitted on CTH FF due to reconfiguration of lots. The applicants have applied for a new access permit. For questions please contact Kevin Eslick 608-283-1486 / [eslick.kevin@danecounty.gov](mailto:eslick.kevin@danecounty.gov)

**COMPREHENSIVE PLAN:** This application is consistent with the Farmland Preservation density policies, and the general goals, objectives, and policies of the Comprehensive Plan. Property owner could have up to 5 available density units; however, much of the land is land locked, inaccessible, and may not meet siting criteria or development standards. Thus, siting all 5 homes may be challenging. The proposed site uses an existing access point. Proposed access point will need to be in compliance with siting near agricultural accessory buildings. For questions about the town plan, contact Senior Planner Bridgit Van Belleghem at (608) 225-2043 or [VanBelleghem.Bridgit@danecounty.gov](mailto:VanBelleghem.Bridgit@danecounty.gov).

**RESOURCE PROTECTION:** There are no sensitive environmental features on or within 300 feet of the subject property.

Applicants should be aware that an erosion control permit is required from Dane County Land and Water Resources Department for any proposed new driveway more than 125 feet long, or for any land disturbance of over 4,000 square feet. It appears unlikely that the home and driveway construction will trigger stormwater management requirements. For questions, contact Elliott Mergen at Water Resource Engineering (608) 224-3730 / [Mergen.Elliott@danecounty.gov](mailto:Mergen.Elliott@danecounty.gov).

**TOWN ACTION:** The Vermont Town Board recommended approval of the petition with no conditions.

**STAFF RECOMMENDATION:** As noted above (and as reflected in the amended rezone petition), the applicants have amended the lot boundary to include the new driveway. Pending any comments at the public hearing, staff recommends approval of the rezone subject to the applicants recording the CSM and the following conditions:

1. A shared driveway access easement shall be provided to ensure access to the lot and the farmstead.
2. An access permit shall be obtained from Dane County Highway Department for the modified use of the existing driveway.

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.