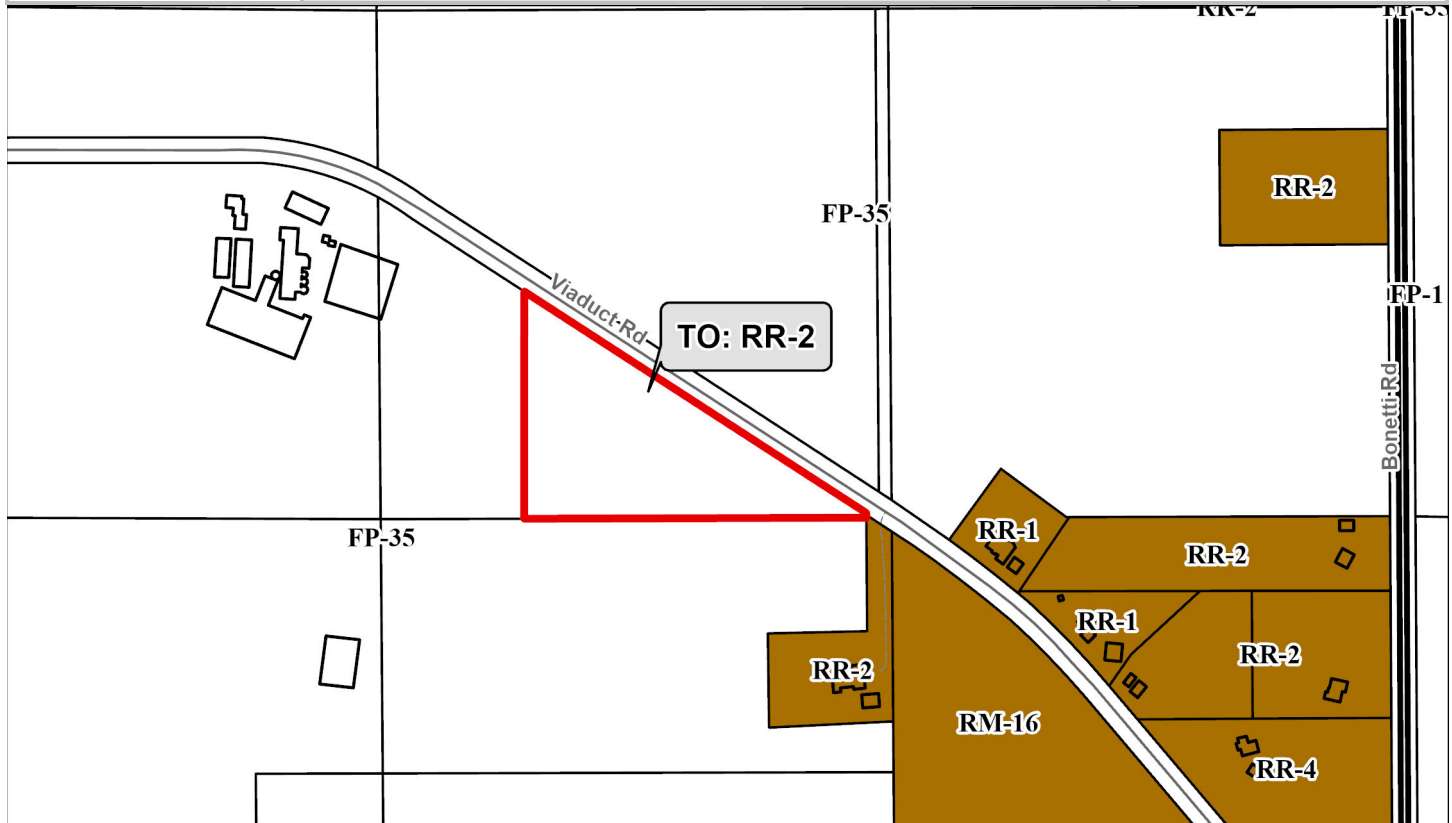


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> August 25, 2026		Petition 12314
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO RR-2 Rural Residential District		<u>Town, Section:</u> DANE, Section 12
	<u>Size:</u> 6.13 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> BREUNIG LIVING TR (DAN AND KAY BREUNIG)
	<u>Reason for the request:</u> CREATING 3 RESIDENTIAL LOTS (USING TDR TO TRANSFER ONE DEVELOPMENT RIGHT)		<u>Address:</u> EAST OF 6469 VIADUCT RD



DESCRIPTION: The Breunigs would like to create four new building sites by utilizing both on-farm splits and transferring a buildable right from another farm. Applicant has no immediate plans to develop these parcels but intends to sell the lands north of the road and retain the building rights for future purposes.

OBSERVATIONS: The proposed lot configuration meets county ordinance requirements, including lot size and public road frontage. Rezone area is located adjacent to lands with concentrated rural residential development.

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 and transfer of development rights. The proposal would use 1 split from the Clemens farm for the TDR (using the last split available on that farm, if companion rezone petition 12313 is also approved), and would use 2 splits from the Skarda farm (where 1 split would remain available). The Town of Dane has a 1 home per 35 acres density policy, the proposal is consistent with the density policy (see sending and receiving Density Studies).

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 within 300 feet of the subject property.

TOWN ACTION: Pending.

STAFF RECOMMENDATION: Pending receipt of the town board recommendation, Staff would recommend approval with the following conditions:

1. Applicant shall submit the CSM for approval and record it with the Register of Deeds.
2. The TDR-R (Transfer of Development Rights – Receiving) overlay zoning district shall be assigned to one of the CSM lots.
3. A deed notice shall be recorded on the receiving CSM lot that indicates it was created by a transfer of development rights.
4. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (parcel 090801490002).
5. An agricultural conservation easement shall be recorded on the TDR-S/FP-35 property (Clemens farm parcel 090801490002) in accordance with the County TDR Ordinance.

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