


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> February 25, 2025 Report updated for the March 25, 2025 ZLR Committee meeting		Petition 12141
	<u>Zoning Amendment Requested:</u> AT-5 Agriculture Transition District TO SFR-08 Single Family Residential District		<u>Town, Section:</u> MIDDLETON, Section 6
	<u>Size:</u> 3.24 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> BALWINDER & RAJINDER SEERHA
	<u>Reason for the request:</u> Creating one residential lot		<u>Address:</u> 8773 AIRPORT ROAD



DESCRIPTION: The Seerhas would like to create one new lot for their son by dividing their existing lot into two. The property, Lot 1 of CSM #7815, is 8.86 acres in size and contains a single-family residence. A new certified survey map would divide the lot into one 3.2-acre lot for the existing house, and a 5.7-acre lot for a future home site. Under the Town of Middleton’s land use plan policies, lots in a CSM or plat that are under 5 acres in size are to be zoned SFR-08, while larger CSM or plat lots may have other zoning assigned. For this petition, the remaining larger lot is proposed to remain in AT-5 zoning.

OBSERVATIONS: The proposed lots meet county ordinance requirements including lot size, public road frontage, and building setbacks. The lots would share a single access on to Airport Road via the existing driveway.

The property is located about ½ mile from an active mineral extraction site to the northwest (CUP #1843) in the Town of Cross Plains. The land division may be subject to the Village of Cross Plains extraterritorial jurisdiction review, as the property is roughly 1.5 miles from the Village boundary.

COMPREHENSIVE PLAN: The request is consistent with the Town's Comprehensive Plan and density residential policy. New platted residential lots under five acres are all rezoned to SFR-08 per Town policy. 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 features on or within 300 feet of the property. The Town of Middleton may have its own requirements for steep slope protection due to the terrain of the site.

FEBRUARY 25TH ZLR HEARING: In February the ZLR Committee held the public hearing on the proposed rezoning. No one registered or spoke in opposition. The Committee postponed action to allow more time for town action on the petition.

TOWN ACTION: On March 17, 2025 the Town Board recommended denial of the petition, finding that the proposal did not satisfy the requirements for the four (4) steep slope-related variances required under the Town's subdivision ordinance for the proposed land division because the hardship is self-imposed.

STAFF UPDATE: Staff had previously indicated a recommendation for approval subject to town action and a shared driveway easement for the lots. However, based on the town's recommendation to deny based on conflicts with the town land division ordinance, Staff recommends denial of the petition based on the following reason:

1. The proposal is inconsistent with Town land division requirements. The proposal did not satisfy the requirements for the four (4) steep slope-related variances required under the Town's subdivision ordinance for the proposed land division because the hardship is self-imposed.

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